

ARTICLE V

VACANCIES, RECALL, AND REMOVAL OF DIRECTORS

- Section 1. Vacancies. If any elected official, during the term of office, ceases to be a student at CSULA or qualify for office, that office shall be deemed vacant, any office not filled during the general election shall be deemed vacant.
- Clause 1. In the event a director ceases to be a director due to death, resignation, disqualification, removal, leave of absence, or is determined to be ineligible by the Registrar of the University, such a vacancy shall be filled for the unexpired terms by a majority vote of the total remaining directors.
- Clause 2. Should a vacancy occur in the office of the A.S.I. President, then Vice President for Administration shall become President, only if the incumbent Vice President for Administration has been elected by the student body during a general or special election.
- Clause 3. Should a vacancy occur in the office of the A.S.I. President, and should the office of the Vice President for Administration be vacated or should the incumbent Vice President for Administration be unable to serve as President, the Vice President for Academic Governance shall become President, only if the incumbent Vice President for Academic Governance has been elected by the student body during a general or special election..
- Clause 4. Should a vacancy occur in the office of the A.S.I. President, and should the office of the Vice President for Administration be vacated or should the incumbent Vice President for Administration be unable to serve as President, and should the office of the Vice President for Academic Governance be vacated or should the incumbent Vice President for Academic Governance be unable to serve as President, the Vice President for Finance shall become President, only if the incumbent Vice President for Finance has been elected by the student body during a general or special election.
- Clause 5. Should a vacancy occur in the office of the A.S.I. President, and should the office of the Vice President for Administration be vacated or should the incumbent Vice President for Administration be unable to serve as President, and should the office of the Vice President for Academic Governance be vacated or should the incumbent Vice President for Academic Governance be unable to serve as President, and should the office of the Vice President for Finance be vacated or should the incumbent Vice President for Finance be unable to serve as President, the Secretary/Treasurer shall become President, only if the incumbent Secretary/Treasurer has been elected by the student body during a general or special election.
- Clause 7. Should the offices of the A.S.I. President, the Vice President for Administration and the Vice President for Academic Governance, Vice President for Finance, or Secretary/Treasurer be vacated simultaneously, a special election for those offices shall be held.
- Clause 8. Should the offices of the Vice President for Administration, the Vice President for Academic Governance, the Vice President for Finance, or the Secretary/Treasurer be vacated, the Board of Directors shall elect a replacement. Vice Presidents appointed in this manner will not be eligible for appointment to the position of President by the Board of Directors.

Section 2. Recall/Removal. Any elected or appointed Director may be subject to recall by action of the Board of Directors as prescribed by the Code of Procedures, or by petition containing signatures and campus identification numbers (CIN) of ten (10) percent of Associated Students, Inc. regular members.

Clause 1. In the case of a college representative any elected or appointed Director may be subject to recall by action of the Board of Directors as prescribed by the Code of Procedures, or by petition containing signatures and campus identification numbers (CIN) of ten (10) percent of Associated Students, Inc. regular members in the respective college. Only members from that college will be able remove/recall their college representative.

Clause 2. All persons wishing to circulate petitions for recall must register them with the Executive Director or designee, at which time all copies of the petition will be dated.

Clause 3. The Vice President for Student Affairs or designee ensures that the recall petition is returned to the Associated Students, Inc. within twenty (20) working days. The enrollment status of all students whose signature and student identification number appears on the petition shall be verified by the University Registrar within ten (10) working days of receipt of the petition.

Clause 4. Should such a petition be verified, a special election shall be called by the Associated Students, Inc. President within fifteen (15) working days of the verification date.

Clause 5. A majority of votes cast for recall shall remove a director from office, providing that the total number of votes cast in the recall election equal or exceed the number cast for that director when elected, plus at least one-fifth (1/5) of the total number of votes cast for unsuccessful candidates for the election.

