

# **ASSOCIATION OF CHIEF BUSINESS OFFICIALS (ACBO), CALIFORNIA COMMUNITY COLLEGE DISTRICTS CONSTITUTION**

## **ARTICLE I – NAME**

- Section 1      This organization shall be a self-governing association called the Association of Chief Business Officials (ACBO), California Community College Districts; hereafter referred to as the *Association*.
- Section 2      The *Association* does not contemplate pecuniary gain or profit to the members thereof and is organized strictly for nonprofit purposes.

## **ARTICLE II – PURPOSE AND OBJECTIVES**

- Section 1      The primary purpose of the *Association* shall be:
- a. To provide statewide leadership on California community college business and financial matters and issues.
- Section 2      The objectives of the *Association* shall be:
- a. To establish and maintain liaisons between the *Association* and other organizations and agencies.
  - b. To provide a business and financial perspective on California community college matters and issues at the local and state level.
  - c. To promote and facilitate the professional development of California community college business and financial leaders.
  - d. To promote the welfare and appreciation of California Community Colleges.
  - e. To provide a forum to address issues of fiscal viability for California Community Colleges.
- Section 3      Limitation clause:  
Notwithstanding any of the above statements of purpose, objectives, and powers, this organization shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purpose of this organization.

## **ARTICLE III – MEMBERSHIP AND REPRESENTATION**

- Section 1      Regular membership in the *Association* shall be limited to the seventy-two (72) California Community College Districts.
- Section 2      Each California Community College District shall be represented by the District Chief Business Officer (i.e., the District CBO) or his/her designee.

ACBO Constitution 2012 Revision – *Approved for Amendment by ACBO Board: March 2, 2012*  
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Section 3 Each California Community College District shall be placed in one of ten regions each of which shall elect a district representative to serve on the ACBO Board of Directors.

#### **ARTICLE IV – STATEWIDE MEETINGS**

Section 1 Insofar as practicable, there shall be two (2) statewide meetings of the *Association* held annually at the ACBO conferences. The annual meetings and conferences shall be alternated between the northern and southern regions, but in no event shall more than two (2) consecutive meetings be held in the same region. Specific places and dates of the statewide meetings shall be determined by the ACBO Board.

Section 2 Of the two (2) statewide meetings of the *Association* held annually, one (1) shall be held in the spring and the other in the fall.

Section 3 The District CBO or his/her designee shall be designated as the District Delegate on all matters presented for action to the *Association*.

Section 4 Only the District Delegates in attendance at statewide meetings is considered a part of membership for quorum and voting purposes. However, other representatives from a district may attend and participate in discussions held at statewide meetings.

Section 5 Only the District CBO or his/her designee of a district shall have the right to serve as a regional representative on the *Association's* Board of Directors.

#### **ARTICLE V – BOARD OF DIRECTORS**

Section 1 The ACBO Board shall be constituted by the following provisions:

- a. The ACBO Board of Directors shall consist of thirteen (13) members: ten (10) regional representatives, a President, President-elect, and an Immediate Past President.
- b. Each community college district will be placed in one of the ten (10) regional representative areas as defined in Section VI of the *Association's By-Laws*.
- c. The member districts of each region will elect a Chief Business Officer (CBO) from the regional area to represent the area as a director on the ACBO Board.
- d. Each regional representative shall serve a three-year term with one-third of the regional area terms expiring each year.
- e. Upon election of a regional representative as President or President-elect, a new representative must be selected for the region. The terms of the officers are defined in Article VI, Officers.
- f. The term of office of the regional representative members shall begin and end at the conclusion of the fall meeting of the *Association*.

ACBO Constitution 2012 Revision – *Approved for Amendment by ACBO Board: March 2, 2012*  
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- g. The term of office of the President and President-elect of the *Association* shall begin and end at the conclusion of the spring meeting of the *Association*.
- h. As mid-term vacancies occur on the ACBO Board of Directors, the Board shall appoint a member from the represented regional area where a vacancy occurred. The ACBO Board shall make every effort in selecting appointments to obtain a diversity based upon district size, organization, and geographic location. The appointment will be for the unexpired term of the member who resigned or left the ACBO Board, and will not constitute a term of office as defined in Article V, Section 1.d. above.
- i. The ACBO Board shall be vested with the authority to interpret and implement the provisions of the *Association's* Constitution.

