

**Title 5 - NSHE Governing Documents**

**Chapter 12**

**CONSTITUTION OF THE ASSOCIATED STUDENTS OF  
TRUCKEE MEADOWS COMMUNITY COLLEGE**

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## **Preamble**

We, the Associated Students of Truckee Meadows Community College, are hereby committed to providing effective and responsive elected leadership, seeking to promote student activities as an enhancement to the overall learning experience, promoting the general welfare of all students, advocating students' rights and concerns, and dedicated to advancing the quality of learning, do ordain and establish this Constitution.

## **Article I - Name and Purpose**

- Section 1      The name of this association shall be the Associated Students of Truckee Meadows Community College, hereafter referred to as ASTM.
- Section 2      The purpose of ASTM student government shall be to:
- A. provide leadership on behalf of the student body;
  - B. serve as a liaison for students, faculty and administrators;
  - C. foster an awareness of issues and concerns directly affecting students;
  - D. make recommendations on issues affecting students to the appropriate campus bodies and individuals;
  - E. seek positive solutions to contentious issues within a climate of cooperation;
  - F. facilitate participation and increased student involvement in our campus and community;
  - G. solicit and assess student opinion and needs when appropriate;
  - H. promote programs and events on behalf of the student body;
  - I. recognize new student organizations;
  - J. support recognized student organizations;
  - K. promote a positive image of our students to our campus and community.

## **Article II - Membership**

- Section 1      Membership in the ASTM shall be granted to students who are enrolled at Truckee Meadows Community College. Members meeting eligibility requirements shall have the right to run for or be appointed to ASTM student government positions. Members shall also have the right to vote in all student elections, the right to participate in all activities sponsored by ASTM, and the right to attend all open meetings in accordance with the Nevada Open Meeting Law.

## **Article III - Creation, Structure and Responsibilities of the ASTM Student Government, Creation, Structure and Responsibilities of the Judicial Court**

- Section 1      The ASTM Student Government
- A. The ASTM Student Government has been established as the decision making and implementation authority of the ASTM.
    - 1. All decisions and subsequent actions of the ASTM shall be introduced, debated, deliberated, decided and enacted by the collective membership of the ASTM Student Government.

2. All decisions and subsequent actions of the ASTM student government shall be guided by the collective will and wishes of the ASTM membership.
3. The scope of authority for the ASTM shall be derived from and granted by the President of Truckee Meadows Community College and the Nevada System of Higher Education (NSHE) Board of Regents.

## Section 2 Organizational Structure of the ASTM Student Government

- A. The ASTM Student Government shall consist of a Board of Directors and the members of the ASTM Student Senate. The ASTM Student Government shall receive administrative guidance from the ASTM Advisor who shall serve solely in an advisory capacity as an ex officio member of the Student Government. The Student Government shall:
  1. fulfill all purposes as stated in Article I, Section 2 when appropriate;
  2. annually review and have the authority to approve any proposed changes or amendments to the ASTM Constitution by a two-thirds (2/3) vote of the elected/appointed membership;
  3. annually review and have the authority to approve any changes to the ASTM by-laws by a majority votes of the elected/appointed membership;
  4. review and approve the annual budget as well as any proposed revisions to the budget;
  5. receive regular reports from ASTM representatives to campus committees;
  6. receive regular reports concerning the activities of all committees;
  7. have the authority to create any new ASTM committees;
  8. have the authority to assemble the Judicial Court.
- B. Board of Directors. All executive authority of the ASTM student government shall be vested in the elected/appointed membership of the ASTM Board of Directors.
  1. The Board of Directors has been established to provide executive level leadership to the ASTM student government.
  2. The Board of Directors shall be comprised of four elected/appointed officials:
    - a. Board Chairperson
    - b. Communications Director
    - c. Finance Director
    - d. Public Relations and Recruitment Director
  3. All members of the Board of Directors shall possess equal executive powers with the ASTM student government while completing duties which are specific to the position that is held on the board.
  4. The ASTM Board of Directors shall receive administrative guidance from the ASTM Advisor who shall serve solely in an advisory capacity as a member ex officio of the Board of Directors

