

# Constitution of the Associated Graduate Students of the University of California, Irvine

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July 1, 2026~~July 6, 2005~~

## Preamble

We, the graduate students at the University of California, Irvine (UCI), by the authority of the Regents of the University of California, declare ourselves a unique and autonomous body within the University community. We further declare that we will maintain an organization whose purposes shall be to provide a forum for the expression and recognition of graduate students' needs and rights; to represent graduate students in the University community and elsewhere; ~~to promote these needs and rights;~~ and to participate in the governance of this University.

## Name

The name of this organization, the official graduate student government at the University of California, Irvine recognized by the Regents of the University of California, shall be the Associated Graduate Students, University of California, Irvine (AGS).

## Article I: Membership

All registered graduate students at the University of California, Irvine who ~~pay pay~~ the AGS fee, in full or at an approved reduced amount greater than zero, shall be voting members of ~~the~~ AGS. All voting members in good standing (as defined by the Graduate Council of the Academic Senate, a student's school, and appropriate University disciplinary offices) shall be eligible to seek and/or hold ~~an AGS office or an~~ AGS Council or Staff position, except as otherwise provided in the Constitution and Bylaws.

An individual shall be ineligible to serve on AGS Council, in an AGS Staff or Officer position, or in any other leadership role in AGS if the individual has been found, by the Office of Academic Integrity and Student Conduct (OAISC), the Office of Equal Opportunity and Diversity (OEOD), or UC/UC Irvine Human Resources, to have engaged in any policy violations involving the following:

1. Physical abuse;
2. Harassment;
3. Stalking behavior;
4. Participation in hazing behavior;
5. Disorderly or lewd conduct (when the conduct was directed at or involved a complaint filed by an AGS Council member, AGS Staff member, AGS Officer, other individual in AGS leadership, or employee of Student Government Student Media);

6. Possession, use, or storage of explosives or firearms;
7. Conduct where the actor means to communicate a serious expression of intent to terrorize, or acts in reckless disregard of the risk of terrorizing, one or more University students, faculty, or staff;
8. Anything within the University of California Policy on Sexual Violence and Sexual Harassment;
9. Anything within the University of California Anti-Discrimination Policy;
10. Anything within UC/UC Irvine employee policies.

AGS shall adhere to the University of California, Irvine campus implementation of the Antidiscrimination Policy of the University of California and other related policies as prescribed by the University of California.

No member of the AGS shall be discriminated against because of race, age, sex, gender, religion, marital status, national origin, sexual preference, or physical abilities.

## Article II: Representation

The Associated Graduate Students Council (hereafter referred to as Council) and Officers, separately and together, shall represent ~~the~~ AGS. Representation shall include campus representation, University of California system-wide representation, and representation to external non-University individuals and groups.

## Article III: The AGS Council

### Section 1. Responsibilities of Council

It shall be the responsibility of ~~the~~ Council to represent AGS, and to fulfill the provisions of this Constitution and its Bylaws. Council shall administer AGS fees and monies, which may include (but are not limited to) money from AGS student fees, investments, event revenue, and University offices.

The primary responsibility of each Council member shall be to represent their constituency to Council. The details of Council member responsibilities shall be enumerated in the Bylaws.

### Section 2. Council Terms and Membership

Council membership will be elected from academic units (schools, departments, or programs). The recognized units and the basis for representation shall be defined in the Bylaws. Professional school students who meet AGS membership requirements shall be represented on AGS Council as prescribed in the Constitution, Bylaws, and Elections Code.

Council members, except for professional school students, shall be elected in their respective academic units during the Spring quarter AGS election as outlined in the Elections section of

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this Constitution, the Bylaws, and the Elections Code. Council members' terms shall begin on July 1 and continue through June 30 of the following calendar year.

~~The AGS Council is encouraged to communicate with other campus groups which represent the needs of graduate students. Examples of these groups include cross cultural, disabled, gay and lesbian, international, non-traditional, and single-parent student groups. Such communication shall be coordinated with the VP-Internal Affairs.~~

~~The AGS Council shall administer its fees and monies, which may include income from student fees, investments, event revenue, or other sources of University funding. It may seek to become financially independent of the AGS fee levied on AGS members.~~

~~Membership of the Council will be elected from the academic units (schools, departments, or programs). The recognized units and the basis for representation shall be defined in the Bylaws.~~

### Section 3. Quorum and Meeting Schedule

The quorum required to conduct business during Council meetings shall be the smallest number of Council members greater than ~~fifty~~ 50 percent of the number of sitting Council members. The Council shall conduct business in accordance with the provisions of the Constitution, Bylaws, and with Robert's Rules of Order. ~~Revised, subject to the provisions of this Constitution and Bylaws.~~

A quarterly meeting schedule shall be established by the AGS President and publicized. Council shall meet not less than once in each calendar month during regular academic terms, and at least once in July.

### Section 4. Open Meetings

All meetings of Council shall be open to anyone wishing to attend, except when the Council goes into Closed Session for discussions about personnel matters, pending litigation, deliberating a Judiciary Committee decision, or investments; when an individual is formally asked to leave a meeting by the Chair in accordance with the requirements for such an ask outlined in the Bylaws; or when the attendance of a person would violate an on or off-campus no-contact or restraining order.

