

# STUDENT SENATE FOR CALIFORNIA COMMUNITY COLLEGES



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**TO:** SSSCC Delegates  
**FROM:** SSSCC Board of Directors  
**DATE:** January 18, 2020

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## BACKGROUND

On April 29, 2015, the Student Senate for California Community Colleges (SSCCC) incorporated and on January 6, 2016, the SSSCC became a 501(c)(3) nonprofit charitable organization. While the SSSCC existed since 2006, the organization was operated under the guidance of the Chancellor's Office and governed more like a student government organization, which was apparent in their Constitution and Bylaws.

In becoming a 501(c)(3), the Student Senate has moved to become a more independent organization. Most recently, in 2019, Governor Newsom signed [AB 1504](#) (Medina) which provided the SSSCC with stable funding. With this funding comes new requirements for accountability and transparency.

## PURPOSE

As a 501(c)(3), the SSSCC hired an attorney in fall to review its Constitution and Bylaws to ensure that the organization is in compliance with legal requirements such as Corporation Code. The attorney highlighted areas where the SSSCC was currently not in compliance with Corporation Code, Education Code, or Title 5 regulations; clarified language that was conflicting between Constitution and Bylaws; clarified or simplified other language as necessary; and suggested areas that could be moved to policy documents.

In the attached table, rationale is provided by the attorney, ad hoc committee, and the Board of Directors. There are areas within the document that are important for the Delegates to understand. Below is a brief summary:

1. Constitution: The attorney noted that the Articles of Incorporation and Bylaws submitted to the Secretary of State are the legal documents of the organization and a constitution is not required. He recommended that the language within the SSSCC Constitution be combined with the Bylaws. However, the Ad Hoc Committee working on the governing documents recommended that a Constitution be maintained as a separate document and only include the SSSCC purpose and overarching duties and powers of the organization.

2. **Bylaws:** The Bylaws were initially the Board of Directors Bylaws and thus modified regularly by the Board of Directors. Many of the modifications were actually policy and procedures that could have been developed as part of the organizational operations. The new Bylaws will only be modified by the Delegates and only include requirements from the Corporation Code and other governing language necessary to guide the organization and the Board of Directors in governance areas. Important changes are:
- a. **Membership:** the Constitution stated that all students are members of the SSCCC. While the SSCCC represents all 2.1 million students, Corporation Code requires 501(c)3 organizations to maintain a list of members. It would be impossible for the SSCCC to maintain a current list of all 2.1 million students. The membership language was changed to Member Senates, which is defined as the student body associations at each of the 115 California community colleges. This information is much easier for the SSCCC to maintain and is representative of the Delegate Assembly.
  - b. **Definitions** were added to clarify common terms such as Regions, Regional Officers, Equivalent Student Organizations and other terms.
  - c. **Special Meeting:** Special Meeting language was added to allow the Delegate Assembly to meet outside of the annual General Assembly. While we do not anticipate the need, it is important to allow the opportunity to meet in special circumstances such as special elections in the case of a vacancy of Board Officer position.
  - d. **Removal:** The attorney noted that the removal section of the Constitution and Bylaws was illegal. The Corporation Code states that only Board of Directors can be removed by the electing body or other limited reasons as included in Corporation Code such as attendance, cause, or by a court of law. The Bylaws were updated to reflect Corporation Code.
  - e. **Regions:** Added in language to clarify the region designation, vacancies, succession, and removal. Since the Regions' governance falls under the the SSCCC governing documents, they are not allowed to have their own Bylaws or Constitution. The language added will ensure there is some consistency across the regions while allowing each region to develop their own operating policies and procedures as long as the operating documents do not contradict SSCCC governing or policy documents.
  - f. **Board of Directors:** The job and committee descriptions were removed and will be included in Board of Directors operations policies and procedures. The language pertaining to caucuses and personnel responsibilities were simplified.
  - g. **Bylaws Amendments:** Modified the bylaws amendment language to remove the Board of Directors' ability to revise the Bylaws and provides the sole responsibility to the Delegates to amend the Bylaws.

For more detailed information about the changes to the governing documents and the rationale behind the changes, please see the attached table or reach out to the Ad Hoc Committee Chair Stephen Kodur at [radregionv@studentsenateccc.org](mailto:radregionv@studentsenateccc.org).

Attachments:

- 1) Constitution and Bylaws Revision Table
- 2) Constitution and Bylaws Revision Accepted