- C. Student Senate. The Student Senate has been established to provide enhanced student input into the student government's deliberative process and increased involvement in the provision of ASTM services to the student membership.
  - 1. Seven (7) members-at-large shall be elected/appointed to serve on the Student Senate. Each at-large member shall represent the interests of the ASTM membership at all major locations of Truckee Meadows Community College.
  - 2. Recognized organizations may recommend one member of their organizations to serve as a voting member of the Student Senate. Following organizational recommendation, the appointed member must received confirmation from the student government and the ASTM Advisor. The club representatives serving as voting members to the Student Senate shall perform their senate duties in accordance to the ASTM Constitution and By-laws.

Section 3 Roles and Responsibilities of the Board of Directors

- A. All members of the Board of Directors shall share equally in the administrative authority and responsibilities as they pertain to the ASTM student government. All members of the Board of Directors shall be accountable for participation in the following position related responsibilities:
  - 1. attendance at all regularly scheduled meetings of the Board of Directors and the ASTM student government;
  - 2. equal participation in determining the agenda for all board of Directors and ASTM student government meetings;
  - 3. equal participation in the drafting of the annual ASTM budget;
  - 4. posting and maintenance of the required office hours per week in direct service to the ASTM as specified in the by-laws;
  - 5. empowerment to suggest and/or call into session emergency meetings of the Board of Directors or ASTM student government as circumstances require; ensuring compliance with the requirements of the Nevada Open Meeting laws.
- B. In addition to the duties described in Article III, Section 3.A, the Board Chairperson shall:
  - 1. represent the ASTM in the college community and to the community at-large;
  - 2. represent the views of the TMCC student body to the NSHE by regularly attending scheduled meetings of the Board of Regents;
  - 3. regularly report on the progress and implementation of all actions of the ASTM to the administrative head of the college;
  - 4. regularly report on the progress and implementation of all actions of the ASTM to the TMCC Faculty Senate;
  - 5. serve as presiding member at all regular and emergency sessions of the Board of Directors and the ASTM student government;
  - 6. place before the ASTM student government for a vote all Board of Director recommendations for committee assignments and appointments, both within the ASTM and throughout the campus;

7. cast a vote in all decisions before the student government, or abstain from the vote in the event of a conflict of interest;
  8. take on tasks and special assignments as requested by the Board of Directors;
  9. attend and assist in the planning, presentation, follow-up activities and evaluation of all ASTM sponsored events.
  10. serve as chairperson of the ASTM Constitution and By-laws committee;
  11. support other ASTM committees as directed by the Board of Directors.
- C. In addition to the duties described in Article III, Section 3.A, the Communications Director shall:
1. preside over Board of Directors and ASTM Student Government meetings in the absence of the Board Chairperson;
  2. represent the views of the TMCC student body to the campus by regularly attending meetings of the campus curriculum committee;
  3. prepare and post agendas for all Board of Directors and ASTM student government meetings in compliance with the requirements of the Nevada Open Meeting laws;
  4. prepare and post minutes for all Board of Directors and ASTM student government meetings in compliance with the requirements of the Nevada Open Meeting laws;
  5. cast a vote in all decisions before the ASTM student government, or abstain from the vote in the event of a conflict of interest;
  6. take on tasks and special assignments as requested by the Board of Directors;
  7. attend and assist in the planning, presentation, follow-up activities and evaluation of all ASTM sponsored events;
  8. serve as chairperson of the ASTM Activities and Community Services committee;
  9. support other ASTM committees as directed by the Board of Directors.
- D. In addition to the duties describe in Article III, Section 2.b, the Finance Director shall:
1. represent the views of the TMCC student body to the campus by regularly attending meetings of the academic affairs committee;
  2. prepare all internal documentation that demonstrates the financial status and fiscal responsibility of the ASTM student government;
  3. maintain accurate and readily accessible budget records and engage in fiscally responsible budget management procedures;
  4. provide written and oral line-item reports on a monthly basis to the student government regarding the financial status of the ASTM;
  5. be responsible for the annual reports of ASTM student government expenditures to the student body;
  6. cast a vote in all decisions before the ASTM student government, or abstain from the vote in the event of a conflict of interest;
  7. take on tasks and special assignments as requested by the Board of Directors;
  8. attend and assist in the planning, presentation, follow-up activities and evaluation of all ASTM sponsored events;

