PURPOSE: We, the Associated Students of Maui Community College, in order to promote responsible governance, academic excellence, community service, and student fellowship, do hereby adopt this charter.

ARTICLE I. - NAME

The name of this organization shall be the Associated Students of Maui Community College. It will be referred to as the ASMCC.

The governing body of the ASMCC shall be referred to as the Governance Council.

ARTICLE II. - PURPOSE

The purpose of the Governance Council is to legislate and administer the planning, programming, and evaluation of student projects and programs respective to the wants and needs of the ASMCC.

ARTICLE III. - IDENTITY

Section A. Colors
1. The colors of the ASMCC shall be blue and green.

Section B. Mascot
1. The mascot of the ASMCC shall be the dolphin.

Section C. Motto
1. The motto of the ASMCC shall be: “Students and Campus Community Foremost”

ARTICLE IV. - MEMBERSHIP

1. Membership in the ASMCC shall be open to all currently enrolled students at MCC who have paid their activity fees and shall cease when a student is no longer enrolled.
ARTICLE V. - GOVERNANCE COUNCIL

Section A.  General Membership

1. Council membership will be limited from a minimum of 5 to a maximum of 15 members. The By-laws will define the Council makeup and internal organization, including the responsibilities of the following positions: Chairperson, Vice Chairperson, Secretary, Treasurer and Webmaster.

2. The Council will conduct an internal vote to select a Chairperson, Vice Chairperson, Secretary, Treasurer and Webmaster at the end of each Spring semester of the school year. In the event that a position is vacant, and until that vacancy is filled, the Council as a whole will conduct the duties specified for that position, excluding those of the Chairperson. If vacant, the Chair will rotate among the members of the Council on a monthly basis. The Chair is a non-voting position, unless the Council is deadlocked with an equal number of members voting pro and con.

3. The Student Life Coordinator shall serve as a non-voting advisor to the Governance Council.

4. Council members are allowed up to three (3) unexcused absences from mandatory meetings. He/She must let another Council member know who is attending the meeting to speak on their behalf or e-mail or phone the Council Chairperson ahead of time at least one (1) hour before the scheduled meeting for it to be an excused absence. Members who have three (3) or more unexcused absences will be subject to removal of office by the Council*.

*Article IX. – GOVERNANCE COUNCIL MEMBERSHIP, Section C. details the process of removing a member from the Council.

Section B.  Powers, Duties and Responsibilities

1. The Council shall have all the legislative powers of the ASMCC.

2. The Council shall make all rules and regulations necessary and proper for the conduct of the ASMCC in accordance with this Charter and By-Laws, subject to BOR policies and By-laws, Chapter 7 – Student Affairs.

3. The Council shall be directly responsible for the general welfare and development of the ASMCC.

4. The Council shall maintain authority over ASMCC funds, property and other assets.
5. The Council may recommend activity fee levels for the ASMCC, subject to the approval of the Chancellor and appropriate boards. (BOR student affairs policy 6-5, d.2)

6. The Council shall establish a yearly budget from all fees, available funds, or dues to regulate its expenditures, and shall amend that budget to reflect additional income and expenditure needs during the school year.

7. The Council shall consider and nominate student appointments made to other campuses, to other boards and committees, and to external boards and committees, where ASMCC business is to be represented, unless the Council defers to another body or office. These nominations shall be forwarded to the Dean of Students and Chancellor for acknowledgment.

8. The Council shall conduct all business by a majority vote, with all members, excluding the Chairperson, having an equal vote.

9. The Council shall by a sixty percent (60%) majority vote of the sitting members, have the power to remove a Council member from participation on the Council. The procedure of removing a member from office shall allow that member due process in responding to the concerns raised by the Council, ASMCC or College staff, faculty or administration.

ARTICLE V1. - COMMITTEES

1. The Council as a whole shall be responsible for consideration of all Council business related to Budget and Finance, Membership and Elections, and Activities.

2. For other Council business Ad Hoc committees shall be formed as determined by a majority vote of the Council and shall have at least two members and will report to the Council at each meeting.

3. All sub-committees shall obtain the approval of the majority of the Council before conducting business or spending funds.

