



UNIVERSITY of HAWAII®
LEEWARD
COMMUNITY COLLEGE

The Associated Students
of the
University of Hawai‘i
at
Leeward Community College

CONSTITUTION



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Associated Students of University of Hawai'i- Leeward
Community College

The Associated Students of the University of Hawai'i At Leeward Community College

CONSTITUTION

The Board of Regents of the University of Hawai'i is established by the Legislature of the State of Hawaii in revised statutes as its governing body. The Board of Regents delegates its authority to approve student government constitutions and constitutional amendments and budgets to the President or his or her designee (BOR policies, Ch. 7 Sec. 7-3a).

The Office of the Vice President for Community Colleges has further delegated that authority to the Chancellor of each institution (Vice President's guidelines).

On April 1, 2008 at Leeward Community College, Interim Chancellor Manuel Cabral establishes the Constitution of the Associated Students of the University of Hawai'i at Leeward Community College as the one true document governing the affairs of the student body and charted with the Board of regents of the University of Hawai'i.

The Constitution of the Associated Students of the University of Hawai'i at Leeward Community College was ratified by the 2007 – 2008 Interim Student Representative Council by an overwhelming majority during balloting of student members conducted on March 5, 10-14, 2008.

The Constitution of the Associated Students of the University of Hawai'i at Leeward Community College was ratified by the newly student body elected 2009 – 2010 Student Government by a majority vote during the Spring 2009 elections.

Hereafter, all previous versions of the Constitution of the Associated Students of the University of Hawai'i at Leeward Community College, including by-laws, standing rules, policies and procedures, are null and void.

The Associated Students of the University of Hawaii at Leeward Community College are subject to and will comply with all Federal and State laws, as well as University of Hawai'i Board of Regents rules and regulations.

The 2009-2010 ASUH-Leeward CC Student Government President, Keokolo Akina and Chancellor, Manuel Cabral as cosignatories activate this Constitution for the Associated Students of the University of Hawai'i at Leeward Community College.

Keokolo Akina
ASUH Leeward CC 2009-2010 President

Date

Manuel Cabral
Chancellor, Leeward CC

Date

Amendments to Constitution

The 2011-2012 ASUH-Leeward CC Student Government President, Tracey L. Imper and Chancellor, Manuel Cabral as cosignatories activate the changes/edits made to this Constitution for the Associated Students of the University of Hawai'i at Leeward Community College.

Tracey L. Imper
ASUH Leeward CC 2011-2012 President

Date

Manuel Cabral
Chancellor, Leeward Community College

Date

ASUH-LEEWARD CC CONSTITUTION

PREAMBLE

We, the students of the University of Hawai‘i-Leeward Community College, by the authority of the Board of Regents of the University of Hawai‘i, in order to serve the needs, promote the welfare, encourage the active participation, and democratically represent a body of students within a curricular atmosphere, do hereby establish this Constitution and Charter for the students of the University Hawai‘i-Leeward Community College.

ARTICLE I – NAME

The official name of this organization shall be, “Associated Students of the University of Hawai‘i-Leeward Community College”, the abbreviation of which shall be “ASUH-Leeward CC.”

ARTICLE II – EQUAL OPPORTUNITY

In conjunction with State and Federal laws, the ASUH-Leeward CC and any organization within its cognizant authority may not discriminate in any endeavor based solely on sex, race, religion, color, national origin, sexual orientation, physical ability, or political affiliation.

ARTICLE III – MEMBERSHIP

Students enrolled in at least one (1) accredited class at Leeward Community College shall be voting members of ASUH-Leeward CC. Memberships without voting privileges may be created by the Senate.

ARTICLE IV – STUDENT GOVERNMENT

- 1) **SCOPE** – The Student Government is the governing body, legislative assembly, and administration of ASUH-Leeward CC.
 - a. The Student Government shall be responsible for the enforcement of the Constitution and its Operating Rules, and promotion of student participation in all campus activities and affairs. The Student Government will perform all the duties assigned within the Constitution and its Operating Rules.
 - b. The Student Government shall be the approving authority for all appointments by the President, as well as, annual budget adoption and expenditures. The Student Government shall maintain authority over all ASUH-Leeward CC funds and assets.

- c. Meetings of the Student Government (Senate Meetings) shall be public and take place at least once a month during the academic year, or as decided by the Senate or the Executive Board, or at the written request of at least twenty five (25) members of the ASUH-Leeward CC. Robert's Rules of Order, Newly Revised, shall be the parliamentary authority unless otherwise directed by the Constitution.

2) MEMBERSHIP –ASUH- Leeward CC Student Government shall consist of ten (10) Senator seats with one seat solely designated for a Leeward CC-Wai`anae student, elected by the ASUH-Leeward CC student body. Student Government may consist of no more than three (3) internship positions, filled at the discretion of the President and elected Senate. Elections shall be held at the end of the spring semester. If, for any reason, Senator membership consists of three (3) members or less, all governing and legislative authority except appointment and approval of new members shall be suspended until at least two (2) more members are appointed and approved. Student Government members must maintain a minimum 2.0 GPA after their first semester and be enrolled at Leeward Community College with 3 credits. The terms of elected offices shall be one (1) year. Student Government members appointed to fill vacant elected offices shall serve the remainder of that term.