### Section 2.

~~The primary responsibility of each Council member shall be to represent their/his/her constituency to the Council. Council members shall be elected in their respective academic units during the Spring quarter. Council members' terms shall begin on July 1 and continue through June 30 of the following calendar year.~~

### ~~Section 3.~~

~~Professional school~~Medical students shall be represented on the AGS Council as prescribed in the AGS Bylaws.

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### ~~Section 4.~~

~~The Council shall fulfill its responsibilities in an organized and timely manner. A quarterly meeting schedule shall be established by the AGS President and publicized. The Council shall meet not less than once in each calendar month of the regular academic terms, and as necessary during summers sessions. All meetings of the Council shall be open to anyone wishing to attend, except when the Council deals with personnel matters, pending litigation, or investments; when an individual is formally asked to leave by the meeting Chair in accordance with the rules for conduct outlined in the Bylaws; or when the attendance of a graduate student would violate an on or off campus no contact or restraining order.~~

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### Section 5. Removal of Council Members by Constituents

Council members are subject to removal by their appropriate constituency. Upon the presentation to the AGS President of a petition requesting the removal of a Council member which contains the valid signatures of at least ~~ten~~10 percent of that Council member's constituents, the President shall prepare and conduct ~~at~~the recall election of that Council member within ~~fifteen~~15 days. The Council member shall be removed if a simple majority of at least ~~twenty~~20 percent of that Council members' constituents votes to remove them. The recall election ~~results process~~ must be ~~ratified~~approved by Council in accordance with regular ratification procedures for elections outlined in the Constitution and Bylaws. ~~to be considered valid.~~

### Section 6. Removal of Council Members by Council

Council members shall be subject to removal for failure to provide representation for their academic unit or any other causes for removal as outlined in the Bylaws. ~~Failure to provide representation and~~ the mechanism for removal of a Council member ~~for these reason~~ shall be defined in the Bylaws.

### Section 7. Removal of Council Members by the University

If at any point during the academic year, a Council member no longer meets the eligibility requirements to serve on Council, they shall be removed from the position by the Executive Director of Student Government Student Media or their designee, as approved by the University. The basis for such decisions shall be communicated directly to the Council member within FERPA policy. The basis for the decision will not be communicated to any other members of AGS, but only to note the individual is no longer eligible to serve in AGS.

## Section ~~87~~. Vacancies and Special Elections

Upon removal or resignation of a Council member, that seat shall be declared vacant. Vacant seats shall be filled as soon as is reasonably possible by appointment or special election ~~as determined by Council~~.

If at least one-third (1/3) of Council seats are vacant after the regular Spring election, the incoming President shall call for and conduct a special election to take place in the Fall quarter to fill remaining Council seats. Until the results of the Fall special election are ratified by Council, the President shall not have the authority to directly appoint individuals to Council. The President shall also call for a special election for a seat if multiple students express interest in the same vacant seat at any point during the academic year.

In addition to the required special election triggered by a one-third (1/3) Council seat vacancy after the Spring election, the President and/or Council may call for a special election at any time in the year if at least one-third (1/3) of Council seats are vacant. Multiple special elections can be held in the same academic year.

To fill uncontested vacancies if fewer than one-third (1/3) of Council seats were vacant after the Spring election or at any point during the academic year after a Fall special election, the President can make direct appointments. Appointments shall be made by the President. To make a direct appointment, the President shall motion during an AGS meeting to appoint the AGS member to a Council position for which they are eligible to serve. These appointments and must be approved by a two-thirds (2/3) majority of Council members present at a meeting in which there exists a quorum. If a special election is held, the President shall conduct it.

## Article IV: AGS Officers

### Section 1. Officer Positions

There shall be established Officers of AGS; "Officers" shall be defined as the AGS President and Vice Presidents. The President and the Council Officers; these Vice Presidents include:

1. The Vice President of Internal Affairs;
2. The Vice President of External Affairs;
3. The Vice President of Administrative Affairs;
4. The Vice President of Financial Affairs;
5. The Vice President of Social Affairs.

Other Officer positions may exist at the discretion of Council. the Vice President Internal Affairs of the AGS Council, the Vice President Administrative Affairs of the AGS Council, the Vice President Financial Affairs of the AGS Council, and the Vice President External Affairs of the AGS Council. The immediate past president shall be a non-voting ex-officio Council member. The order of succession in the event of the departure of the President and for the position of Elections Officer shall be as listed above.

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## Section 2. Eligibility for Officer Positions

In order to be eligible to serve as an AGS Officer, one must:

1. Be a member of AGS as defined in Article I of the Constitution;
2. Be in good disciplinary standing (as defined by the University);
3. Be in good academic standing (as defined by the Graduate Council of the Academic Senate, and/or a student's school);
4. Have not been previously terminated or removed from an AGS Staff or Officer role by UC Irvine/UC Human Resources, AGS Council, or University disciplinary offices for disciplinary reasons;
5. Secure permission from the Chair of their department or equivalent (as determined by the Dean of the Graduate Division, Student Government Student Media (SGSM), and UC Irvine/UC Human Resources) to serve in their role.

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If at any point during the academic year, an AGS Officer no longer meets the eligibility requirements to hold an Officer position, they shall be removed from the position by the Executive Director of Student Government Media or their designee, as approved by the University. The basis for such decisions shall be communicated directly to the Officer within FERPA policy. The basis for the decision will not be communicated to any other members of AGS, but only to note the individual is no longer eligible to serve in AGS.