## **ARTICLE VI - OFFICERS**

- Section 1      The officers of the *Association* shall be President, President-elect, Immediate Past-President, and Secretary-Treasurer. The officers shall each serve two year terms or until their successors are elected by the *Association* or appointed by the ACBO Board.
- Section 2      The President shall be the executive officer of the *Association* and the chairperson of the ACBO Board. He/she shall also preside over the meetings of the *Association*, and shall be responsible for calling the statewide meetings and any special meetings as required. He/she shall serve or appoint a designee to the State Chancellor's Consultation Council. The President shall perform such other duties as required to carry out the purposes of the *Association*. The President shall act at the direction of the ACBO Board and shall automatically succeed to the office of Immediate Past-President at the end of his/her term.
- Section 3      During the spring conference at the end of the current President's term of office, the ACBO Board shall nominate to the *Association's* membership a candidate(s) to serve as the *Association's* President-elect. The office of the President-elect shall be filled by a majority vote of the District Delegates present.
- Section 4      The President-elect shall serve two years in the office and automatically succeed to the office of presidency of the *Association* at the conclusion of the current President's term of office. The President-elect, in the absence of the President, shall chair the ACBO Board and perform other duties as required to carry out the purposes and objectives of the *Association* as directed by the Board.
- Section 5      Upon succession of the President-elect to the presidency of the *Association*, the outgoing President assumes the role of Immediate Past President serving for two years in that office on the ACBO Board.
- Section 6      The ACBO Board shall elect a board member to serve as Secretary-Treasurer for a term of two years. The Secretary-Treasurer shall be responsible for the minutes

ACBO Constitution 2012 Revision – *Approved for Amendment by ACBO Board: March 2, 2012*  
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of the ACBO Board meetings. He/she shall also be responsible to receive and disburse funds of the *Association* at the direction of the Board and shall keep accurate records of the financial transactions of the *Association*.

Section 7 Vacancies occurring in the office of the President-elect shall be filled by appointment by the ACBO Board of Directors to the unexpired term. The individual appointed by the Board will be a member of the current ACBO Board of Directors. The appointment will then be presented to the District Delegates at the next statewide meeting for affirmation by a majority of the District Delegates present.

## **ARTICLE VII – DUES**

Section 1 No dues shall be assessed to the membership of the *Association*.

## **ARTICLE VIII – RULES OF ORDER**

Section 1 The statewide meetings and such special meetings as are called by the ACBO Board, as well as any meeting of the ACBO Board, shall be governed by "Roberts Rules of Order, Revised" and in accordance with the By-Laws of the *Association's* Constitution.

Section 2 Quorums at the statewide meetings and such special meetings as are called by the ACBO Board shall consist of 50% or more of the seventy-two (72) district delegates.

Section 3 A District CBO is the official delegate for each of the seventy-two (72) districts and will be identified as such for voting purposes at statewide meetings. A District CBO may designate an individual as Proxy to act on his/her behalf if unable to attend a meeting; however, the Proxy designation must be in writing and presented to the President prior to the statewide meeting being called to order. All issues brought before the membership shall be decided by a majority of those District Delegates present.

Section 4 A quorum at an ACBO Board meeting shall consist of seven (7) of the thirteen (13) members, and all issues brought before the ACBO Board shall be decided by a majority vote of those Directors present at the meeting.

Section 5 A Director may designate another ACBO Board member to vote as Proxy on his/her behalf if unable to attend a board meeting. However, the Proxy designation must be in writing and presented to the President/Chair prior to the meeting being called to order.

## **ARTICLE IX – RATIFICATION**

ACBO Constitution 2012 Revision – *Approved for Amendment by ACBO Board: March 2, 2012*  
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- Section 1 Ratification of the Constitution of the Association of Chief Business Officials (ACBO), California Community College Districts shall be by a minimum of two-thirds (2/3) vote of the *Association's* District Delegates present at a statewide meeting.
- Section 2 Amendments to the *Association's* Constitution shall be approved by the ACBO Board members prior to recommendation of amendments to the *Association's* District Delegates for ratification.
- Section 3 The approval of amendments by the ACBO Board and the *Association's* District Delegates shall be recorded for historical reference and affirmed by the action as being the true, correct, and complete constitution of the *Association*.

#### **ARTICLE X -- AMENDMENTS**

- Section 1 Amendments to the Constitution shall be presented to the *Association's* District Delegates at least thirty (30) days prior to a statewide meeting or a special meeting called for the purpose of conducting *Association* business. Approval of the Constitution Amendments shall be by two-thirds (2/3) vote of the *Association's* District Delegates in attendance at the meeting.

#### **ACBO Constitution Amendments by date of action:**

Amended 10/8/96  
Amended 5/19/99  
Amended 1/20/04  
Amended 4/13/05  
Amended 5/15/07  
Amended 5/21/12

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