A. Leeward CC-Wai`anae student is defined as: enrolled in at least 3 credits at Leeward CC-Wai`anae

B. Leeward CC-Wai`anae campus will conduct their own elections to designate a Senator to represent the Leeward CC-Wai`anae campus.

C. Students from Leeward CC- Wai`anae may choose to either run for elections with the nine (9) senators at the Pearl City campus **or** may choose to run for the Wai`anae Representative seat. They may not run for both.

D. Only Leeward CC- Wai`anae students may vote for the designated Leeward CC- Wai`anae Representative

3) QUORUM – One half (1/2) the Student Government membership, plus one (1) or a fraction of one (1).

ARTICLE V – EXECUTIVE BOARD

- 1) **SCOPE** – The Executive Board will be the managing body of the ASUH-Leeward CC. Their duties include ensuring that the Student Government functions according to the Constitution and its Operating Rules, and assist in the coordination of the activities of the Student Government. They shall also prepare agendas for Senate meetings, approve dissemination of information and public meetings, represent the general and/or expressed interests of the ASUH-Leeward CC, recommend awards and recognition for superior service, and perform all other duties assigned to the offices thereof by the Operating rules.

- 2) **MEMBERSHIP AND DUTIES** – The Executive Board shall consist of four (4) members of the ASUH-Leeward CC to include a President, Vice President, Treasurer, and Secretary. The President, Vice President, Treasurer, and Secretary shall all be appointed by the elected Senate. They shall maintain their vote during Senate meetings. The members of the Executive Board shall maintain a minimum of 2.0 GPA after the first semester at Leeward Community College and be registered at Leeward Community College for no less than six (6) credits. The terms of office shall be one (1) year. Executive Board members appointed to fill vacant elected offices shall serve the remainder of that term.
 - A. The President shall be the chief executive officer and official representative for the ASUH-Leeward CC. The President’s responsibilities include but are not limited to:
 - i. Coordinating, convening, and presiding over all meetings of the Senate.
 - ii. Maintaining effective communication between the Leeward CC administration, ASUH-Leeward CC Student Government, and the ASUH-Leeward CC student body.
 - iii. Provide training to the members of Student Government and the Executive Board.
 - iv. Lobbying for ASUH-Leeward CC concerns including legislative development and system wide student organizations recognized by the University Of Hawai’i Board Of Regents. Including UH Student Caucus serving as 1st delegate from Leeward CC.
 - v. Making appointments as necessary, with the approval of the Senate, to fill vacant offices.
 - vi. Is also the representing student voice on several campus committees including but not limited to the Faculty Senate and Campus Council.

 - B. The Vice President shall assist the President, and in the absence or incapacity of the President,

perform the duties of that office. The Vice President shall also be responsible for but not limited to:

- i. Training Student Government in parliamentary procedure (Robert's Rules of Order, Newly Revised).
 - ii. Maintaining effective communication between the Leeward CC administration, ASUH-LCC Student Government, and the ASUH-Leeward CC student body.
 - iii. Lobbying for ASUH-Leeward CC concerns including legislative development and system wide student organizations recognized by the University Of Hawai'i Board Of Regents including UH Student Caucus serving as 2nd delegate from Leeward CC.
 - iv. The Vice President shall also be responsible for developing recruitment activities and programs to promote active participation, increased knowledge and leadership, and higher morale for all ASUH-Leeward CC members.
 - v. Research leadership opportunities (workshops/conferences) for Student Government and possibly open to ASUH – Leeward CC.
- C. The Treasurer shall be responsible for maintaining accountancy of all funds of the ASUH-Leeward CC and communicate this information at Senate meetings monthly or by request of the Senate if meetings are held more frequently. The Treasurer shall also be responsible for but not limited to:
- i. Chairing the Budget and Finance Committee.
 - ii. Training members of the Budget and Finance Committee on all accounting and decision making procedures.
 - iii. Submitting an annual budget to the Senate for approval.
- D. The Secretary shall be responsible for having the minutes of all the Senate meetings recorded. The Secretary shall also be responsible for but not limited to:
- i. Posting approved minutes for public viewing no later than one week after approval.
 - ii. Posting the Senate Agenda 24 hours before the Senate Meeting
 - iii. Maintaining any media outlets.

ARTICLE VI – JUDICIAL COUNCIL

1) SCOPE – The Judicial Council shall serve to mediate conflicts involving ASUH-Leeward CC members and/or organizations. They shall conduct a judicial review based on the rules of the Constitution/Operating Rules of the ASUH-Leeward CC. The Judicial Council provides the final judicial review for all Constitution and Operating Rules amendments. Judicial Council members may not hold any other office positions within the ASUH-Leeward CC Student Government and must perform the duties stated in the Constitution and its Operating Rules.