## Section 3. Concurrent Appointments

Vice Presidents can concurrently be members of AGS Council, but need not be members of Council to hold a Vice President position. Vice Presidents may not hold any other compensated AGS position, including Staff positions, while serving as Vice Presidents. The AGS President may not concurrently hold any other positions in AGS while serving as President, with the exception of the role of Elections Officer, committee chairships, and committee memberships.

A Vice President who becomes an Interim President due to the departure of the AGS President shall temporarily relinquish their Vice President position while serving as Interim President. However, this Officer will automatically resume their Vice President role once a permanent AGS President is elected, unless the Interim President is elected as the AGS President, in which case they must resign their Vice President position. All Council Officers must be members of the AGS, but need not be on AGS Council. Officers, with the exception of the President, may concurrently be Officers and Council members. However, the President may not concurrently hold a Council, other Officer, or Staff position.

## Section 4. Officer Terms, Duties, and Removal

### AGS President

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#### Sub-Section 1. Terms of Presidency

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The official term of the President, ~~and Council Officers, and Council members~~ shall begin on ~~July July 14~~ and continue through June ~~30-30~~ of the following calendar year. ~~The month of June shall be a "transition" period. During this period, both new and current Officers shall work together to assure a smooth transition.~~

#### Sub-Section 2. Election and Compensation of President

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The President of AGS shall be chosen from the voting AGS membership in a general election of all voting members of AGS during the Spring quarter, ~~unless a special election is required to fill a vacancy in the role.~~ The timing of this election shall be as indicated in the Bylaws ~~and Elections Code.~~ The President shall receive a stipend ~~beginning in July July 1-~~ and continuing through ~~June 30 June~~ of the following ~~calendar~~ year of an amount to be approved by Council ~~in the annual budget.~~ ~~The President shall receive a half time stipend during the June "transition" period.~~

#### Sub-Section 3. Duties of President

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The duties of the President shall include but not be limited to:

- A. Serving as the Chief Executive Officer of AGS:-
- B. Representing AGS to the Chancellor and the campus administration, the Dean of the Graduate Division, and ~~to non-campus individuals and groups,~~ for the promotion of graduate students' needs and rights:-
- C. Preparing and presenting during the Spring quarter an Annual Report indicating the activities and accomplishments of the Council during the preceding year, ~~which shall be made available to all groups and individuals who request a copy. This report shall be available to all groups and individuals who request a copy and posted on the AGS website:-~~
- D. Preparing, administrating, and expending, in conjunction with the Vice President ~~of Financial Affairs-Financial Affairs,~~ the AGS budget as indicated in this Constitution and its Bylaws:-
- E. Coordinating fundraising for ~~the~~ AGS in conjunction with the ~~Vice President~~VP of - Financial Affairs:-
- ~~E-F.~~ Creating long-term recommendations for the advancement of AGS:-
- ~~F-G.~~ Preparing and conducting ~~special~~ elections as directed by this Constitution, ~~the AGS Bylaws,~~ and ~~the~~ Council:-
- ~~G-H.~~ Chairing all meetings and functions of ~~the~~ Council or AGS, except during absences, ~~when relinquishing the chairship for a period of time as outlined in the Bylaws,~~ or ~~during~~ the Joint Council ~~m~~Meeting as described in the Bylaws:-
- ~~H-I.~~ Performing any other duties as assigned by Council.

#### Sub-Section 43. Removal of President

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The President of AGS is subject to removal by the members of AGS. Upon presentation to the Vice President ~~of~~ Administrative Affairs of a petition requesting the removal of the President which contains the valid signatures of ~~ten-10~~ percent of the members of AGS, ~~the Vice President Administrative Affairs Council~~ shall hold a recall election for the ~~office of~~ President. ~~The Vice President of~~ Administrative Affairs shall prepare and conduct the recall election of the President subject to the approval of Council. The recall election must abide by AGS election procedures, including appropriate Council ratification as outlined in this Constitution, the AGS Bylaws, and the Elections Code.

The President shall be removed from office if a simple majority of at least ~~twenty-20~~ percent of the members of AGS ~~votes for removal in a recall election that is ratified by Council. to remove.~~

If at any point during the academic year, an AGS President no longer meets the eligibility requirements to hold the position of President, they shall be removed from the position by the Executive Director of Student Government Student Media or their designee, as approved by the University. The basis for such decisions shall be communicated directly to the AGS President within FERPA policy. The basis for the decision will not be communicated to any other members of AGS, but only to note the individual is no longer eligible to serve in AGS.

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#### Sub-Section 54. Vacancy of the Office of President

Upon removal or resignation of the President, the ~~O~~office of President shall be declared vacant. The vacancy shall be addressed as follows:

- A. The Vice President of Administrative Affairs, or a Council-appointed designee, shall conduct a special election of all members of AGS to fill the vacancy as soon as possible.
- B. Until the vacancy is filled, the highest-ranking remaining Officer, as determined by the order of succession in Article IV, Section 1 of the Constitution, shall immediately become the Interim President. If the highest-ranking Officer is unwilling or unable to serve, the position shall be offered to each subsequent Officer in the line of succession. If no Officer in the line of succession is willing or able to serve, Council shall appoint an Interim President from eligible Council members or AGS Staff members, using the same election process as for Vice Presidents. The highest-ranking Officer shall chair this meeting.