9. serve as chairperson of the ASTM Finance and Appropriations Committee.
- E. In addition to the duties described in Article III, Section 3.A, the Public Relations and Recruitment Director shall:
1. represent the views of the TMCC student body to the campus by regularly attending meetings of the Library Committee;
  2. maintain the roster and membership files of the ASTM student government;
  3. serve as a administrative liaison to student clubs and organizations around campus, and meet regularly with representatives from each club/organization at the Organizational Student Assembly (OSA) meetings;
  4. maintain adequate records of all events and activities presented by the recognized student clubs and organizations around campus;
  5. cast a vote in all decisions before the ASTM Student Government, or abstain from the vote in the event of a conflict of interest;
  6. take on tasks and special assignments as requested by the Board of Directors;
  7. attend and assist in the planning, presentation, follow-up activities and evaluation of all ASTM sponsored events;
  8. serve as chairperson of the ASTM Elections and Recruitment committee;
  9. support other ASTM committees as directed by the Board of Directors.

#### Section 4 Roles and Responsibilities of the ASTM Student Senate

- A. The elected/appointed senators of the ASTM Senate shall be accountable for participation in the following position-related responsibilities;
1. attendance at regularly scheduled meetings of the ASTM student government;
  2. posting and maintenance of regular office hours in service to the ASTM as specified in the by-laws. Senators shall be assigned to represent student interests at an assigned TMCC satellite site (Dandini Campus, Meadowood Center, IGT/RPAC) and part of the regular office hours are to be served at the appointed satellite site.
    - a. Duties at the satellite sites include, but are not limited to:
      - i. posting ASTM notices and maintaining the bulletin boards;
      - ii. soliciting student opinions and concerns;
      - iii. marketing, advertisement and endorsement of all ASTM activities.
  3. service on and active participation in the projects and proceedings of at least two (2) ASTM standing committees per semester;
  4. take on tasks and special assignments as requested by members of the Board of Directors;
  5. cast a vote in all decisions before the Student Government, or abstain from the vote in the event of a conflict of interest;
  6. attend a participate in the planning, presentation, follow-up activities and evaluation of all ASTM sponsored events;

7. have the ability to request agenda items for student government meetings, providing these requests are channeled through the Board of Directors.
- B. Recognized student organizations may choose to have voting representation on the ASTM student government as specified in Article III, Section 2.C.ii. The organization must appoint one representative who will serve as the voting representative throughout the entire academic term(s). This representative shall be accountable for participation in the following position-related responsibilities.
1. attendance at regularly scheduled meetings of the ASTM student government;
  2. service and active participation in the projects and proceedings of at least one standing committee of the ASTM;
  3. cast a vote in all decisions of the student government, or abstain from the vote in the event of a conflict of interest.}

## Section 5 Permanent Standing Committees of the Student Government

- A. Activities and Community Services Committee.
1. The ASTM Activities and Community Services Committee has direct responsibility for meeting on a regular basis in order to:
    - a. develop and provide a budget for the year's planned activities to the ASTM student government.
    - b. plan, schedule and market all ASTM-sponsored events under the guidance of the ASTM Advisor;
    - c. gain approval for all cash disbursements from the student government prior to the activity in questions;
    - d. provide a regular accounting of activities to the ASTM student government.
  2. The ASTM Activities and Community Services committee membership is comprised of:
    - a. the Communications Director as committee chair;
    - b. at least two (2) elected/appointed senators
- B. Finance and Appropriations Committee
1. The ASTM Finance and Appropriations Committee has direct responsibility for meeting on a regular basis in order to:
    - a. systematically review the ASTM budget, appropriations and expenditures;
    - b. review all internal and external requests for funding or budget revision;
    - c. make recommendations to the ASTM student government regarding funding requests under the "Sponsorship" and "Campus Support" budget lines of the ASTM budget.
  2. The ASTM Finance and Appropriations Committee membership is comprised of:
    - a. the Finance Director as committee chair;
    - b. at least two (2) elected/appointed senators