ARTICLE VII – STANDING COMMITTEES

- 1) SCOPE – Standing Committees will be the, the Budget and Finance Committee. Elections Committee shall be considered ad hoc committees. Other Committees may be formed as required with approval of the Senate. Robert’s Rules of Order, Newly Revised, shall be the parliamentary authority unless suspended or revised by majority vote.
- 2) MEMBERSHIP – All Committees are open to any member of the ASUH-Leeward CC. Each Committee will have a Chair and Co-Chair who are responsible to the Student Government for proper operations of that Committee.
- 3) ACTION – All Committees shall perform duties outlined in the Constitution and Operating Rules:
 - i. The Budget and Finance Committee shall be responsible for the preparation and submission of the annual budget to the Senate for approval, and coordinate all financial and budget matters of the ASUH-Leeward CC.

ARTICLE VIII – STUDENT ACTIVITIES BOARD

- 1) SCOPE - The Student Activities Board shall be a separately operated entity from the Student Government. It will operate under its own Charter and conduct business including, but not limited to: contests, performances, social activities, festivals, sports, concerts, community events, forums, demonstrations, and awareness events. The Senate shall have the power to approve the annual programming budget and any other requests for funding proposed by the Student Activities Board.

ARTICLE IX – AMENDMENT

- 1) The Constitution shall be amended by either of the following two ways after review from the Judicial

Council, and obtains Senate approval by two-thirds (2/3) majority on a prepared amendment from the committee.

- 1) Two-thirds (2/3) majority of votes cast by at least five (5) percent of the members of the ASUH-Leeward CC (at the time of the election) during annual or special elections

*The amendment shall take effect at the time the election is declared official by the Chancellor. A proposed amendment shall be placed on the ballot after.

- 2) A proposed amendment is signed by two hundred and fifty (250) members of the ASUH-Leeward CC and receives a favorable Judicial Review by the Judicial Council.

- 2) Actions to revise or amend any portion of the ASUH-Leeward CC Operating Rules must be in the form of an Act, which will automatically be referred to the Judicial Council for review and recommendation. Upon recommendation from the Council, said Act will receive final legislative action with a two-thirds (2/3) majority vote of the Senate necessary for adoption. If the Act passes the judicial review, and is signed by at least two hundred and fifty (250) members of the ASUH-Leeward CC, it shall be automatically adopted by the Student Government.

In all cases of revision or amendment to either the Constitution or the Operating Rules, prior to submission to the Senate for final legislative action, said revision or amendment shall be reviewed by the Judicial Council to ensure legal and constitutional correctness.

ASUH-LEEWARD CC

**ASSOCIATED STUDENTS OF THE UNIVERSITY HAWAI'I
LEEWARD COMMUNITY COLLEGE**

OPERATING RULES

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ASUH-LEEWARD CC OPERATING RULES

CHAPTER 1-LEGISLATIVE RULES, POLICIES, AND PROCEDURES

I. DEFINITIONS

- A. MEASURE – Any item of business requiring a decision of the Student Government.
- B. BILL – Any measure dealing with appropriations of funds.
- C. ACT – Any measure which makes additions to the Operating Rules.
- D. RESOLUTION – Any measure, which expresses the sentiment of the Student Government.
- E. SESSION – A period when the Senate meets regularly without extended interruption.
- F. Student Government MEMBERSHIP – The total sum of Student Government members.
- G. Senate IN ATTENDANCE – The total number of Student Government members present for a given meeting.
- H. Senate – Refers to the Student Government during Senate Meetings and voting procedures
- I. SIMPLE MAJORITY – One half (1/2) the Senate in attendance, plus one (1) or a fraction of one (1), provided quorum is met. Unless specifically stated otherwise, all decisions of the Senate will be based on a simple majority.

II. PRESIDING OFFICER

- A. The President of the ASUH-Leeward CC shall be the presiding officer of all Senate meetings. The duties include, but are not limited to:
 - a) Deciding and enforcing all rules relating to meetings of the Senate are in accordance with the Robert's Rules of Order, Newly Revised.
 - b) Interpretation of all Operating Rules.
- B. In the event both the President and the Vice President are unavailable to conduct the Senate meetings, the Treasurer will act as President.

III. ORDER OF BUSINESS

- A. Any business brought before the Senate should appear on the agenda. Last minute business may be brought before the Senate without appearing on the agenda, but it may not be voted on at that meeting. Copies of the agenda, minutes of the last meeting, measures, and any other necessary documents will be provided for the Senate members at least twenty-four (24) hours prior to a meeting.
- B. Reports to the Senate may be verbal only, unless, a copy is specifically requested by the President. In such case the report will bear the signature of the individual submitting it. Examples of reports

include committee progress reports, committee recommendations, Senator announcements, or any informational data provided to the Senate.

