

75th Senate

Winter Session



S.R. 61A

Resolution Type:
Constitutional

A Resolution To Update Article IX of the Associated Students' Constitution

A resolution, brought by **Senator Dan Siddiqui**, joined by **Senator MingJun Zha** to update Article IX of the Associated Students' Constitution.

***Whereas**, as the association represents more than 23,000 undergraduate students at UCSB, the participation of students is paramount in AS's operations; and,*

***Whereas**, after consulting with University administration to guarantee compliance with relative superseding departmental, University, and Regents policies, we believe this is a feasible path forward; and,*

***Whereas**, it is the opinion of the authors of this legislation that student involvement in the personnel and operations of AS must be guaranteed in legal code; and,*

***Therefore, be it enacted by Associated Students in the 75th Senate assembled**, the following clauses will be amended in the Associated Students' Constitution under **Article IX—EXECUTIVE DIRECTOR**:*

ARTICLE IX - EXECUTIVE DIRECTOR

SECTION 1. SELECTION & TERM

The selection and job description of the Executive Director of the Associated Students shall be the responsibility of the Senate. The Executive Director's term shall be indefinite and shall be terminated by written notice of either the Executive Director or the Senate in accordance with current UCSB personnel policies and procedures. The Senate shall require a three-fourths (3/4ths) majority approval of the voting membership in order to (1) ask for the Executive Director's resignation, and/or

(2) make a written, formal request to the UCSB Personnel Department asking for the termination of the Executive Director

SECTION 2. DUTIES & POWERS

The Executive Director shall:

- A. Be the official representative of the Associated Students in all of its business and financial dealings.
- B. Keep a suitable system of accounts, records, and books of the Associated Students and its various activities. All of the accounts shall be kept in standard form so that a true statement of the Associated Students' financial status may be prepared at any time.
- C. Be responsible to provide, at reasonable notice, any information pertaining to the functioning of the Executive Director upon the request of the Senate.
- D. Supervise collection and expenditure of all monies of the Associated Students.
- E. Have the authority to borrow money in the name of the Associated Students with the prior approval of the Senate.
- F. Be responsible for the appointment and termination of all Associated Students' employees. At the request of the Senate, the Executive Director shall provide information pertaining to any personnel action and shall report all actions taken in this regard to the Associated Students' President on a frequent and regular consultative basis.
 - a. Before deciding to hire a vacant staff position or create a new position, the Executive Director must receive a 3/4 affirmative vote of the Senate.
 - b. In the event any personnel action (appointment, termination, creation of a new position, job description change, etc) takes place without student participation or approval as outlined in the Standing Policies and Procedures or otherwise in A.S. Legal Code, the VCSA office must not approve the action and inform the Executive Director, who shall report this to the Senate.
- G. Act as trustee for the Associated Students in maintaining trustee accounts for various university organizations.
- H. Make an active and consistent effort to delegate operational, programming, and advising authority when appropriate to A.S. professional staff.
- I. At the start of each incoming elected officer cohort after the election, the Executive Director shall share a comprehensive document containing all workflows and regularly performed duties of all sub-departments within the Association, including Business Services, Finance, Human Resources, Student Leadership advising, or otherwise with all elected officers to have a running document tracking delegation of authority amongst A.S. Staff. Elected Officers shall oversee compliance to said document and work with the Executive Director to make modifications as necessary, per all relevant superseding UC personnel policies and procedures. Any change must be approved by a majority vote (50%+1) of the Senate.

SECTION 3. CONTRACTS

All contracts and other obligations shall be executed in the name of the Associated Students. The Executive Director shall sign all contracts subject to prior approval of the Associated Students President. The Executive Director shall report to the Senate Finance and Business Committee, the Associated Students President, and the Senate on all contracts from the prior year during the Associated Students Budget Process in Winter and Spring Quarters.

SECTION 4. DEPOSITS

The monies of the Associated Students shall be kept on deposit in a federally insured bank, savings and loan, or credit union, and drawn out only by checks signed by the Executive Director. One (1) University career employee may be authorized by the Senate to sign checks in the case of an emergency created by the prolonged absence of the Executive Director.

Therefore, be it finally enacted by Associated Students in the 75th Senate assembled, the following clauses will be amended in the Associated Students' Constitution following a two-thirds ($\frac{2}{3}$) affirmative vote with at least (20%) of the Associated Students' Membership voting.