- C. Elections and Recruitment Committee
  - 1. The ASTM Elections and Recruitment Committee has direct responsibility for meeting on a regular basis in order to:
    - a. Plan, organize, promote and conduct the ASTM elections process;
    - b. Tabulate, certify and report ASTM elections results
      - i. members of this committee who work to tabulate and certify the vote must not be running for re-election to the student government.
    - c. develop a system designed to recruit potential ASTM student government membership;
    - d. develop and implement strategies to increase awareness of ASTM student government roles and responsibilities on campus;
  - 2. The ASTM Elections and Recruitment Committee membership is comprised of:
    - a. the Public Relations and Recruitment Director as committee chair;
    - b. at least two elected/appointed senators.
- D. Constitution and By-Laws Committee
  - 1. The ASTM Constitution and By-laws Committee has direct responsibility for meeting on a regular basis in order to:
    - a. systematically review the ASTM Constitution and By-laws;
    - b. make recommendations regarding any changes to the ASTM Constitution and/or by-laws to the student government;
    - c. systematically review the constitution and/or by-laws of all prospective student organizations;
  - 2. The ASTM Constitution and By-Laws Committee membership is comprised of:
    - a. the Board Chairperson as committee chair;
    - b. at least two elected/appointed senators.}

Section 6

Judiciary

- A. The Judicial Court
  - 1. Composition
    - a. The Judicial Court shall consist of five members; the members to be referred to as Justices.
    - b. Of the five Justices:
      - i. two of the Justices shall be students enrolled at TMCC who do not hold any position within the ASTM student government;
      - ii. two of the Justices shall be TMCC faculty who do not have any authoritative role within the ASTM student government;
      - iii. one Justice shall be the Chief Justice and shall be a student enrolled at TMCC who does not hold any position within the ASTM student government.

2. Appointment
  - a. All five Justices shall be appointed by the ASTM Advisory Board; said appointments are intended to be of an “ad hoc” nature to deal with a specific issue or situation.
  - b. The Judicial Court shall dissolve after it has rendered judgment.
3. Request to assembly the Judicial Court
  - a. Requests can be made to the ASTM Advisory Board to form a Judicial Court by:
    - i. the TMCC President
    - ii. the administrative head of student development
    - iii. the ASTM Advisor
    - iv. any member of the ASTM Board of Directors;
    - v. a majority vote of the ASTM Student Senate.
4. Jurisdiction and Responsibilities
  - a. The Judicial Court shall have original jurisdiction of any cases arising from the ASTM Constitution and By-laws.
  - b. The Judicial Court shall exercise authority over any member of the ASTM Board of Directors or Student Senate consistent with its Constitution and By-laws.
  - c. The Judicial Court shall render a binding decision, the ASTM Board of Directors and Student Senate are obligated to abide by and fully implement any decision of the Judicial Court.
  - d. The Judicial Court shall comply with all requirements of the Nevada Open Meeting laws.
5. Appeals
  - a. Any appeal of a Judicial Court decision must be made within 15 days of the decision and must be made in writing to the administrative head of student development.
  - b. The only basis for an appeal will be to assert a failure to uphold the ASTM Constitution and By-laws; in every instance, the appeal must be specific and the reason(s) for the appeal must be cited.
  - c. The administrative head of student development shall review any legitimate appeal on its merits and is empowered to reaffirm the decision of the Judicial Court or overturn the decision.