- C. During the open Senate Forum, anyone may address the Senate, provided that individual appears on the agenda, or if not on the agenda, permission is granted by a unanimous vote of the Senate to speak at the meeting. Speakers must limit their address to five (5) minutes unless an extension is granted by the Senate.

- D. A two-thirds (2/3) majority vote of the Senate in attendance is required for the following measures:
 - 1. Appointment of new members.
 - 2. All budget and appropriation matters.
 - 3. Member removal proceedings.
 - 4. Extension of Senate meetings.
 - 5. Approval of Acts.

IV. MEETINGS

- A. Senate meetings shall not exceed three (3) hours unless extended by the Senate. A notice listing Senate meeting times and places will be made public at least seven (7) days prior to each meeting. The agenda for each Senate meeting shall be made public at least twenty-four (24) hours prior to each meeting. All Senate members are expected to attend Senate meetings. Members who are absent without giving notice prior to the meeting are considered unexcused.
- B. NOTE: More than two unexcused absences from Senate meetings will result in either a stipend reduction and/or member removal proceedings per the discretion of the President. A tardy will account for half of an unexcused absence.
- C. More than three excused absences will result in a reduction in stipend. Definition of excused and unexcused absences will be determined by the Executive Board.

V. CONFLICT OF INTEREST

- A. Unless otherwise stated in the Constitution, no member of the ASUH-Leeward CC Student Government may hold more than one (1) elected or appointed office at any given time.

VI. INTRODUCTION OF MEASURES/LEGISLATION

A. All measures brought before the Senate shall take the form of the following:

1. **BILLS** – All Bills shall consist of a proposal and the Bill itself. The proposal explains the purpose, sum required, source of funds, persons responsible for expending, and period of expenditure (see examples in appendix I). The final draft of the Bill shall follow the example in appendix II.
2. **ACTS** – All acts shall consist of a resolution and final inclusion. The resolution includes the purpose, reasons for adoption, and the actual resolution made up of a list of actions (see appendix III). After adoption, the Act becomes an addition to this document.
3. **RESOLUTIONS** – All Resolutions shall consist of a Preamble and the Resolution itself. The Preamble describes the reasons for the Resolution. The Resolution shall follow the example in appendix III.

B. Any member of ASUH-Leeward CC may propose legislation. However, all measures brought before the Senate must be sponsored by a member of the Senate.

C. Measures shall be submitted to the President for review and, if properly drafted, introduced at the next Senate meeting. The introduction of a measure shall constitute the first reading and may be passed, tabled, referred, or withdrawn. If the measure is tabled or referred to a committee it must be returned to the Senate floor within four (4) weeks, or the measure dies and must be reintroduced. If the measure is passed at the first reading a final reading/public hearing shall take place at the next Senate meeting. At the final reading the measure may be adopted, tabled, referred, withdrawn, or defeated. (Regardless of the number of times the measure is tabled or referred, it must be returned to the Senate floor within five (5) weeks of the first reading or the measure dies and must be reintroduced at the next Senate session.)

VII. FINAL LEGISLATIVE ACTION

A. Final action regarding measures/legislation (second reading) shall take place no later than five (5) weeks from initial introduction. At the proper time on the agenda the President shall announce each measure and ask for a motion. If the measure was referred to a committee, a report and recommendation will be made. The motion (adopt, discuss, table, etc.) will then be put to a vote. If a measure is defeated it may not be reintroduced during the same Senate session.

B. All measures, adopted or defeated, shall be certified by the President and posted in a public place.

VIII. INITIATIVE

- A. Legislation initiated by a member of the student body and accompanied by a petition bearing the signatures of at least two hundred and fifty (250) members of the ASUH-Leeward CC, and having been sponsored by a member of the Student Government and reviewed by the President as properly drafted, shall be put to a vote of the ASUH-Leeward CC.
- B. The Student Government shall instruct the Elections Committee to place the proposed legislation on a ballot within thirty (30) days, or as part of the annual elections, whichever is sooner.
- C. A majority vote of at least five (5) percent of the ASUH-Leeward CC membership is required to pass legislation.

IX. REMOVAL FROM OFFICE

- A. Any elected or appointed officials of ASUH-Leeward CC may be removed from office prior to term expiration for significant violations of State or Federal laws, ASUH-Leeward CC Constitution and its Operating Rules, or the Student Conduct Code.
- B. Any elected or appointed official of ASUH-Leeward CC Student Government can be removed from office by completion of any two (2) of the following procedures: (a) a petition, stating the reasons for removal, signed by at least two hundred and fifty (250) members of ASUH-Leeward CC, delivered to either the First Counsel or the Vice President, (b) an unfavorable review by the Judicial Council, (c) a two-third (2/3) majority vote of the Senate in attendance.

