

## **Constitution of The Associated Student Body of Mission College Preparatory School**

We, the students of Mission College Preparatory, form this Constitution to protect and clarify students' rights, increase communication between the student body, administration, and the parents; ordain a process that promotes consistency of rules; and define the rules and responsibilities of student officers.

By these measures, we will enhance the academic and spiritual community of this school, promote student participation and the ideals of a representative democracy, and give ourselves a voice in the affairs of Mission College Preparatory.

### **Article I: Associated Student Body**

#### **Section 1: General Power**

**A.** All powers of student government shall reside in the Associated Student Body ("A.S.B."). All students registered at Mission College Preparatory ("M.C.P.") are members of A.S.B.

**B.** Class government and officers shall have such power as shall be delegated by A.S.B. through this Constitution.

**C.** All student committees shall be chaired by a student designated by the A.S.B. president, with the advice and consent of the Leadership teacher. All committee chairpersons are accountable to the A.S.B. president.

#### **Section 2: A.S.B Officers**

##### **A. General Qualifications and Terms of A.S.B. Officers:**

1. The President of A.S.B. shall be a member of the senior class. All other officers of the A.S.B. shall be members of the senior or junior class.

2. All officers of A.S.B. shall maintain a 2.5 grade point average, subject to appeal; shall attend all A.S.B. and Student Council meetings; shall participate in and/or attend all A.S.B. functions; and shall abide by the terms and conditions of the Mission College Prep Handbook.

3. The term of office for all A.S.B. officers shall be one year. The term shall begin on the day of Academic Awards ceremony in the school year in which they were elected and shall continue until the day of the Academic Awards ceremony in the school year in which they served.

4. All A.S.B. officers shall attend regular meetings of the Student Council. The A.S.B. vice-president shall attend the open session of all board and staff meetings determined by the Student Council to be necessary and relevant to the goals of the A.S.B., subject to the consent of the subject board. The A.S.B. officers shall attend monthly meetings with the Principal.

**B. A.S.B. President:** The President of A.S.B. shall preside over Student Council meetings; prepare general agendas for Student Council Meetings; plan, organize and implement A.S.B. activities; address the A.S.B. in September and April on the "State of the A.S.B.;" and schedule and attend monthly meetings with the Principal.

**C. A.S.B. Vice-President:** The Vice-President of A.S.B. shall preside over Student Council meetings when the president is absent; prepare agendas for Student Council meetings when the president is absent; assist the president in planning, organizing, and executing A.S.B. activities; and attend board and staff meetings as described in section 2(A)(4) of this Article.

**D. A.S.B. Treasurer:** The A.S.B. Treasurer shall present a treasurer's report at all Student Council meetings; shall keep records of all transactions involving A.S.B. fund-raisers; balance the A.S.B.

checkbook; bring the change and money box to all A.S.B. fund-raisers; propose, plan and implement a minimum of three fund-raisers during the school year; communicate with class treasurers; deposit and account for all funds generated by the A.S.B. or class activities; and keep a written balance of the income and expenses for each class.

**E. A.S.B. Secretary:** The A.S.B. Secretary shall type agendas and minutes for all A.S.B. and Student Council meetings; type all A.S.B. correspondence; assist the president in planning and executing all A.S.B. activities; and submit a column on student affairs each month to the M.C.P. newsletter.

**F. A.S.B. Spirit Leader:** The A.S.B. Spirit Leader shall plan and implement all A.S.B. rallies and assemblies; prepare and distribute agendas for all rallies and assemblies; and assist the president in planning, organizing, and executing A.S.B. activities.

### **Section 3: Student Council**

**A. Authority:** All legislative authority for student government at Mission College Prep shall reside in the Student Council. The Student Council shall authorize any student activity it deems necessary to accomplish the goals of this Constitution, with the advice and consent of the Principal.

**B. Membership:** All officers of the A.S.B. and the class officers are members of the Student Council. All A.S.B. officers, except the President, may vote on any matter before the Student Council. The A.S.B. President may only vote to break a tie. The President and Vice-President of each class may vote in the Student Council. The Secretary of the Freshman and Sophomore classes may vote if the enrollment of his or her class is at least 150% of the enrollment of the smallest class.