#### **Article IV - Creation and Responsibilities of the ASTM Advisory Board, Creation and Responsibilities of the ASTM Advisor Position**

##### **Section 1 The ASTM Advisory Board**

- A. The ASTM Advisory Board shall be comprised of:
  1. the administrative head of student development or his/her designee;
  2. the Director – New Student Programs
  3. the ASTM Advisor;

4. the ASTM Board Chairperson and one additional member of the Student Senate;
  5. two student members appointed by the Board of Directors;
  6. one classified council member, appointed by the chair of the classified council;
  7. one professional staff/faculty member, appointed by the chair of the faculty senate.
- B. ASTM Advisory Board responsibilities
1. The ASTM Advisory Board shall meet on a monthly basis to discuss the overall role and performance of the ASTM student government on campus. The Advisory Board shall serve in an exclusively advisory capacity to provide positive support and guidance for student government.
  2. When requested to do so, the Advisory Board shall create and summon the Judicial Court to resolve disputes.
  3. The Advisory Board shall assist ASTM student government efforts to improve communication and solicit support from the greater TMCC community of faculty, administrators and support staff.
  4. The Advisory Board shall regularly review the budget, programming and leadership training, and provide assistance and recommendations to the ASTM, ASTM Advisor, ASTM Board of Directors and ASTM Student Senate.

Section 2      ASTM Advisor

A. ASTM Advisor Position

1. The ASTM Advisor shall be a professional position attached to the office of student development.
2. The ASTM Advisor shall:
  - a. make recommendations to the ASTM Board of Directors and ASTM student government concerning any business, financial program and/or procedural issues;
  - b. oversee and process ASTM student government expenditures and contractual agreements that have been approved by the Board of Directors and the student government in accordance with current NSHE policies and procedures;
  - c. identify relevant policies and procedures as needed;
  - d. provide leadership training and guidance to the ASTM student government.

**Article V**

Section 1      The term “student organization” shall apply to all recognized groups that conform to the qualifications of the ASTM Constitution

Section 2      Student groups seeking to utilize campus rooms, resources or equipment must be “officially recognized” by the ASTM student government.

- Section 3 Recognized organizations must serve one or more of the following purposes:
- A. increase and stimulate the students' knowledge and interest in his/her curricular field;
  - B. promote a feeling of fellowship among students with similar interests;
  - C. sponsor educational and/or recreational activities;
  - D. instill in the minds of the student body a feeling of unity and loyalty toward the college.
- Section 4 Recognized organizations must meet the following minimum requirements:
- A. Select a full-time TMCC faculty or staff member as an advisor. The advisor's role is to provide training and guidance to the student organization, while ensuring compliance with college and system-wide policies and procedures.
  - B. Submit an organization roster and officer list. The student organization must be comprised of TMCC students totaling at least 75% of their active membership.
  - C. Schedule and hold a minimum of one meeting per month during the academic school year.
  - D. Submit a budget that itemizes anticipated income and expenditures throughout the course of the academic year.
  - E. Submit a written report of the organization's activities at the completion of each academic semester.
  - F. Sponsor for its membership and/or guests a minimum of one educational or social activity each semester.
  - G. Submit a copy of the organization's Constitution and By-laws for approval by the ASTM Constitution and By-laws Committee.
- Section 5 A student organization seeking formal initial recognition must file a request for approval with the ASTM student government. All required documentation must be received prior to the organization receiving initial recognition from the ASTM student government. Recognition will be granted by a majority vote of the student government.
- A. Once recognized, a student organization retains this status throughout the academic year, unless revoked by the student government.
  - B. Once recognized, a student organization may appoint one of their members to serve as a voting representative to the ASTM student government.
  - C. All organizations must have representation at the monthly meetings of the Organizational Student Assembly.
- Section 6 The Student Senate may revoke recognition of any organization that fails to meet the minimum purposes and requirements of this constitution by a majority of the ASTM student government.
- Section 7 Organizational Student Assembly (OSA)
- A. The OSA has been established as an information sharing and communications assembly for all student clubs and organizations.
  - B. The OSA shall consist of a member from each officially recognized student club/organization on campus. The OSA shall receive administrative guidance from the ASTM Advisor who shall serve as chair of this assembly.