CHAPTER 2

EXECUTIVE BOARD RULES, POLICIES, AND PROCEDURES

I. DEFINITIONS

- A. MAJORITY – For purposes of decision making, a majority of the Executive Board shall consist of one (1), or any fraction of one (1), more than half (1/2) the members present, providing quorum is met.
- B. QUORUM – At least three (3) members of the Executive Board must be present to constitute a quorum.
- C. RULES OF ORDER – At the discretion of the President, Robert’s Rules of Order, Newly Revised, will direct the rules of order at all Executive Board meetings.

II. DUTIES

- A. The Executive Board shall be responsible for scheduling all Senate meetings, creating, coordinating, and placing items of business on the Senate agenda, and ensuring proper compliance with procedures and documentations of all public meetings and information dissemination.
- B. The Secretary shall be responsible for documentation of all Senate and Executive Board business, and proper preservation and safekeeping of all records of the ASUH-Leeward CC Student Government, including making all records available for public inspection. And any other duties assigned by the President or the Student Government.

III. MEETINGS

- A. Executive Board meetings will be held at Leeward Community College at dates, times, and places decided by the President, or three (3) members of the Executive Board, or Senate decisions of Executive Board may not supersede the authority of the Senate.

CHAPTER 3 SENATOR RULES, POLICIES AND PROCEDURES

I. DUTIES AND RESPONSIBILITIES

- A. To represent Leeward CC in a professional manner while upholding the Leeward CC Student

Government Mission Statement.

- B. Each Executive Board may set guidelines of necessary duties that a Senator must perform in order to meet the expected duties and responsibilities of Student Government.
- C. If at any time a Senator is not meeting the duties and responsibilities expected of him or her the Executive Board, by a two-third (2/3) majority vote may ask for the Senator's resignation.

II.MEETINGS

- A. Each Senator must attend the minimum number of meetings as set forth prior in the constitution.
- B. If a Senator fails to meet the minimum number of meetings he or she may be asked to resign by the Executive Board.

III.MEMBERSHIP

- A. A member of the Senate must be currently enrolled for a minimum of three (3) credits at Leeward CC and maintain at least a 2.0 GPA.

CHAPTER 4 INTERNSHIP POSITION

I.DEFINITION:

An Intern is a non-voting, unpaid member of the senate. If at any time a position in the Senate becomes available the Intern will be able to re-interview for that position without needing to reapply for Student Government. The purpose of an Intern is for the individual to learn and shadow other Student Government

members to better understand the daily operations and responsibilities of Student Government.

II. DUTIES AND RESPONSIBILITIES:

- A. Required to attend a minimum of one meeting every month
- B. Attend at least 2 events per semester
- C. Work 2.5 hours per week in the Student Government Office

III. MEMBERSHIP

- A. An Intern must be currently enrolled for a minimum of three (3) credits at Leeward CC and maintain at least a 2.0 GPA.

IV. TERMS OF OFFICE

- A. If at any time the Intern is not fulfilling their duties the Senate may revoke the internship position.
- B. The first 30 days of the student's internship will also be considered a probationary period

CHAPTER 5

JUDICIAL COUNCIL RULES, POLICIES, AND PROCEDURES

I. DEFINITIONS

- A. MAJORITY RULING – In order to pass judgment on a case or issue of contention, a majority of one (1) or any fraction of one (1) more than half (1/2) the Judicial Council membership present is needed, providing quorum is met.
- B. QUORUM – At least three (3) members of the Judicial Council must be present to constitute a quorum.

II. DUTIES AND RESPONSIBILITIES

- A. As stated in the ASUH-Leeward CC Constitution, the Judicial Council shall decide conflicts relating to the interpretation and implementation of the ASUH-Leeward CC Constitution and its Operating Rules. Their duties include but are not necessarily limited to the following:
 - 1. Interpreting the intent, spirit, and meaning of each item in the Constitution and the Operating Rules.

2. Deciding the constitutionality of legislation adopted or passed by the Senate.
3. Deciding questions of the rights or duties of interested parties insofar as they relate to the Constitution or the Operating Rules.
4. Conducting Judicial Reviews in cases of impeachment of officials.
5. Conducting Judicial Reviews of amendments or revisions to the Constitution or the Operating Rules.

B. In order to faithfully and responsibly carry out the duties of the Judicial Council, its members must be thoroughly familiar with the Constitution, the Operating Rules, and the Student Conduct Code.

III. JURISDICTION

A. All cases brought before the Judicial Council shall be initiated, considered, and decided only so far as they relate to the ASUH-Leeward CC Constitution and its Operating Rules. The Judicial Council of ASUH-Leeward CC shall have complete and exclusive authority to decide all cases. All decisions of the Judicial Council are to be respected, adhered to, and final.