**C. Voting and Quorum:** All proposed legislation shall be approved by a majority vote of the Student Council, except as otherwise provided in this Constitution. No vote may be taken unless a quorum exists. A quorum shall exist when sixty percent of the members of the Student Council are present. A vote of no confidence shall occur when a member of the Student Council fails to attend three or more meetings without reasonable excuse, as determined by the moderator and A.S.B. President. (Amended May, 1995)

**D. Meetings:** The Student Council shall meet on the first and third Thursdays of every month when school session. The Student Council may meet at other times at the discretion of its members. The Principal shall be notified in advance of regular meetings of the Student Council. A faculty representative shall attend all regular meetings and may provide such advice as requested by the Student Council. All regular meetings of the Student Council will be open to any parent, staff member, or student of M.C.P. The Student Council may determine the rules of its proceeding. Anyone attending a regular meeting of the Student Council shall have the right of free expression, according to its rules.

### **Section 4: A.S.B. Elections**

**A. General Elections:** Elections for A.S.B. offices will be held on the Friday of Campaign Week, which shall begin on the first Monday in May. All members of the A.S.B. may vote in A.S.B. elections. The Student Council shall determine election procedures, with advice and consent of the Principal.

#### **B. Special Elections:**

1. The Student Council may call special elections as needed, with the advice and consent of the Principal.

2. A special election shall be held for an A.S.B. office in the event of a vote of no confidence.

i. A vote of no confidence for A.S.B. officers shall exist if two-thirds of the Student Council votes for a special election, or if one-half of the members of the A.S.B., sign a petition requesting a special election.

ii. The Student Council shall, within two weeks of the vote of no confidence, hold an election for the office in question. Any eligible member of A.S.B. may run for the office. The winner of the special election shall serve in that office for the remainder of the term.

## **Article II: Class Government**

### **Section 1: Class Representatives**

#### **A. General Qualifications and Terms of Class Officers**

1. All class officers shall maintain a 2.5 grade point average, subject to appeal; shall attend all shall attend class and Student Council meetings; shall participate in and attend all A.S.B. and class functions; and shall abide by the terms and conditions of the Mission College Handbook.

2. The term of office for all class officers shall be one school year. The term for Senior, Junior, Sophomore class officers shall begin on the day of the Academic Awards ceremony in the school year in which they were elected and shall continue until the day of the Academic Awards ceremony in the school year in which they served. The term for Freshman class officers shall begin on the day following Freshman class elections and shall end on the day of the Academic Awards ceremony in the school year in which they served.

**B. Class Presidents:** The Presidents of each class shall lead class meetings, plan class events, with the advice of the officers of their class; prepare agendas for class and Student Council meetings after consultation with the A.S.B. president and the class moderator, report to the Student Council on matters concerning their class; attend all Student Council and class meetings; and facilitate communications between the A.S.B. and their class.

**C. Class Vice-Presidents:** The Vice-President of each class shall assist the class president in preparing the agenda for class and Student Council meetings; assist the class president in planning, organizing, and implementing class activities; and lead class meetings in the absence of the president.

**D. Class Treasurers:** The class Treasurer shall present a treasurer's report at all class meetings; keep records of all transactions involving class funds; and communicate with the A.S.B. treasurer.

**E. Class Secretaries:** The class Secretary shall type agendas and minutes for all class and student class meetings; type all class correspondence; assist the president in planning and executing all class activities; and attend Student Council meetings as set forth in Article I, section 3(B) of this Constitution.

**F. Class Spirit Leaders:** The Class Spirit Leader shall assist the A.S.B. Spirit Leader, when needed, and shall plan and implement all class-sponsored rallies and activities.

**Section 2: Class Meetings:** Class meetings shall take place on the second Thursday of every month when school is in session, and at such other times as determined by class officers. All members of the class shall be eligible to attend and vote at class meetings. Class officers shall determine the rules of conduct for class meetings. All class members shall have the right to free expression at class meetings according to the rules.

### **Section 3: Class Elections:**

**A. General Class Elections:** Elections for class offices shall be held on the second Friday in May, except that Freshman class elections shall be held on the fourth Friday of the school year in which the officers are to serve. All members of the class may vote in class elections. The Student Council shall determine

election procedures, with advice and consent of the Principal.

**B. Special Class Elections:** A vote of no confidence for class officers shall exist if two thirds of the members of that class sign a petition requesting a vote of no confidence. The special election shall then be held within two weeks, with the advice and consent of the Principal. Any eligible member of the class may run for the office in question. The winner of the special election shall serve in that office for the remainder of the term.

### **Article III: Amendment and Ratification**

**Section 1: Amendment:** Amendments to this Constitution may be proposed by three fourths of the members of the Student Council, or by a majority vote of the members of a Constitutional Convention called after on half of the members of the A.S.B. sign a petition requesting a Constitutional Convention. Amendments shall be approved by a two thirds vote of all members of A.S.B. in a special election.

**Section 2: Ratification:** This Constitution shall be ratified by a simple majority vote of all members of the A.S.B. voting in a special election, and shall take effect immediately upon its ratification.