ARTICLE VII. - FINANCES

Section A. Fees and Revenue

1. Every member of the ASMCC, located on the Maui Campus, shall be assessed the Student Activity Fee for each semester as authorized by the Board of Regents. (BOR 6-5)

2. Other revenue shall be income received from the activities of the ASMCC, its organizations, or from gifts or grants.
Section B. Disbursements

1. The Governance Council shall have the power to request the expenditure of Student Activities funds and make appropriations to its various committees and organizations according to the budget as approved by the Dean of Students, and in accordance with University of Hawai‘i guidelines.

2. After authorization by the Governance Council, all of the disbursements shall be facilitated through both the Treasurer and Student Life Coordinator. All expenditures must adhere to guidelines set forth by the University of Hawai‘i. Final fiscal approval rests with the University President’s designee as authorized by the Board of Regents. (BOR 6-7)

ARTICLE VIII. - GOVERANANCE COUNCIL TERMS OF OFFICE

Section A. Governance Council members.

1. Each Council member shall serve a term of one year beginning immediately upon his or her installation and ending upon the installation of the new Council members for the following year. The term in office shall begin with the new University fiscal year and run through the end of the Spring semester. This will allow for Fall semester Council preparations, and Spring semester transition for the incoming Council.

2. Council members may serve for no more than three consecutive terms in office.

ARTICLE IX. - GOVERANANCE COUNCIL MEMBERSHIP

Section A. Qualifications

1. Anyone who will return the following year to Maui Community College shall be enrolled in at least three (3) credit hours at MCC (student must have at least six (6) credit hours in the University of Hawai‘i System), and meets the following standards shall be eligible to participate as a Council member.

   a. Incoming members shall have completed at least one (1) semester at Maui Community College, hold a minimum MCC cumulative GPA of 2.5, and shall be in good academic standing.

   b. Council members must maintain at least a minimum MCC cumulative GPA of 2.5 and continue to be in good academic standing during their participation on the Council. Members
who fall below the minimum GPA, or who are no longer in good academic standing, will be subject to removal by the Council.

Sections B. Nominations and Elections

1. ASMCC members interested in serving on the Governance Council must submit to the Student Life Coordinator, for presentation to the Council, a Nomination Form with two faculty or APT signatures, and 25 current ASMCC members’ signatures, and a personal statement detailing their experience, skills and reasons for wanting to participate on the Council. The Council and Student Life Coordinator shall conduct a “Council Orientation” for all nominees once they are elected on to the Council.

2. The Nominations and Election Committee of the Council, in conjunction with the Student Life Coordinator, shall post notices using existing campus resources, detailing the dates and procedures for nomination and election to the Council. Nominees who have completed the nomination and orientation process shall have their names placed on the Election ballot. The Election shall then be held within ten (10) school days. The Council shall hold the “Council Orientation” within two (2) weeks after the Election day.

3. The Student Life Coordinator shall have oversight of the election process and shall count the ballots at the end of the Election. The Coordinator shall report the election results to the Council and the Dean of Students for verification and recognition.

4. Current Council members desiring to continue on the Council for another term shall submit a letter of intent to the current Chairperson stating their reasons for continued participation. The Council shall consider these members prior to announcing a call for vacant positions. The Chairperson shall submit in writing to the Student Life Coordinator a list of members intending to continue for a second or third term.

5. * The Nomination and Election process shall begin no sooner than March 1 and be completed by May 1. If there are vacant positions after the May 1 date, then the incoming Council members shall open the nomination procedures beginning in the following Fall semester. Vacancies occurring during the year may be filled by informing the ASMCC that the nomination process will be on going. The Council shall have the power to appoint up to (5) individuals to the Council during the year. These individuals must submit a Nomination Form and attend the Council Orientation before being considered for appointment. The Council shall submit these names to the Student Life Coordinator for presentation to the Dean of Students.

*Article X. - CHARTER PROCEDURES, Section A., details the process for implementing the Charter and for holding first year elections.
Section C. Removal from office

1. A Council member may be removed from the Council if that member is no longer a member in good standing of the ASMCC or has participated in activities which may be considered contrary to the purpose of this Charter, or has had a demonstrated negative impact on the legal operations of the Council, as detailed in this Charter and in the Board of Regents’ policies on student affairs.