IV. MEMBERSHIP / OFFICERS

- A. The Judicial Council shall consist of at least three (3), but no more than five (5) members of the ASUH-Leeward CC, appointed by the President and approved by the Senate. Their term of office shall be one (1) year from the day of confirmation.
- B. The Judicial Council shall be headed and presided over by a member elected from the Judicial Council and designated by the title, "First Counsel." An assistant to the First Counsel shall be elected from the Judicial Council and designated by the title, "Second Counsel." The Second Counsel shall act as recorder for all hearings and proceedings before the Judicial Council, and assume the duties of First Counsel if that position is vacated for any reason.

V. CONFLICT OF INTEREST / DISQUALIFICATION

A. Any members of the Judicial Council who recognize a conflict of interest in a particular case before the Judicial Council shall immediately disqualify themselves from participating in the adjudication of the case. If the First Counsel believes a conflict of interest exists for a member of the Judicial Council, he or she may disqualify the member from participation in the adjudication of the case. In the event a quorum cannot be reached due to disqualification of members, the President shall appoint, with the approval of the Senate, as many temporary substitute members as necessary to constitute a quorum.

VI. GENERAL PROCEDURES

- A. Any member of ASUH-Leeward CC, including faculty or administrative staff, may initiate a case before the Judicial Council by submitting a written request to the First Counsel. Only those requests relating to the Constitution or Operating Rules of ASUH-Leeward CC and within the Judicial Council's jurisdiction shall be considered. A reply must be sent out within seventy-two (72) hours from the receipt of a request.
- B. The Judicial Council shall hold public hearings for all cases brought before it in order to afford any and all interested parties the opportunity to present testimony and/ or evidence, which may have bearing on the case. The Judicial Council must give public notice seven (7) days prior to a hearing, including such information as the nature of the hearing [and the] date, time, and location of the hearing. In all cases, public hearings shall begin within thirty (30) days of a legitimate case request, and must be concluded within seven (7) days of the initial hearing.
- C. All data and information related to a case, including, but not limited to: documents, records, testimony, and evidence shall be maintained by the Second Counsel, and permanently filed at the conclusion of the case.
- D. All hearings held before the Judicial Council shall be tape-recorded. The recordings shall be transcribed and maintained as part of that case's record. ASUH-Leeward CC members, Leeward CC Faculty, and/or Leeward CC Staff [may obtain a copy of the transcribed data] at their expense.

VII. PROCEDURES FOR CONTESTED CASES

- A. The following procedures shall be initiated in the event a case brought before the Judicial Council involves a dispute between two (2) or more contestants:
 - 1. At least seven (7) days prior to a hearing on the contested case, a member of the Judicial Council deliver the following written information to the parties involved:
 - a. The nature of the hearing, date, time, and place.

- b. The fact that the hearing shall be open to the public.
 - c. A copy of these procedures
 - d. A copy of the initiating party's request for adjudication by the Judicial Council, and any relevant background information that is needed to fully explain the nature of the case.
 - e. A copy of all pertinent documents or information, which are part of the Judicial Council record.
2. A copy of the written notices that have been delivered to the parties involved shall be filed by the Second Counsel.
 3. At the discretion of the First Counsel, he or she may meet with the interested parties prior to the hearing to review the procedures and the record to date of the case before the Judicial Council. A separate meeting of the Judicial Council may also be called for the same purposes.
 4. To facilitate an orderly hearing, each party shall submit to the Judicial Council, at least twenty-four (24) hours prior to the hearing, the names of the witnesses they plan to call. Any documentary or physical evidence submitted must be received by the Judicial Council at least seventy-two (72) hours prior to the hearing. Upon review, the Judicial Council shall make all evidence submitted available for public observance at least twenty-four (24) hours prior to the hearing.
 5. If, for reasons beyond their control, any party is unable to attend a hearing, the hearing may be rescheduled by the First Counsel. If any party in a contested case fails to appear for a scheduled hearing without just cause, it may be postponed or dismissed, as the Judicial Council decides. Determination of just cause shall be made by the Judicial Council.
 6. During the course of the hearing, witnesses, arguments, and evidence may be presented in order that the Judicial Council may decide the case based on all pertinent facts and testimony. Opportunity shall be afforded to all parties to present witnesses and documentary evidence. Cross-examination of witnesses by any part shall be allowed, although rebuttal evidence may be submitted.
 7. No party shall be compelled to testify, but should a party elect to testify, they may be subject to questioning by the Judicial Council.
 8. The party initiating the case shall have the burden of proof. The degree of proof shall be preponderance of the evidence.

VIII. RESOLUTION

- A. Upon conclusion of a hearing, the Judicial Council shall deliberate in closed session to reach a decision. In making its decision, the Judicial Council shall only consider information, which has

become part of the Judicial Council's record.

- B. Within seven (7) days of the conclusion of a hearing, the Judicial Council shall issue a written decision. The decision shall include a statement of reasons explaining the Judicial Council's decision and an appropriate order to dispose of the case. A copy of the decision shall be delivered to all parties related directly to the case.