## **Article VI - Elections**

- Section 1      The following student government offices are subject to election:
- A. Board Chairperson
  - B. Communications Director
  - C. Finance Director
  - D. Public Relations Director
  - E. Members-at-Large
- Section 2      If vacancies occur within the ASTM student government during an academic year the Board of Directors is authorized to nominate students meeting eligibility requirements to fill the vacancy. The nomination must then be approved by a majority vote of the Student Government.
- Section 3      Eligibility and Conditions for Candidacy and Holding Office
- A. Students seeking to be elected/appointed to a position on the ASTM Board of Directors must meet the following criteria:
    - 1. the applicant must have completed a minimum of six (6) credits at TMCC and will have been enrolled at TMCC the academic semester prior to the election.
    - 2. the applicant must be taking a minimum of six (6) credit hours;
    - 3. the applicant must have a minimum cumulative grade point average of at least 2.25.
  - B. Students seeking to be elected/appointed to one of the member-at-large positions must meet the following criteria:
    - 1. the applicant must be currently enrolled at TMCC.
    - 2. the applicant must be taking a minimum of six (6) credit hours;
    - 3. the applicant must have a minimum cumulative grade point average of at least 2.0.
  - C. Students interested in seeking a position within the ASTM student government must complete an application for candidacy and be certified as eligible by the ASTM Advisor. Applications will be available in the ASTM office.
  - D. Once elected/appointed, a member of the ASTM student government must maintain a minimum enrollment of at least six (6) credits and be in good academic standing.
  - E. The term of office for all elected/appointed officials shall be one academic year.
  - F. The term of office for all elected/appointed officials shall begin immediately following their installation to office, and end when the next duly elected governing body is sworn in.
- Section 4      Campaigns for elected positions within the ASTM student government shall be limited to the two weeks prior to the general election. Specific dates will be determined and declared by the Elections and Recruitment Committee each year. Rules and regulations for campaigns shall be established and monitored by a committee appointed Elections Board. Suspected violations of campaign rules and regulations will be reported to the Elections Board.

- Section 5 Candidates seeking to be elected to the student government must submit their formal application of candidacy by the first Wednesday in March. After the application has been approved by the ASTM Advisor, the candidate may begin campaigning for elected office. General elections shall be held over four days during the first week of April of each academic year. In years where this time period conflicts with Spring Break or other official campus holidays, the Elections and Recruitment Committee shall determine appropriate dates for elections.
- Section 6 Conduct of elections shall be managed by the Elections Board and Recruitment Committee. Voting booths shall be set up at the Dandini campus, the Meadowood Center, the Regional Technical Institute (RTI), and at the Redfield Center at Galena.
- Section 7 The Ballot shall identify all candidates for elective office. Board Chairperson, Communications Director, Finance Director, Public Relations Director, and seven (7) Members-at-Large. The Ballot may also include one or more ballot issues – proposed amendments to the ASTM Constitution, sanctioned referenda and/or petition-based initiatives.
- Section 8 Voting Eligibility. Any student currently enrolled with a minimum of one credit at TMCC is eligible to vote. An eligible voter can cast a vote for any of the following offices:
- A. Board Chairperson
  - B. Communications Director
  - C. Finance Director
  - D. Public Relations and Recruitment Director
  - E. Seven Student Senate Positions.
- Section 9 Tabulating Results/Certifying Election Results/Protests. Election results shall be tabulated and certified by the Elections board by 5:00 p.m. on the day following the elections. Winners will be determined based on a majority or plurality of the votes as appropriate. The outcome of any tie vote shall be determined by a coin toss conducted by a representative of the ASTM Advisory Board and with both candidates present. Any protests concerning the conduct of elections or tabulation of outcomes must be filed in writing to the ASTM Advisory Board within seventy-two hours of the election.
- Section 10 Protests. If a protest of election results is filed, the Judicial Court shall be convened to review the issue(s) raised to determined validity and relevance. The Judicial Court's determination of the election outcome shall be final.
- Section 11 Vacancies. Any vacancies of the elected offices shall require a nomination of qualified candidates from the ASTM Board of Directors. Nominated Candidates can be placed into a vacated Student Government seat by a majority vote of the ASTM student government. Dismissal or withdrawal from TMCC will immediately result in the termination of eligibility to hold any office in ASTM.