~~If the office of President becomes vacant for this or any other reason, a special election of all members of AGS shall be held as soon as possible to fill the vacancy.~~

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## Vice Council Presidents Officers

### Sub-Section 1. Election of Vice Presidents

Vice Presidents shall be elected by ~~a simple majority of~~ Council members for the term of the Vice Presidency in attendance at the appropriate meeting(s) as specified in the Bylaws, subject to approval by Student Government Student Media (SGSM), a student's school or department, and UC Irvine/UC Human Resources. The Vice Presidential candidate who secures the most votes in a Vice President election shall be declared the winner. ~~These~~ Officers shall receive a stipend ~~beginning in July and continuing through June of the following calendar year~~ of an amount to be approved by the Council. ~~The Officers may also receive a half time stipend during the June "transition" period as determined by Council.~~ The duties of ~~Vice Presidents~~ the Council Officers are described in the Bylaws. ~~Council Officer positions may be combined.~~

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### Sub-Section 2. Terms of Vice Presidents

The official term of Vice Presidents shall begin on July 1 and continue through June 30 of the following calendar year.

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### Sub-Section 32. Removal of Vice Presidents

~~A Council Officers are subject to removal by the Council. Upon an affirmative vote of a simple majority of sitting Council members, the Council shall consider removal of a Council Officer. A Council Officer Vice President shall be removed if two-thirds (2/3) of the sitting Council or three-fourths (3/4) of Council members present at a meeting in which quorum exists vote to remove them. Upon removal, or if that Council Vice President's Officer's position becomes vacant for any reason, the AGS President may appoint an AGS Staff member or Council member to fill the role in an interim capacity until an election for the vacancy can be held in accordance with guidelines for Vice President elections in the Constitution and Bylaws. an AGS Council member to fill that position may be elected by a simple majority of sitting Council members.~~

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## AGS Staff

The AGS Council has the authority to create Staff positions and make appointments to these positions. Each Staff position must be overseen by an AGS Officer (or, if there is an Officer vacancy, the AGS President). Hiring eligibility guidelines for these Staff positions is at the direction of Student Affairs, Student Government Student Media (SGSM), and UC Irvine/UC Human Resources (or their chosen designees). Requirements for Staff positions, including removal procedures, shall be outlined in the Bylaws. An AGS member may not hold more than two concurrent Staff positions. ~~Typical positions may include commissioners, delegates, an editor, a director of social programming, staff positions in any enterprise-owned or operated by AGS, and AGS office staff.~~

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## Article V: Finances

### Section 1. Administration of AGS Monies

Graduate students have needs and priorities which require the application of their established fees in the interest of graduate students, as determined by the AGS Council. The administration of the use of these fees is the responsibility of the Council as defined in this Constitution.

### Section 2. AGS Fees

The monies collected as AGS fees will be used in the interests of all members of AGS.

### Section 3. Contracting with ASUCI

AGS may contract with ASUCI for inclusion of all AGS members in ASUCI sponsored activities, programs, and services, ~~if any.~~

### Section ~~43.~~ Income and Fee Increases

The Council may raise funds for specified purposes in any manner consistent with campus rules and regulations and state laws, ~~with the exception of the imposition of an additional graduate student fee, or an increase in the fee.~~ Additional fees or an increase in the AGS fee may only be approved ~~through a student fee referendum that complies with the fee referendum requirements outlined by the Chancellor, the University of California Office of the President, and the Regents of the University of California, by an affirmative vote of at least half of all members of AGS in an open referendum in which at least twenty percent of those members vote, or through a valid referendum as otherwise approved by the Chancellor and the University of California Office of the President.~~

### Section ~~54.~~ Purpose of Fees

~~The purpose and use of any additional fee must be clearly stated, and pro and con arguments must be included in the referendum. The administration of any monies raised by an additional fee will be consistent with the stated purposes and uses indicated in the referendum and must be consistent with the applicable provisions of this Constitution.~~

### Section 5. AGS Budget

The President and the Vice President of -Financial Affairs shall prepare the AGS budget in a clearly defined manner. The preliminary budget must be reviewed by Student Government Student Media (SGSM) or their designee to ensure policy compliance with the use of fees and the projected amount of income. Once SGSM (or their designee) has approved the preliminary budget, Council shall ~~approve-vote on~~ this budget at the appropriate meeting(s) as stated in the Bylaws. The fiscal year of AGS shall commence on July 1 and end on June 30 of the following year.

## Section 6. Project Funds

Council shall allocate Graduate Student Project Funds within the following ~~Project Funding~~ guidelines, and any other guidelines as outlined in the AGS Bylaws:

1. On-campus dDepartments ~~on-campus should not get cannot receive~~ AGS Project Funds funding.:-
2. Costs of education that students normally should pay for are not eligible for Project Funds funding (i.e., fees, rent, costumes, books, travel, etc.):-
3. Projects which form a central part of degree projects, such as those required for thesis, dissertation ~~typing~~, plays, sculpture, etc., should not be funded unless there is a clear demonstration that there is a benefit for the graduate population at large ~~(i.e., advertising events)~~:-
4. Council ~~should are to~~ fund projects that are available/open to all graduate students.:-~~or should give money to many different groups so that nearly all or all graduate students benefit from AGS funding.~~
5. AGS Pproject Ffunds are intended to improve the social and academic environment of the UC Irvine campus for graduate students:-
6. The mMechanism for Project Funds~~project funding~~ allocation will be described in the Bylaws.