**Article IV: Declaration of Student Rights:** Members of the A.S.B. shall be entitled to the following rights and privileges:

Section 1: Each student shall have the right to speak freely and responsibly.

Section 2: All students shall have the right to petition the Student Council or the Principal to address concerns and grievances.

Section 3: All students shall have the right to be free from any form of discrimination.

Section 4: All students shall have the right to a safe and secure school environment.

Section 5: All students shall have the right to learn free from unwanted distraction.

Section 6: All students shall have the right to a campus free from illegal substance abuse.

Submitted by the Advanced Placement American Government Constitutional Convention, April 25, 1994.

## Amendment I

### Section 1—Mission College Preparatory Clubs

Any group of students can petition the M.C.P Associated Student Body (A.S.B.) government for a charter granting them the right to form an official M.C.P. organization (club) under the A.S.B.

### Section 2—The Charter Process

The charter-petitioning process will be a process of refinement, through which the prospective club is molded into a viable club that stands the most chance of being approved by the administration.

- I. The first step of the process will be for prospective club members to submit to the A.S.B. Secretary a petition containing all of the following:
  1. A club name
  2. A statement of intent (including an explanation of why the club should be chartered and of the club's general purposes, such as goals, activities, and interests.)
  3. Minimum of 8 signatures of prospective club members, unless otherwise decided by the A.S.B officers.
  4. Written support of a faculty sponsor who will be the advisor of the new club (the advisor is the adult who provides general oversight/advice to the leadership of the club.)

After the A.S.B. Secretary receives a complete petition, s/he will grant the club an initial charter. This charter enables the club to officially meet on campus to write its constitution and by-laws in preparation for step two of the chartering process. This initial charter does not allow the club to take part in any fundraising or any activities other than the writing of a constitution. If a prospective club does not move beyond the initial charter to Step II within 45 days of its chartering, the initial charter is forfeited and the prospective club must start the process over with a different petition.

- II. A club advances to the second step of the process as soon as the club presents a basic, working constitution to the A.S.B officers. As mentioned above, this needs to take place within a maximum of 45 days from the granting of the initial charter. A basic working constitution is a set of written laws or rules that explain specifically how the club will be structured to pursue the goals outlined in the statement of intent from Part I. At least two components should be included in this constitution:
  1. The Executive Component  
This is the rule or set of rules that govern how decisions will be made within the club. It explains with whom responsibility for the club lies and who will be accountable to the A.S.B. It outlines who the leaders/officers of the club are and how they will be chosen. It also acknowledges that the club must abide by its original charter and accept A.S.B. supervision as outlined in Section 4.

## 2. The Financial Component

This will be a set of rules or guidelines that state whether or not the club will be financially active, and if so, how such finances will be accounted for within the club. This club accounting must abide by the A.S.B.'s General Rule on Fundraising, which follows in Section 3.

The prospective club members and/or their chosen representatives shall present the basic constitution to the A.S.B. officers in a working session. The club will be responsible for explaining how the constitution works towards furthering their club's goals, answering any of the officers' questions, and complying with any of the A.S.B. government's adjustments. This session will be a dialogue through which both sides can come to an agreement and refine the club as much as possible in preparation for Part III: presenting the prospective club's petition, including constitution, to the administration.

- III. If the prospective club and the A.S.B. officers reach an agreement about the nature of the club's constitution, it is then A.S.B. officers' duty to represent the students' interests by whole-heartedly endorsing the club's chartering to the Principal, by way of the Assistant Principal of Activities. This endorsement and presentation of the petition to the administration must take place within one week of the completion of Part II. At this point, with the full weight of the Associated Student Body recommending that the club be granted a charter, the petition goes before the Principal for his/her decision. Either the club will be officially chartered or the petition will be remitted to the A.S.B. officers with explanations/recommendations on how best to alter the club so that it can be approved in the future. If and when a club is chartered, that charter rolls over from year to year and does not need to be renewed, unless the club has been dissolved or otherwise ceases to exist.

## Section 3—A.S.B. General Rule on Fundraising

The goal of the General Rule on Fundraising is to limit the amount of fundraising done by organizations associated with M.C.P. in order that the general M.C.P. community will not feel like it is being "nickel-and-dimed to death".