## **Article VII - Finance**

- Section 1 The ASTM student government shall approve all financial expenditures for appropriate and relevant student programs.
- Section 2 Revenue for appropriate and relevant programs shall be derived from the assessment levied on each TMCC student enrolling for credit at the rate established by the Board of Regents. No assessment shall be levied on Community Services or Business and Industry courses.
- Section 3 Any disbursements forwarded by the ASTM Finance and Appropriations Committee must be approved in advance by a majority vote of the student senate. Signature authority shall reside exclusively with the ASTM Advisor; all expenditures shall be processed through normal channels with backup documentation affirming ASTM student government authorization.
- Section 4 The ASTM student government is prohibited from deficit spending and is further prohibited from borrowing funds from any source.
- Section 5 The ASTM student government shall provide an accounting of expenditures each academic year to the student body. Each September, ASTM student government shall provide a detailed accounting of the previous year's expenditures as well as a detailed accounting of projected expenditures for the current academic year. The accountings shall be published in the student newspaper and/or widely disseminated at all major campus locations. The ASTM Finance Director shall have responsibility for ensuring compliance with this reporting requirement.

## **Article VIII - Amendment**

- Section 1 This constitution may be amended by a majority of students voting in any general elections. The TMCC President and the NSHE Board of Regents must approve any proposed amendments.
- Section 2 Amendments can be proposed by a two-thirds (2/3) majority of the ASTM student government or by any member of the Associated Students with a petition signed by at least ten percent of the students of the Association (the ASTM Advisor to certify that the minimum has been attained).

## **Article IX - Impeachment, Recall, Initiative and Referendum**

- Section 1 Impeachment
- A. Definition
    1. Any ASTM Board member and Student Senator shall be subject to impeachment for malfeasance in office.
    2. Judgment shall be limited to removal from office and disqualification to hold any other ASTM student government office.

B. Procedures

1. Documented proof or supported allegations of malfeasance may be presented to, or realized by (in the case of excessive unexcused absences) the Board of Directors for review.
2. Upon cause, the Board of Directors must act upon charges and refer the case to the Judicial Court.

C. Hearing

1. The Chief Justice will chair the impeachment hearing before the Student Senate.
2. The accused and the accuser(s) shall be allowed to present their respective cases.
3. The accused shall be removed from office by a three-fourths vote of the student government.

Section 2 Recall

A. Definition

1. All ASTM Board members and at-large members shall be subject to recall by the membership of the Associated Students of Truckee Meadows.
2. No member of the Board or at-large member shall be subject to recall before he/she has held office for two months.

B. Procedures

1. A petition with the signatures of fifty percent of the ASTM voters that voted in the previous election must be presented to the ASTM advisor for verification.
2. Upon verifications, the ASTM will hold a special election within three weeks from the date the petition was submitted
3. The reasons for recall as stated on the petition shall be printed on the ballot
4. Recall shall require a two-thirds vote of the total number of students voting in the recall election
5. If an Board member or at-large member is recalled, a vacancy shall be declared and the office filled according to the articles of this constitution.

Section 3 Initiative and Referendum

A. any action by the ASTM student government may be put to a vote o f the TMCC student body through the procedures set forth below:

B. Procedures

1. a petition signed by at least ten percent of the students of the Association (the ASTM Advisor to certify that the minimum has been attained) is to be submitted to the ASTM student government.
2. Upon verifications, the ASTM student government shall ensure that the question is put to the votes in a special election or the next regular election is scheduled to occur within 30 days.
3. Approval shall require a simple majority of those voting in the regular elections.

## **Article X - Enabling Clause**

- Section 1      This Constitution shall be in effect when it has met the following requirements:
- A. Review and approval by the NSHE Vice Chancellor for Legal Affairs.
  - B. Approval by a majority of students voting in a special or general election
  - C. Approval by the TMCC President
  - D. Approval by the NSHE Board of Regents

(B/R 6/05 – entire chapter)