

## **The *Smart Ass* Constitution**

### **Article I: Name**

The name of this publication is the *Smart Ass*.

### **Article II: Purpose**

The purpose of the *Smart Ass* is to act as a campus forum for progressive issues and public policy concerns with a mixture of news, humor, features, commentary, satire, and analysis.

### **Article III: Membership**

As the *Smart Ass* is published by the Cal Berkeley Democrats, official members of the *Smart Ass* committee must pay their Cal Dems dues each semester. All photo, article, and humor submissions are welcome but final editorial power rests with the *Smart Ass* committee and editorial board. Only currently registered students, faculty, and staff may be active members in a registered student organization. Only active members may vote or hold office. An active member is defined as a member of the Cal Berkeley Democrats who has contributed to one publication of the *Smart Ass* per semester. Dues for inactive alumni members are \$10 a semester. Inactive alumni members may not vote or hold office but they can provide input into day-to-day decisions. We will not haze according to the California State Law; we will not restrict membership based upon race, color, national origin, religion, sex, physical and mental disabilities, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran (special disabled veteran, Vietnam-era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized).

### **Article IV: Editorial Board**

#### **Section A. Authority and Responsibility**

The Editorial Board shall have general authority and responsibility for the ongoing affairs of *Smart Ass*. The Editor-in-Chief shall lead the Editorial Board as the only permanent member of the Editorial Board and serve as the organization's primary ASUC agent. The President of the Cal Berkeley Democrats will serve as an ex officio member of the Editorial Board. A decision made by the Editor-in-Chief can only be overruled by a two-thirds vote of the Editorial Board. Editorial Board decisions may only be overruled if ten active *Smart Ass* members petition the Editorial Board.

## **Section B. Composition & Duties**

### *Editor-in-Chief:*

The Editor-in-Chief is the chief executive of *Smart Ass* and is responsible for the timely and frequent publication of *Smart Ass*. The Editor-in-Chief has the power to appoint additional members to the Editorial Board with the approval of a majority of the Editorial Board members. The Editor-in-Chief is nominated by the previous Editor-in-Chief and is confirmed by the Editorial Board. If the Editor-in-Chief dies, resigns, or is removed from office the Publisher becomes Editor-in-Chief until a suitable replacement is found. If there is no Publisher, the most senior member of the Editorial Board becomes Editor-in-Chief.

### *Publisher (optional):*

The Publisher of *Smart Ass* is a senior advisor to the Editorial Board and must be a former Editor-in-Chief, Managing Editor, or Business Manager. The Publisher is responsible for aiding the Editorial Board at the request of the Editor-in-Chief.

### *Managing Editor (optional):*

The Managing Editor is responsible for assisting the Editor-in-Chief in managing the other editors and the writers.

### *Business Manager (optional):*

The Business Manager is responsible for all of the financial and business responsibilities associated with *Smart Ass*.

### *Layout Editor (optional):*

The Layout Editor is responsible for completing the layout of *Smart Ass*.

### *Copy Editor (optional):*

The Copy Editor is responsible for editing the articles submitted to *Smart Ass*.

### *Distribution Manager (optional):*

The Distribution Manager is responsible for the storing of and the distribution of *Smart Ass*.

### *Additional Appointed Board Members (optional):*

The Editor-in-Chief may appoint additional board members to the Editorial Board. These members shall be associate editors or managers and will assist the Editorial member for which they are an associate.

## **Section C. Removal**

Members of the Editorial Board may be removed from the Editorial Board with the approval of the Editor-in-Chief and a majority of the Editorial Board. The *Smart Ass* Editor-in-Chief may be removed if two-thirds of the Editorial Board find sufficient cause

for removal, such as, but not limited to, malfeasance, misfeasance, or nonfeasance of assigned duties.

#### **Article V: Meetings**

The Editor-in-Chief shall set a schedule of regular meetings as necessary. All general meetings shall be well publicized and shall be conducted at reasonable hours and locations.

#### **Article VI: Constitutional Amendments**

Any active member of *Smart Ass* may propose an amendment to this constitution. This constitution may only be amended after two votes at consecutive meetings where the change is approved by a 2/3 supermajority of the *Smart Ass* active members. All amendments, additions, or deletions must be filed with the Office of Student Life, 102 Sproul Hall. All amendments, additions or deletions must be filed with the ASUC Publication Center, 10 Eshleman Hall within one week of adoption.

#### **Article VII: Dissolution**

Dissolution requires unanimous approval of the Editorial Board and approval of two-thirds of the members in good standing at two consecutive general meetings of the Cal Berkeley Democrats. Upon dissolution, all unspent funds (after expenses/liabilities are accounted for) will be donated to the Cal Berkeley Democrats, the California Young Democrats, or the College Democrats of America. It is hoped that the organization who receives these funds will return them to any new Democratic organization that comes into existence at UC Berkeley in the future. All unspent ASUC funds shall remain the property of ASUC, and all Graduate Assembly funds shall remain the property of the Graduate Assembly. Remaining privately-obtained funds may be donated to another nonprofit organization with prior approval of the ASUC Senate Finance Committee.

#### **Article VIII: Parliamentary Procedure**

The authority used for points not covered in this constitution in regards to the Cal Berkeley Democrats oversight of the *Smart Ass* is Robert's Rules of Order.