The process of removing a member from the Council is as defined below:

a. A Council member, ASMCC member or MCC faculty, staff or administrator shall submit a letter of concern to the Council Chairperson. If the Chairperson is specified in the letter of concern, then the Student Life Coordinator shall receive the letter and call for a closed Council session to consider the matter.

b. The Chairperson* shall call for a closed Council session to detail the concerns to the specified member. The Student Life Coordinator and the Dean of Students shall be informed of the details of the letter of concern.

*The Student Life Coordinator shall preside over the process if the Chairperson is specified in the letter of concern.

c. The specified member shall have two weeks to respond to the Council regarding the concerns. This response shall first be presented in written form and thereafter a closed session will be convened for oral testimony.

d. The Council shall hold a closed session, excluding the specified member, to discuss and by secret ballot render a decision on the issues at hand. The Council will have one week to render a decision. A vote to remove shall require a sixty percent (60%) majority vote, excluding the member specified. If the originator of the letter is a Council member, he or she shall also be excused from the voting.

e. The Chairperson or Student Life Coordinator shall inform the Dean of Students of the decision in writing within two days. The Dean of Students shall then acknowledge the decision and inform the Council if he/she has any concerns.

f. The Chairperson or Student Life Coordinator shall inform the specified member of the Council’s decision, in writing without comment within one standard school week.
g. The specified member may appeal the decision to the Dean of Students. The Dean of Students may call for a closed Council session to ask for reconsideration or clarification. The Dean of Students shall have two standard school weeks to respond in writing to the specified member.

2. A Council member who has been removed from office* is ineligible to be re-elected or appointed to the Council for one (1) year. Upon one (1) year of the date of removal of office, the individual removed from office shall then be eligible to run for a Council seat.

*Article IX. – GOVERNANCE COUNCIL MEMBERSHIP, Section C, 1. details the process and guidelines of removing a member from the Council.

ARTICLE X. – CHARTER PROCEDURES

Section A. Charter Implementation

1. The Charter Committee shall submit the final draft of the Charter to the Chancellor for consideration and a request to forward it to the ASMCC for hearings and voting.

2. Voting shall be held within seven (7) days of the hearings. A two thirds (2/3) majority vote of all ballots cast, providing at least ten percent (10%) of the registered members of the ASMCC participate in the voting, shall be sufficient for the approval of the Charter.

3. The Nominations and Elections process is detailed in ARTICLE IX. GOVERNANCE COUNCIL MEMBERSHIP, Section B. It should be noted that the first Elections held under this Charter will be conducted under the authority of the Student Activities Office and the Dean of Students.

For the first year’s election, exceptions shall be made to Section B. 4, 5 in the following areas: the election shall be held in the Fall semester, all nominees shall run for Council membership with their term ending on the last day of the Spring semester, and the Student Activities Coordinator, in conjunction with the Dean of Students, shall conduct the Council Orientation.

Section B. Charter Authority

1. Upon the adoption of this Charter, all previous constitutions or parts of them designed for the ASMCC shall be revoked. This Charter shall be presented to the Chancellor of Maui Community
College for endorsement, as specified in the policies of the University of Hawai‘i Board of Regents.

Section C. ASMCC Governance Issues related to the Charter

1. The Governance Council may request that special issues or concerns be submitted to the ASMCC for consideration. This request must be presented in writing to the Council Chairperson, who will include the issue as a meeting agenda item within two weeks. The Council shall act on the request with a majority vote of the Council.

2. A member of the ASMCC may initiate action on issues related to campus Governance, Charter amendments, and community concerns by making a written request to the Council. If the request is denied, the member may ask for a vote by the ASMCC. A vote shall be held within one month of the member request.

The vote shall be acknowledged providing that at least twenty percent (20%) of the registered members of the ASMCC participate. A vote to override the Council’s decision shall require the Council to initiate action relative to the petition issue.