Clause 6. In the event that a director was appointed to the Board of Directors under Article V, Section 1, Clause 1, or has succeeded to office under Article V, Section 1, Clauses 2,3, and 5; the total number of votes cast in the recall election must equal or exceed the total number of votes cast for the director's predecessor, plus at least one-fifth (1/5) of the total number of votes cast for unsuccessful candidates for that office.

Section 3. Removal of Directors by the Board of Directors. The Board of Directors may initiate action to remove any director through the removal procedures prescribed by the most recently revised edition of the Associated Students, Inc. Code of Procedures.

Clause 1. Removal of a director for any reason will not invalidate any prior vote or actions on the part of that director.

Policy 020 - A.S.I. Officer Performance Review & Removal Procedure

3.0 POLICY:

- A. Any appointed or elected A.S.I. members may be subject to a performance review, probation, or removal from office for failure to judiciously complete assigned duties.
- B. The performance review or removal process shall begin at the Direct Report level and be reviewed at the Executive Committee level and shall follow the process outlined below:

C. All recommendations are to be submitted in writing and reviewed by the A.S.I. President and Executive Director/staff before being shared with the officer in question.

- a. **Performance Warning:** Any appointed or elected A.S.I. officer may receive a written performance warning from her/his Direct Report.
- i. The written warning must outline concerns, expectations, and a timeline for accomplishing said task or expectations, which shall not exceed ten (10) business days.
 - ii. The Direct Report shall schedule a meeting within five (5) business days after the warning period. If said task(s) or expectation(s) were completed within the ten (10) business days, the performance review process shall conclude.
 - iii. A student officer may receive up to two (2) Performance Warnings in an academic school year. Any subsequent Performance Warning shall be automatic Probation.

b. **Probation:**

- i. If the assigned task(s) or expectation(s) are not met within the ten (10) business day Performance Warning Period or if the student officer receives more than two (2) Performance Warnings in an academic school year, they shall be placed under Probation.
- ii. While under Probation, the officer shall have a period of ten (10) additional business days to fulfill the assigned tasks and expectations as listed on the Performance Warning.
- iii. At the end of the ten (10) business day Probation period the Direct Report shall schedule a meeting with the student officer, the A.S.I. President, and Executive Director to determine whether the assigned tasks were successfully accomplished.
- iv. If the student fails to meet the expectations listed on the Performance Review, the Direct Report shall recommend the removal of the officer to the Executive Committee.
- v. If the Executive Committee finds the officer failed to accomplish the assigned responsibilities by a two-thirds (2/3) majority, it shall send a recommendation for the removal of said officer to the Board of Directors.
- vi. If a student officer is placed on Probation more than once in an academic school year, the Direct Report shall recommend their removal to the Executive Committee without having to grant the additional ten (10) day Probation period. Under these circumstances, the Executive Committee may choose to grant a ten (10) business day Probation period or recommend their removal to the Board of Directors

- c. **Removal Process:** Upon receiving a recommendation from the Direct Report for the removal of an officer, the Executive Committee shall review the documentation surrounding the officer's performance.

- i. Based on the written information the Executive Committee can approve a student officer's removal by a two-thirds vote (2/3). Once a decision to remove has been determined the student must stop working on behalf of A.S.I. All work completed up until that date will be honored when it comes to their final GIA payment.
 - ii. The matter will automatically be forwarded to the Judicial Review Committee for review and the result reported to the B.O.D. as an information item.
 - iii. The JRC will review the matter to ensure all procedural expectations were satisfied. If it is determined that procedures were not appropriately followed the JRC will inform the Executive Committee and B.O.D.
 - iv. The Board of Directors shall take action on said removal no later than two (2) weeks after receiving the recommendation from the JRC.
 - v. A two-thirds vote (2/3) by the Board of Directors shall overturn the removal of the officer.
- d. **Immediate Removal:** Depending on the severity of an infraction, behavior, or level of performance, any officer may be placed for immediate removal without warning.
 - i. Under the aforementioned circumstances, any student may be recommended for immediate removal.
 - ii. Consideration for removal will be based on review of written documentation informed by item(s) above.
 - iii. This recommendation shall have the written approval of the Direct Report, A.S.I. President.
- e. **Grievance & Hearing Procedures:**
 - i. Per the A.S.I. Bylaws the Judicial Review Committee hears and resolves all grievances between members of the Associated Students, Inc. and the Board of Director's.
 - ii. Once a removal has been acted upon and supported by the Executive Committee a plaintiff may file a grievance through the JRC to challenge only procedural issues that may be in conflict or contrary to approved policies as outlined in the A.S.I. Bylaws, Article IX, Section 7:

Clause 2. Review. Any decision of the Board of Directors is subject to review in the following manner:

- A. The Board of Directors, by a majority vote, may present matters to the Judicial Review Committee.
- B. The Associated Students, Inc. President or the Chief Justice shall be obligated to convene a Judicial Review Committee upon receipt of a petition requesting such an action containing seventy-five (75) student signatures, with permanent file numbers, verified by the University Registrar.

Clause 3. Power. The Judicial Review Committee, after appropriate legal consultation, shall have the power to declare corporation actions contrary to the Articles of Incorporation, Bylaws, or any Code. Such declarations shall then be referred to the Board of Directors for immediate remedial action pursuant to Article VI, Section 1, Clause 1.

Clause 4. Procedures. The Judicial Review Committee shall:

- A. Establish its own Code of Procedures. This code shall be approved by the Associated Students Board of Directors.
- B. Submit its decisions in writing to the Associated Students Board of Directors for appropriate action and inclusion in the official minutes.

Clause 4. Work Completed:

- A. If removal is overturned the student officer will not be penalized for the work missed and will be entitled to their full GIA payment.

BOD COP Policy 002 – Article II – Membership & Duties – Section 13 – Removal from Office

Section 13 – Removal from Office

- A. A director and appointed members may be removed from office for failure to judiciously complete the duties assigned to them. Refer to Policy 020 for detail on A.S.I. Officer Performance Review & Removal Procedures.
- B. Upon the accumulation of two (2) absences, four (4) unexcused tardies, or two (2) early departures from meetings in a six-month period, the name of the absentee shall be placed before the B.O.D. by any director to determine whether the person shall be removed from office.

Executive Committee Policy 003 Article II:

Section 4 – Removal of Appointed Members

Any appointed member may be removed from the Executive Committee on a recommendation from the Chair to the B.O.D. for more than two (2) consecutive unexcused absences, three (3) unexcused absences, four (4) unexcused tardies, or four (4) unexcused early departures during any one (1) quarter.

Strategic Planning Committee Policy 011:

No removal language.

Environmental Policy Committee 012 Article II:

Section 5 – Removal of Appointed Members

Any appointed member may be removed from the committee on a recommendation from the Chair to the BOD for more than two (2) consecutive unexcused absences, three (3) unexcused absences, or four (4) unexcused tardies or early departures during any one quarter.

Legislative Affairs and Advocacy Committee 014 Article II:

Section 5 – Removal of Appointed Member

Any appointed member may be removed from the committee on a recommendation from the Chair to the Board of Directors for more than one (1) unexcused absences, two (2) unexcused tardies, or two (2) unexcused early departures during any one semester.

Cabinet of Academic Senators and Shared Governance Council Policy 15 Article V

ARTICLE VI

ABSENCES AND EARLY DEPARTURES

1. All Academic Senators and committee members must notify the VPAG if they cannot attend a CAS/SGC meeting or their required committee 24-48 hours before the meeting.
2. Each meeting that a student CAS/SGC member misses with an unexcused absence or does not attend completely, a deduction will be placed on that student AS/SGC member's Grant-in-Aid.
3. If a committee representative fails to report back on at least 70% of the meetings, any incentives/benefits provided to the representative will be withheld.
4. Any appointed member may be removed from the committee on a recommendation from the Chair to the committee for more than, one (1) unexcused absences, two (2) unexcused tardies, or two (2) unexcused early departures during any one quarter.