## Article VI: Elections

The following rules apply to elections conducted by the AGS Council for the members of AGS. These elections include but are not limited to:

- A. Election of Council members from non-professional degree schools and programs;
- B. Election of the AGS President;
- B-C. A recall vote for a Council member;
- D. AAny referendum or recall vote for the Office of President;
- C-E. Fee referendums;
- D-F. Constitutional revision.

### Section 1. Elections Officer

The election must be prepared and conducted by the highest ranking AGS Officer who is not running for office in the election, herein known as the Elections Officer. The ranking shall begin with the President, and continue down the line of succession outlined in Article IV, Section 1 of the Constitution. Should no Officer from Article IV, Section 1 be eligible to serve as Elections Officer, Council shall appoint an Elections Officer who is a member of AGS who is not running for office to serve in the role. In the case of a recall election for AGS President, the President shall be ineligible to serve as Elections Officer.

## Section 2. Election Schedule

The election ~~procedures and~~ schedule must be approved by ~~the AGS~~ Council by a simple majority vote at a meeting with quorum no later than two (2)~~four~~ weeks before the election.

### Section 2.

~~A reasonable time must be allowed for nominations and voting.~~ Nominations must be closed no later than five (5) days before ~~voting the election~~ begins. At least three (3) days must be allowed for voting. University holidays, state holidays, federal holidays, and weekends do not count as regular days.

Unless otherwise agreed upon by Student Government Student Media (SGSM) or their designee, Spring elections should be conducted Week 3 of the Spring quarter and last for five (5) days. This election should be conducted in coordination with Associated Students of UCI (ASUCI).

## Section 3. Advertisements

All campaign advertisements must follow election procedures as outlined in the Elections Code and Bylaws, as well as University policy. -

## Section 4. Election Ratification

Elections shall be ratified pursuant to the timelines set out in the Elections Code. At the Council meeting immediately following the close of the election, Council will consider ratification of the election results. At this meeting, the Election Officer shall make a short presentation on how the election was run. Council must approve the election process by a 2/3 majority vote of Council members present s for the results to be ratified, or else the election is invalidated. Quorum is required for the ratification to succeed.

~~At the meeting immediately following the close of the election, Council will consider ratification of the election results. At this meeting, the Election Officer shall make a short presentation on how the election was run. Council must approve the election process by a simple majority votes for the results to be ratified, or else the election is invalidated.~~

## Section 5. Invalidation of Election Results

The following are the only causes to invalidate the election results, as determined by ~~the AGS~~ Council:

- ~~A. Biased election procedure by any school or department~~
- ~~B. Bias on the part of the election officer~~
- ~~C. Violation of the election procedures~~

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Once the Council ratifies the election results, the results may not be reconsidered. y may not be reconsidered, and those results are final.

## Section ~~67~~. Referendums

Referendums may be placed on an AGS Elections ballot by a motion from Council passed by simple majority of Council members at a meeting at which there exists a quorum or by AGS members who present a petition in compliance with University policies containing the valid signatures of at least ~~ten-eight (8)~~ percent of ~~the current members of AGS~~ members. A referendum shall require an affirmative vote of AGS in an open election, conforming to the rules for referendums outlined by the Chancellor, the University of California Office of the President, and the Regents, in which at least twenty percent of those members vote, to pass.

## Article VII: Judiciary Committee

### Section 1. Power of Judiciary Committee

All judicial powers of AGS shall be vested in the Judiciary Committee. The Judiciary Committee shall have jurisdiction in the following areas when any member of AGS, the Chancellor or their designee, Student Affairs or their designee, or Student Government Student Media (SGSM) or their designee refers cases to it:

- A. Interpretations of the Constitution, Bylaws, or other rules and regulations;
- B. The constitutionality of Council legislation.

### Section 2. Convening of Judiciary Committee

The Judiciary Committee shall be convened for the academic year if a request is made in writing to the AGS President to convene the Committee by any member of AGS, the Chancellor or their designee, Student Affairs or their designee, or Student Government Student Media (SGSM) or their designee.

### Section 3. Composition of Judiciary Committee

The Judiciary Committee shall consist of the following seven (7) voting members:

- A. A Committee Officer
- B. A Vice Chair
- C. Five (5) at-large members

### Section 4. Committee Officer

The Judiciary Committee shall include a ~~Committee~~Council Officer appointed ~~on an ad hoc basis~~ by the President and approved by a simple majority vote of Council at a Council meeting in which there exists a quorum. The Committee Officer shall be a member of AGS Council, but shall not be the President, a Vice President, or Staff member. The Committee Officer shall be

nominated for appointment within 21 calendar days of the President receiving a request to convene the Judiciary Committee pursuant to Article VII, Section 2 of the Constitution.

Duties of the Committee Officer include:

1. Scheduling and serving as Chair for Judiciary Committee meetings;
2. Writing reports of Judiciary Committee decisions, including the Committee's reasoning;
3. Communicating Judiciary Committee decisions to Student Government Student Media (SGSM), AGS Council, the AGS President, and complainants;
4. Ensuring the Judiciary Committee follows all appropriate timelines and procedures as outlined in the Constitution, Bylaws, and University policies.