3. The members of the ASMCC shall be informed of these issues prior to the calling of a vote by all reasonable means available to the Governance Council. A vote of at least twenty percent (20%) of the ASMCC is required to revise the Charter.

4. At the request of the Council, or the ASMCC as detailed above, the Chancellor may call for a committee to be formed to address the revision of the Charter. This committee shall include the Dean of Students, Student Life Coordinator, a faculty/staff person, and three (3) members of the ASMCC who are in good standings.
Article I. Recognition

Section A. General

1. The Governance Council shall be responsible for acknowledging authorized clubs, organizations and teams on campus, subject to the approval of the Dean of Students.

2. Full recognition shall be given upon presentation of the club’s Charter, Constitution, or rules of operation, and with a majority vote of the Council.

Section B. Appointed Positions

1. The Council shall consider and nominates appointments made to campus committees and boards, and to all external committees and boards, where Council business is represented. These nominations shall be forwarded to the Dean of Students, for acknowledgment, unless the Council defers to another body or office.

2. All positions shall be filled as needed and will stand until the appointment is closed or the individual resigns.

3. Appointees shall report to the Council on issues related to the position and shall consult with the Council before any commitments or obligations are made on behalf of the Council.

Article II. Governance Council Organization

Section A. Council Member Responsibilities

1. The Council will elect a Chairperson who will represent the Council, or will appoint an individual to represent the Council in the event of the Chair’s incapacity, on campus and external business related to the Council. The Chairperson shall be responsible for facilitating Council meetings and shall report on activities relative to Council business. The Chairperson shall vote only to break a tie in the Council.

2. The Council shall elect a Vice-Chairperson who is responsible for preparing an agenda, assuring that minutes are recorded, and Chair the meeting in the event that the Chairperson is not in attendance. Other duties may be assigned by the Chairperson.
3. The Treasurer shall be the financial officer of the ASMCC and shall coordinate all financial and budget matters with the Council and the Student Life Coordinator. The Treasurer shall maintain Council records on all budgetary matters. The Treasurer, via the Student Life Coordinator shall submit the approved ASMCC budget to the Dean of Students for approval.

In the event that the Treasurer position is vacant, the Council shall conduct budget business in conjunction with the Student Life Coordinator.

4. The Secretary shall be responsible for the recording of the minutes of all Council meetings. The Secretary shall be responsible for the preservation and safekeeping of all records of the ASMCC Governance Council. If the position is vacant, the Vice Chairperson first, then the Council, shall assume responsibility for the above duties until such time that the position is filled.

5. The Webmaster shall be responsible for creating and maintaining the ASMCC Student Governance website. The Webmaster shall be responsible for current events, and shall include the Council on all major decisions pertaining to what will be put onto the official ASMCC Student Governance website.

Section B. Agenda, Meetings, Quorum, Proxy and Voting

1. The Council Vice-Chairperson shall be responsible for seeing that an agenda is prepared, printed, and distributed at least two (2) days prior to the scheduled meeting to all members of the Council, the Student Life Coordinator, and other interested parties. Items to be included on the agenda must be forwarded to the Vice-Chairperson at least 5 working days prior to the meeting. Items may be added to the agenda at the discretion of the Chairperson at the beginning of each meeting.

2. Regular meetings of the Governance Council shall convene every week, unless otherwise specified by the Council. Any ASMCC member shall have the right to attend and to present any significant matter before the Council if that matter is included as an agenda item, as detailed in the above agenda rules.

Special meetings may be called by the following methods:

a. At the discretion of the Council Chairperson.
b. By the written request of a majority vote of the Council, and/or
c. By the written request of five (5) ASMCC members, if that request is received one (1) week prior to the requested meeting date.

3. Quorum shall be established when fifty percent (50%) of the current sitting members are present at the meeting.

4. A proxy may be given in writing to the Chairperson who will give it to the Secretary who shall record the vote and put it on file. A proxy must state which issue(s) the Council member is voting on, and how that vote will be cast. The proxy must be presented to the Chairperson prior to the start of the meeting.

5. Council decisions shall be made by consensus or by majority vote if the vote is either requested or required by University of Hawai‘i rules and policies. Exceptions to this vote are specified elsewhere in the Charter.