CHAPTER 6

ELECTIONS COMMITTEE RULES, POLICIES, AND PROCEDURES

I. PURPOSE

- A. The Election Committee shall be formed to plan, coordinate, and direct all ASUH-Leeward CC elections or balloting necessary to assist the student body in exercising its decision making powers.

II. ELECTION DAYS

- A. Elections are to be held annually, during the first three weeks following Spring Break every spring semester or when directed by the Student Government. Terms of Office shall be from May – May to allow for overlap and training.
- B. Elections must be held during days and times that enable all students the opportunity to vote. Designated polling sites must be on campus grounds, including outreach sites, and/or accessible to all students through electronic online voting systems. The Election Committee shall determine specific dates, times, and places/means of polling and must issue public notices of the same at least fifteen (15) working days in advance

III. CAMPAIGN RULES

- A. Candidates must submit an application if they wish to run in an election. An application may be obtained from the following sources:
 - 1. Student Government Office
 - 2. ASUH-Leeward CC Election Committee
 - 3. Download from Student Government Website
- B. Applications shall be submitted to the Chair or Co-Chair of the Election Committee and must be

received at least fourteen (14) days prior to the start of elections. Upon receipt, the applications shall be forwarded to the Student Life Office for eligibility verification.

- C. A notice of eligibility should be provided to the candidate by the Election Committee within seven (7) days of receipt of an application.
- D. All candidates must have an equal opportunity to use whatever media is available [to promote their campaigns].
- E. Any posters or flyers are to be placed only on bulletin boards after permission is granted by the Student Life Office. It is the responsibility of each candidate to remove his or her materials after the election period is ended.
- F. Candidates will not be allowed within fifty (50) feet of tabulation sites (during tabulation) or polling sites, except to vote.
- G. No campaigning is allowed within fifty (50) feet of any polling site.

IV. ELECTION PROCEDURES

- A. All campaign material within fifty (50) feet of polling sites shall be removed prior to setting up voting booths.
- B. All votes shall be cast by secret ballot
- C. All students registered at Leeward CC are eligible to vote. Identities shall be verified by a current student ID card or a current student registration receipt.
- D. All personal information of voters, including student ID numbers, phone numbers, e- mail addresses, addresses, etc., is to be guarded against disclosure to unauthorized persons.
- E. Votes shall be tabulated as soon as possible after polls have closed. The vote count shall be observed by at least one (1) faculty or staff member who shall verify the accuracy of the count. The Elections Committee Chair or Co-Chair shall certify the final results. The results shall be posted and candidates should be notified within three (3) working days of final tabulation.
- F. Candidates may appeal the results of the election or any part of the process to the Judicial Council, provided a written request is received within (3) working days of the posting of election results. If no appeals are received within the aforementioned time, the election results shall be considered official. In the event of an appeal, the Judicial Council shall decide the validity of the elections.

V. CONFLICT OF INTEREST

- A. No Election Committee member shall demonstrate a definite bias for or against any candidate, or give special, unusual, or preferential treatment to a candidate.

B. Candidates cannot serve on the Election Committee

VI. CANCELLATION OF ELECTIONS

A. In the event that only one (1) candidate has applied for an elective position, the Senate shall have the option to declare the candidate(s) elected unopposed, and to cancel the election.

CHAPTER 7

FISCAL RULES, POLICIES, AND PROCEDURES

I. BUDGET PROCESS

A. The budget shall be prepared annually by the ASUH-Leeward CC Budget and Finance Committee.
B. The Committee shall coordinate all financial and budget matters and prepare the annual ASUH-Leeward CC budget for Senate approval in the form of a bill.

C. The budget shall be divided into the following three (3) categories*:

1. Operating budget: includes all items pertaining to the operation of the Student Government.
2. Programming budget: includes all items pertaining to the support of the student body and community. The programming budget is proposed by the Student Activities Board and shall be approved by the Senate.
3. Contingency account: contains all remaining funds after all other items have been budgeted.

*NOTE: Additional categories may be added at the discretion of the Budget and Finance Committee.

D. The format for the budget shall include line items, with each line item having a narrative explaining what that line item shall be used for.

E. The annual budget shall be apportioned by semesters according to the following dates:

1. Fall: August 1 – November 30
2. Spring: December 1 – April 30
3. Summer: May 1 – July 31

F. Funds budgeted for fall and spring semesters not expended by the end of that period will be automatically carried over into the same line item for the next semester, or if there is no line item, it shall be transferred to contingency. Following the summer semester, funds not expended shall revert to contingency.

G. The total budget cannot exceed the spending limit set by the State.

H. In the event the budget is not completed by an established deadline set by the Executive Board, or in the event there is no ASUH-Leeward CC Treasurer, the budget shall be completed by the Executive Board.

II. MEMBERSHIP

A. The Budget and Finance Committee shall consist of the ASUH-Leeward CC Treasurer, who shall act as Chairperson, and three (3) active members of the ASUH-Leeward CC. The Co-Chair shall be elected by the membership.