It is with such a concern for the general welfare that the A.S.B. officers lay down their General Rule on Fundraising, which is as follows: All fundraising must be done entirely through the A.S.B. government and **no club shall be allowed to fundraise for its own benefit**, with a few exceptions. Clubs can raise money in the form of internal fees, taxes, and dues from their own members for the maintenance of their club and the better pursuit of their club's goals. This money is to be deposited into the A.S.B. account for safekeeping but is guaranteed for the sole, independent use of the depositing club. The club treasurer will be responsible for coordinating the management of the club's funds with the school accountant and with the A.S.B. Treasurer. Because this internally raised money is not raised through fundraising, A.S.B. has no oversight as to its utilization and the A.S.B. Treasurer must honor all withdrawal requests for internal club funds. The A.S.B. Treasurer and all club treasurers (or comparable position) must meet

at least once a month to compare records and balance the collective club/A.S.B. budget in order that funds are not overdrawn.

Clubs cannot acquire money outside of their own organization through fundraisers. Clubs must apply to the A.S.B. officers for all funds other than those that were raised internally. Funds will be granted by A.S.B. to clubs only for activities that benefit charity and are decided by the A.S.B. officers to be necessary and beneficial to the common good. It is the A.S.B. officers' duty to fundraise for all student activities and clubs on campus and provide them with the financial means for completing their goals.

#### Section 4—A.S.B. Supervision

In order to hold clubs accountable to the agreement struck with the A.S.B. officers in Part II of their chartering process, the officers shall be able to employ a three-step disciplinary process. This process shall be used in the event that a club deviates from its charter (its agreement with A.S.B.) and is in need of a "serious course correction." Ideally, the A.S.B. Secretary would communicate well enough with each club that the A.S.B. officers would not have to resort to the following disciplinary structure

1. Level 1—Warning

This is a basic level of discipline. It is a message that tells the club specifically the way in which it is seriously off-track and explains the measures that need to be taken in order for the club to get back on the right track. The club is now on probation until it cleans up its act.

2. Level 2—Suspension

This level tells the club that it has now had its charter temporarily revoked and until it demonstrates to the A.S.B. officers that it has redressed the grievances outlined in Level 1, it cannot meet on campus as an official M.C.P. club

3. Level 3—Dissolution

This level shall only be used if the club has shown blatant and continued disregard for the charter by which it was founded. If a club is dissolved, then it will have to begin the entire charter process over if it would like to be a club again. All internally raised money left in the A.S.B. account will automatically devolve to the general A.S.B. funds.

To proceed with any level of disciplinary action, the action must be approved by a simple majority of the A.S.B. officers. If an officer of the A.S.B. belongs to a club that is under A.S.B. supervision, he or she is obliged not to participate in the voting and decision making process. He or she may discuss, air viewpoints, and help to resolve the situation, but he/she must abstain from casting a vote. If less than three of the five A.S.B. officers are qualified to vote, then the issue goes to the full Student Council for an impartial decision by simple majority vote.

#### Section 5—Retroactive Clause

Clubs founded prior to the adoption of this amendment shall be automatically granted an initial petition. They shall be notified that they have 45 days to produce a

basic constitution as described in Section 2, Part II and begin the previously described process of gaining official charter.

Submitted by 2004-2005 ASB and unanimously approved by 2004-2005 ASB/Student Council in April 20, 2005.

### **ASB Constitution Amendment #2**

All prospective Sophomore, Junior, and Senior presidents, vice presidents, and spirit leaders running for class office, and all prospective ASB officers must take the leadership class upon election. If this means an interference with AP or honors courses, the student in question will need to accept the substitution of leadership into their schedule as a result of election, for any class that will conflict with the leadership course.

All students intending to run will be bound by contract to oblige in participation and enrollment in the leadership class before the campaigning can begin.

Contract is to be taken verbatim: “ I \_\_\_\_\_ acknowledge and understand that my bid to participate in these elections is a statement that if elected I will take the leadership course offered by Mission Prep even if said class conflicts with prior scheduling. This includes: AP courses, Honors courses, and any other class previously scheduled.”

Proposed, Ratified, and Approved by 2006-2007 Student Council

### **ASB Constitution Amendment # 3**

**ASB/Class Officer GPA Requirements:**

**Before Running:** Prior to running for office, before signing the contract to run for office, all students must ensure that they have attained a 2.5 GPA on the previous marking period. If a student has not attained a 2.5 GPA or has gone on academic probation but has a desire to run for office the student must approach their respective advisor and devise a resolution. The ASB president and advisor will review the resolution and then make a recommendation to the principal, the principal will make the final decision.

**During Tenure:** Upon election to the office all officers will be held responsible to maintain a 2.5 GPA and avoid academic probation. If officers fail to meet the 2.5 GPA requirement at the marking period interval, the officer must follow the academic probation procedure. This procedure can be found in the student handbook on page 34. The student will then either be approved to continue ASB/ Student activities, or required

to cease these activities, at which point a new officer will be appointed to that student's office.

**Proposed, Ratified, and Approved by 2006-2007 Student Council**