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## Section 5. Vice Chair

The Vice Chair shall serve as Chair, encompassing all the duties outlined in Article VII, Section 4 of the Constitution, for cases in which the Committee Officer is unable to serve.

## Section 6. Conflicts for Chairship

In the event that the Committee Officer has a conflict of interest in a case before the Judiciary Committee, the Officer must relinquish the role of Chair for the case in writing within three (3) days of the Judiciary Committee receiving the case. This notice should be sent to the Vice Chair, AGS President, and Executive Director of Student Government Student Media (SGSM). The Vice Chair will immediately assume all the duties of the Chair for that case.

If the Vice Chair has a conflict of interest in a case for which they are acting as Chair, the Vice Chair must relinquish the role of Chair and notify Student Government Student Media (SGSM) and the AGS President in writing within three (3) days of assuming the role as Chair. In such a case, the Executive Director of Student Government Student Media (SGSM) or their designee shall appoint a Chair for the case from the remaining at-large Judiciary Committee members within three (3) days.

If a party in a case believes the Chair has a conflict of interest but the Chair declines to recuse themselves, the party may submit a request to AGS Council in writing to remove the Chair from the case within 10 days of being notified of the composition of the Judiciary Committee. The request must be submitted in writing to the AGS President and Executive Director of Student Government Student Media (SGSM). AGS Council shall consider the request at the AGS meeting following the written submission. A three-fourths (3/4) majority vote of Council members in attendance at a meeting in which there exists a quorum is required to remove a Chair. In the event that AGS Council removes an individual from chairing a Judiciary Committee case, the appointment of a new Chair shall follow the guidelines for appointment as outlined in Article VII, Section 5 and Article VII, Section 6 of the Constitution. The removed individual will not be eligible to be appointed as Chair for the case in question.

## Section ~~72~~. Eligibility to Serve

The President, Council Officers, ~~and~~ Council members, ~~and~~ AGS Staff cannot serve on the Judiciary Committee with the exception of the role of Committee Council Officer, which shall be held by a member of AGS Council. Additionally, any former Judiciary Committee members permanently removed under Article VII, Section 9 are prohibited from serving on the Judiciary Committee. All other AGS members in good standing, as defined by the Constitution and University offices, a student's school, and/or the Graduate Council of the Academic Senate, are eligible to serve. The Chair of the Judiciary Committee shall be the Council Officer appointed by the President and approved by the Council on an ad hoc basis.

## Section ~~83~~. Nomination for At-Large Members

If the need to convene the Judiciary Committee arises, applications shall be made open to AGS members for the Vice Chair and at-large member positions. The application shall be publicized in a manner consistent with the publicization of AGS Staff position applications. The application must be open for a minimum of three (3) days. The AGS President shall be in charge of reviewing applications, in coordination with the Executive Director of Student Government Student Media (SGSM) or their designee. After reviewing applications in consultation with the Executive Director of Student Government Student Media (SGSM) or their designee, the President shall nominate a Vice Chair and five (5) at-large members. ~~The at-large members shall be nominated by the President. This nomination should occur within 21 calendar days of the written request to convene the Judiciary Committee. The Vice Chair and at-large members must be -and approved by the AGS Council by a majority vote at a meeting in which there exists a quorum after June 4. Vacancies shall be filled by using the same procedure. Terms of the Committee Officer, Vice Chair, and at-large members shall last from the time of appointment until through June 30, the first meeting of the fall quarter of the following year or until new members are appointed after June 1 of the following year. Vice Chair and a At-large member terms are renewable for one additional calendar year, for a total of two years of service.~~

## Section ~~94~~. Removal of Judiciary Committee Members

The Committee Officer, Vice Chair, and at-large ~~At-large~~ members ~~are can be~~ subject to permanent removal by ~~AGS the~~ Council for failure to declare conflicts of interest, failure to follow University policies, and/or failure to perform the duties outlined in the Constitution. Upon the valid presentation of an legislation requesting the affirmative vote of a simple majority of sitting Council members, ~~removal of a Judiciary Committee member, the Council shall consider the permanent removal of that member of an at-large member. A An at-large Judiciary Committee member shall be permanently removed if two-thirds (2/3) of the sitting Council members vote to remove, or if three-fourths (3/4) of Council members in attendance at a meeting in where there exists a quorum vote to remove. Upon removal, that member's at-large position shall be declared vacant, and the removed individual shall be ineligible to be reappointed to the Judiciary Committee for the remainder of their time at the University of California, Irvine. The procedures of filling the vacancy shall proceed as outlined in Article VII, Section 10 of the Constitution.~~

Additionally, Judiciary Committee members have an obligation to recuse themselves from cases in which they have a conflict of interest. If a party in a case believes a Judiciary Committee member has a conflict of interest but the member declines to recuse themselves, the party may submit a request to AGS Council in writing to remove the member from the case within 10 days of being notified of the composition of the Judiciary Committee. The request must be submitted in writing to the AGS President and Executive Director of Student Government Student Media (SGSM). AGS Council shall consider the request at the AGS meeting following the written submission. A two-thirds (2/3) majority vote of Council members in attendance at a meeting in which there exists a quorum is required to remove a Judiciary Committee member from a case.