Cabinet of Commissioners policy 017 Article II

Section 5 – Removal of Members

Any member of the C.O.C. may be removed from the committee on a recommendation from the Chair to the B.O.D. for more than two (2) consecutive unexcused absences, three (3) unexcused absences, or four (4) unexcused tardies or early departures during any one semester.

College Representatives COP Policy 018 Article II:

Section 5 – Removal of Appointed Cabinet of College Representative Committee Chair or Vice Chair

Any appointed Cabinet of College Representatives Committee Chair or Vice Chair may be removed from their duties of chair or vice chair during any one quarter by two thirds (2/3) vote of the Cabinet of College Representatives Committee. In such a case, the Cabinet of College Representatives Committee will appoint a new Chair or Vice Chair for the remainder of the quarter.

Shared Governance Council (SGC) Policy 023:

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ABSENCES AND EARLY DEPARTURES

1. All Academic Senators and committee members must notify the VPAG if they cannot attend a CAS/SGC meeting or their required committee at least 24-48 hours before the meeting.
2. Each meeting that a student CAS/SGC member misses with an unexcused absence or does not attend completely, a deduction will be placed on that student AS/SGC member's Grant-in-Aid.
3. If a committee representative fails to report back on at least 70% of the meetings, any incentives/benefits provided to the representative will be withheld.
4. Any appointed member may be removed from the committee on a recommendation from the Chair to the committee for more than, one (1) unexcused absences, two (2) unexcused tardies, or two (2) unexcused early departures during any one quarter.

Executive Senate (ES) and Senate Offices Policy 024:

ARTICLE V

ABSENCES AND EARLY DEPARTURES

1. All Executive Senate members must notify the VPAG if they cannot attend a CAS/SGC meeting or their required committee 24-48 hours before the meeting.
2. Each meeting that a student ES member misses with an unexcused absence or does not attend completely, a deduction will be placed on that student AS/SGC member's Grant-in-Aid.
3. Any appointed member may be removed from the committee on a recommendation from the Chair to the committee for more than, one (1) unexcused absences, two (2) unexcused tardies, or two (2) unexcused early departures during any one quarter.

Personnel Committee COP Policy 101 Article II:

Section 4 – Removal of Appointed Members

Any appointed member may be removed from the committee on a recommendation from the Chair to the Board of Directors for more than two (2) consecutive unexcused absences, three (3) unexcused absences, four (4) unexcused tardies, or four (4) unexcused early departures during any one semester.

Finance Committee COP Policy 201 Article II:

Section 5 – Removal of Appointed Members

Any appointed member may be removed from the committee for more than two (2) unexcused absences or three (3) excused absences during any one semester by recommendation of the committee chair to the A.S.I. Executive Committee. This recommendation must be submitted in writing and approved by the committee. All removals must be reported to the B.O.D. who can overturn by a 2/3 vote.

Funding Sub-Committee Policy 226 Article II:

Section 5 – Removal of Appointed Members

Any appointed member may be removed from the committee for more than two (2) unexcused absences or three (3) excused absences during any one semester by recommendation of the committee chair to the A.S.I. Executive Committee. This recommendation must be submitted in writing and approved by the committee. All removals must be reported to the B.O.D. who can overturn by a majority vote.

Judicial Review Committee – Policy 301

Section 5 - Removal of a Justice

In the event that a justice is found to have been derelict in his/her duties or failed to maintain qualifications for membership on the J.R.C., he/she may be removed by an absolute majority vote of the J.R.C. and two-thirds (2/3) majority of the B.O.D.

- A. The Chief Justice will notify the A.S.I. President & Executive Director in writing regarding the removal of a justice. Two (2) Associate Justices are needed to initiate the removal of the Chief Justice.
- B. The J.R.C. will place the removal of the justice on the meeting agenda as an action item.
- C. The justice in question shall be notified by the Executive Director one (1) week prior to the removal hearing at the B.O.D. meeting.

D. The B.O.D. will hold a hearing for the justice in question, who will have the opportunity to address the B.O.D. before a removal is voted on. Confirmation of the removal shall rest with the Executive Director.