B. Each member, not including the Chairperson shall receive a stipend every semester not to exceed \$100

III. DISBURSEMENT:

A. All disbursement of the approved budget shall be made by the Student Life Office, after being authorized by the Treasurer or the Executive Board in the event there is not a Treasurer.

B. All expenditures, not in the scope of the Budget and Finance Committee, must receive approval through a majority vote from ASUH-Leeward CC Senate

C. Purchasing guidelines will follow procedures established by the University Business Office.

IV. ALLOCATIONS

A. All changes in allocation of funds will be brought before the ASUH-Leeward CC Senate for approval.

B. Approval will be granted with a two-thirds (2/3) majority vote.

CHAPTER 8

STIPEND ACCOUNT RULES, POLICIES, AND PROCEDURES

I. DEFINITIONS

A. EXCUSED ABSENCE – Being excused by the individual responsible for the event a minimum of 24 hours prior to the meeting or event.

B. MINUTES – A brief summary or outline of what happened during a meeting.

II. ELIGIBILITY

- A. The following people are eligible to receive stipends from the ASUH-Leeward CC budget:
1. All non-salaried members of the ASUH-Leeward CC Student Government
 2. All ASUH-Leeward CC Committee Chairpersons and Co-Chairs.
 3. All ASUH-Leeward CC Committee members recommended by their Committee's Chairperson.
- B. No person shall receive a stipend for work, which resulted in a grade or credit towards a grade at Leeward Community College.
- C. To receive a stipend, eligible members must submit a report, two weeks prior to the awarding deadline that summarizes what they have done during the semester. This shall be forwarded to the ASUH-Leeward CC Treasurer, then to the Student Life Office, no later than two weeks prior to the awarding deadline.

III. STIPEND ACCOUNT

- A. All funds allocated for stipends shall be put in a stipend line item account administered by the ASUH-Leeward CC Treasurer. All stipends shall be drawn from this stipend line item and expenditure of the funds shall be at the direction of the ASUH-Leeward CC Treasurer, subject to approval by the Board of Delegates.

IV. CALCULATING STIPENDS

- A. Stipends shall be awarded at the end of each of the following semesters:
1. Fall – November 30
 2. Spring – April 30
 3. Summer – July 30
- B. Individual stipends shall be calculated by level of service*:
1. Executive Board members shall receive a stipend not to exceed \$300/Fall and spring semester. It shall be at least 20% higher than the allocated Senator stipends. President and Vice President stipends may not exceed \$350 per fall and spring semesters and not to exceed \$175 for summer semester.
 - President shall receive the Executive Board stipend + 20% per semester.
 - Vice President shall receive the Executive Board stipend + 10% per semester.

- Summer stipend shall be 50% of the fall and Spring Semester.
- Senators shall receive a stipend not to exceed \$250 per semester.

2. Summer stipend shall be 50% of the fall and spring semester

* NOTE: Stipends shall be determined by the outgoing Student Government each Spring Semester before proposed annual budgets are submitted.

V. DOCUMENTATION

- A. Stipends will only be awarded with proper documentation.
- B. Proper documentation shall include minutes from Senate meetings, Committee meetings, and logged office hours.
- C. Any documentation that does not appear to be service worthy or falsified may be disapproved.
- D. Further stipend rules may be determined by the Executive Board at the beginning of each semester.

(SAMPLE PROPOSAL)
ASUH-Leeward CC Senate
[Summer, fall, spring] Session
Proposal #

I. Proposal [Purpose of the Bill]

II. Allocation

The sum of [\$ amount] shall be reallocated to the [name] line item from the [line item or other source of funds]. Said funds are for the purpose of [state purpose], and shall be expended at the discretion of [person or committee authorized to expend funds]. The proposed Bill shall become effective upon passage and remain in effect until [deadline of expenditure]. At that time any unexpended funds shall be returned to [source of funds]

(SAMPLE BILL)

**ASSOCIATED STUDENTS OF THE UNIVERSITY OF Hawai'i - LEEWARD COMMUNITY
COLLEGE**

[Summer, fall, spring] Session

Senate Bill #

[Title of Bill]

I. Introduction [Optional]

II. Purpose [Brief description of the purpose for the allocation]

III. Supporting Data [Brief list of the reasons why the allocation should be made]

IV. Summary [Brief statement of how the allocation will accomplish the purpose set forth above]

(SAMPLE RESOLUTION)

**ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI‘I
LEEWARD COMMUNITY COLLEGE**

[Summer, fall, spring] Session

Senate Resolution #

A Resolution to... [Purpose of the Resolution]

WHEREAS,

[This portion comprises the preamble to the Resolution and should consist of reasons for the adoption of the Resolution. Each individual reason will be preceded by “WHEREAS.”]

LET IT THEREFORE BE RESOLVED,

[This portion comprises the actual Resolution. It will consist of a list of actions (such as the adoption of attached material in the case of an Act, the notification of affected individuals or organizations, expiration dates, etc.