If at any point during the academic year, a Judiciary Committee member no longer meets the eligibility requirements to hold the position, they shall be removed from the position by the Executive Director of Student Government Student media or their designee, as approved by the University. The basis for such decisions shall be communicated directly to the member within FERPA policy. The basis for the decision will not be communicated to any other members of AGS, but only to note the individual is no longer eligible to serve in AGS.

## Section 10. Judiciary Committee Vacancies

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If a Judiciary Committee seat becomes vacant for any reason, the AGS President shall immediately work to nominate a replacement to fill the seat, in accordance with the appointment procedures outlined in the Constitution and Bylaws. The Judiciary Committee may continue to meet and decide cases while such a vacancy is being filled, provided the Committee is able to meet the requirements for making rulings as outlined in Article VII, Section 11 of this Constitution.

### Section 5.

The Judiciary Committee shall have jurisdiction in the following areas when any member of AGS or the Chancellor or his/her designate refers cases to it.

- A. Interpretations of the Constitution, Council Bylaws, election procedures, or other rules and regulations.
- B. The constitutionality of any Council legislation.

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## Section 116. Judiciary Committee Process

### Sub-Section 1. Filing of a Case

Cases shall be initiated by a complaint being sent in writing to the Committee Officer, copying the Executive Director of Student Government Student Media (SGSM) and the AGS President. Cases may be submitted by any member of AGS, the Chancellor or their designee, an employee of Student Affairs or their designee, or an employee of Student Government Student Media (SGSM) or their designee within 10 days of the alleged violation occurring ("eligible complaint period").

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If an individual submits a request to convene the Judiciary Committee in accordance with this Constitution within 10 days of an alleged violation, and the Committee has not yet been appointed, the 10-day eligible complaint period shall be tolled until the Committee is formally appointed by Council.

#### Sub-Section 2. Notification of Parties

When presented with a case, the Committee Officer shall email the details of the case to the Judiciary Committee membership and the Executive Director of Student Government Student Media (SGSM) within three (3) days.

Once the Chair for the case is determined based on the processes outlined in Article VII, Section 5 and Article VII, Section 6 of this Constitution, the Chair shall email the case complainant, the AGS President, and the Executive Director of Student Government Student Media (SGSM). This communication must be sent within 10 days of the case being filed and contain the following information: (1) The full names of all members of the Judiciary Committee who will consider the case, (2) The name of the individual who will be chairing the Judiciary Committee for the case, (3) The email addresses for contacting the Chair, the Executive Director of Student Government Student Media (SGSM), and the AGS President, and (4) Information on where to find this Constitution and any other applicable Bylaws or policies.

#### Sub-Section 3. Committee Meeting

The Chair shall schedule a Judiciary Committee meeting within 15 calendar days of the Judiciary Committee receiving the case. ~~and~~

The Chair on a case generally has the authority to decide whether or not to invite additional testimony or arguments from relevant parties at the scheduled meeting. Student Government Student Media (SGSM) has the right to submit information to the Committee in writing or through testimony at the scheduled meeting if they have relevant information about the case, including (but not limited to) historical or policy information. University career staff are not obligated to testify or be part of any proceeding.

After reviewing appropriate policies and arguments, the Committee shall then deliberate and render a decision based on facts, the ~~AGS~~ AGS-Constitution, the ~~AGS Council~~ Bylaws, ~~election procedures~~, University rules and regulations, and precedents. The Chair shall inform the AGS President and Student Government Student Media (SGSM) in writing of the Committee's decision within one (1) day of the decision being rendered.

#### Sub-Section 4. Requirements for Valid Committee Decisions

The following rules govern decisions by the Judiciary Committee:

- A. Decisions may only be reached at meetings in which the Committee has quorum;
- B. At least five (5) members of the Committee (excluding any members who are removed from or have recused themselves from the case) must be present at a meeting for a Committee meeting to have quorum;

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- C. The Committee Officer and Vice Chair have full voting power and count toward quorum unless they have been removed from a case or have recused themselves;
- D. Judiciary Committee members, including the Committee Officer and Vice Chair, shall abstain from weighing in on cases in which they have a conflict of interest (e.g., have personal relationships with parties involved in a case, are parties in the case, are sponsors of legislation at issue, are running in an election whose rules are at issue), and if they have a conflict of interest, shall not attend the meeting in which the case is being discussed to preserve the integrity of the proceedings;
- E. Four (4) members is the minimum number of Committee members required to constitute a majority for a decision, regardless of the number of Committee members present at a Judiciary Committee meeting with quorum;
- F. If a majority decision cannot be reached by the Committee — including if the Committee is unable to meet the required quorum due to conflicts of interest, vacancies, or lack of attendance — the Chair shall write a report detailing the complaint and any Committee deliberations within five (5) calendar days of the meeting and shall submit this report in writing to the Executive Director of Student Government Student Media (SGSM). The Executive Director of Student Government Student Media (SGSM) or their designee may then make a ruling within 10 days of receiving the report, which they can make in conjunction with Student Affairs, General Counsel, the Chancellor, or anyone else they deem appropriate. Their ruling shall be communicated to the Chair. The Committee shall then adopt this ruling.

