

ASBCC Resolution

Student Association of Berkeley City College

Supporting a referendum to implement several Constitutional Amendments within the ASBCC Bylaws

Whereas, impartiality in governance is essential to the foundations of democracy, and;

Whereas, in the adoption of the Political Reform Act, the voters recognized that conflicts of interest in governmental decision-making by public officials posed a significant danger.

1. “The people find and declare ... that Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them....”

Now therefore, be it resolved that the Associated Student Body of Berkeley City College (ASBCC) propose a referendum amending Section 2 of Article 5 [Impartial Clause] to include:

1. Any member of ASBCC who is a participant(s) of any nomination, funding request, or action that would directly affect or benefit the member may not make any motion(s) that would affect the agenda action. However, members may still vote but are encouraged to abstain to ensure impartiality in the governance process.

Whereas, matters and disputes impede the governance process, and;

Whereas, that all individuals hold the right to petition the Associated Students of Berkeley City College for a redress of grievances.

Whereas, the Associated Students of Berkeley City College Judicial Council holds the responsibilities under Section 1 [Rights and Obligations] to make decisions for disputes about powers and obligations of ASBCC authorities.

Whereas, in the absence of a Judicial Council, matters pertaining to resolving disputes and infringements cannot occur.

Now therefore, be it resolved that the Associated Student Body of Berkeley City College (ASBCC) propose a referendum amending Section 1 of Article 4 [Judicial Council] to include:

1. In the absence of the entire Judicial Council and under the occurrence of grievance(s), the Executive Board will appoint an Ad Hoc Commission of Judicial Affairs within 2 weeks of filing to address the party(s) grievances, including but notwithstanding: hear for petitions, hold formal meetings, and establish necessary and relevant decisions.
2. The Ad Hoc Committee of Judicial Affairs will be comprised of 5 members, with one Chairperson among them. Confirmation and Appointment of these members will require a 4/5 majority vote from the Executive Branch.

3. The Ad Hoc Committee of Judicial Affairs will conduct themselves under the same manner and responsibilities that the ASBCC Constitution and Bylaws direct.
4. All decisions of the Ad Hoc Committee of Judicial Affairs are final.

OR

1. In the event that the Judicial Council holds vacancies at the time of a filed grievance, the Executive Board must fill all vacancies within the Judicial Council within 2 weeks of filing.