#### Sub-Section 5. Reporting Adopted Rulings

~~Upon a ruling being adopted by the Committee, the Judiciary Committee — under the direction of the Chair — shall prepare and make available a written report of its deliberations proceedings and ultimate decision within 10 days accompanied by its written decision.~~ The report shall be sent to the complainant, the AGS President, and the Executive Director of Student Government Student Media (SGSM) by the Chair. All decisions of the Judiciary Committee shall also be made public.

~~At their discretion, the AGS President can request that the Chair attend a Council meeting to explain the ruling to Council. All decisions of the Judiciary Committee shall be public and its written report shall be available to the public.~~

### Section 127. Overruling a Committee Decision

All decisions of the Judiciary Committee, within its jurisdiction, shall be final unless overruled by a three-fourths (3/4) vote of the sitting members of Council ~~based on biased proceedings or a failure to provide due process.~~

The following are the only valid grounds for voting to overturn a decision from the Judiciary Committee:

- A. A violation of Article VII of this Constitution that likely had a meaningful effect on the Judiciary Committee's final decision.

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The case complainant, any AGS Council representative, the AGS President, the Chancellor or their designee, an employee of Student Affairs or their designee, or an employee of Student Government Student Media (SGSM) or their designee have the right to request that Council overturn a Judiciary Committee decision within five (5) days of the decision being made public. This request must be submitted in writing to the AGS President. The request must include the justification for overturning the decision.

A. —If a request to overturn a Judiciary Committee decision is received within the required timeframe, AGS Council shall consider the request at the next Council meeting. The only evidence that may be introduced or considered is evidence of the alleged Article VII constitutional violation. Both the Chair of the Judiciary Committee case and the person requesting the decision be overturned have the right to present their arguments to Council in the form of five (5) minute statements at this Council meeting. Council is under no obligation to hear from any other individuals, though can choose to do so.

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The AGS President shall be responsible for notifying the person who appealed the ruling, the Chair of the Judiciary Committee, and Student Government Student Media (SGSM) of Council's decision. Additionally, the AGS President shall prepare an addendum to the Judiciary Committee's report within five (5) days of Council's decision that outlines the decision and any findings regarding the alleged procedural violation. This addendum shall be added to the Judiciary Committee report and made available to the public. ~~Article VIII: Associated Medical Students~~

### Section 13. End of Term Resolutions

The Judiciary Committee shall make every effort to make public written decisions for cases by June 1 in order to give individuals sufficient time to appeal a decision prior to the end of the Council term. Any cases that are not fully resolved by the end of June 30 (including appeal, if relevant) will be turned over to Student Government Student Media (SGSM) on July 1. The Executive Director of Student Government Student Media (SGSM) or their designee may then make a recommendation to the incoming AGS Council within 10 days of receiving any existing documentation. This recommendation shall be adopted as the resolution of the case. ~~Section 1.~~

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~~The Associated Medical Students (hereafter referred to as "AMS") shall be a unique and autonomous body within AGS and the University community whose purpose shall be to promote and provide for the distinct needs and priorities of medical students. The Associated Medical Students Council shall represent AMS and its Officers as described in the AMS Constitution.~~ ~~Section 2.~~

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~~The AMS Constitution shall be ruled binding and valid upon approval by a majority vote of each of the four classes within the College of Medicine and is subject to review by the Chancellor.~~ ~~Section 3.~~

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~~The AMS Council and the AMS Officers, separately and together, shall represent AMS either directly or through AGS as deemed appropriate by the AMS Council. Representation shall~~

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include campus representation, University of California system-wide representation, and representation to external non-university individuals and groups.

#### Section 4.

The monies collected as Associated Graduate Students fees from medical students will be used in the interests of all members of AMS. AMS shall remit monies to AGS for inclusion of all members in AGS and ASUCI-sponsored activities, programs, and services. The AMS Council and the AGS Council must approve the portion of monies remitted and services provided. All medical students shall be considered members of AGS as prescribed in the AGS Bylaws.

#### Section 5.

The AMS Council and the AGS Council shall work together on those issues which affect both medical and graduate students. It shall be the responsibility of AMS Officers and Council to inform AGS of the needs and priorities of medical students. It shall be the responsibility of AGS Officers and Council to inform AMS of issues that may be of importance to medical students. It shall be the responsibility of both organizations to develop and maintain a strong rapport.

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## Article ~~VIII~~X: Constitutional Revision

### Section 1. Constitutional Review

The Constitution shall be reviewed at least once every four (4) years. During a re-ratification procedure, at the direction of the Council, a Constitutional Committee shall develop a revised Constitution and present it to the AGS Council. This committee shall be chaired by the AGS President or their designee.

### Section 2. Procedures for Approving a Revision

Amendments or revisions of this Constitution may be proposed by a motion from Council passed by a simple majority of those Council members present at a meeting of AGS with quorum, or AGS members by presenting a petition containing the valid signatures of at least ~~ten~~ 10 percent of the current members of AGS. This vote shall then be conducted in an open referendum according to Article VI, Section 6. The required quorum for a revision to pass shall be the average quorum for the Spring AGS election for the prior five (5) academic years, as determined by Student Government Student Media (SGSM). ~~and shall include complete explanations of the proposed changes with associated pro and con arguments as submitted.~~

The Bylaws of this Constitution may be changed by a two-thirds (2/3) vote of sitting Council members, unless a greater threshold is otherwise specified in the Bylaws.