

POLICY MANUAL

Student Bar Association Michigan State University College of Law

Updated October 5, 2017

A. Definitions

1. Abstain – To vote neither yes nor no. If the vote to abstain is the majority vote, the vote neither passed nor failed. A vote can be taken again upon a motion to vote on the question again or the original motion can be amended, tabled, or withdrawn.
2. Adopt – To accept or approve a report or statement.
3. Adjourn – To close a meeting officially.
4. Agenda – An order of business, usually written and expressly adopted for a particular session, which assigns times and positions to specific items of business.
5. Approve – To adopt, accept, agree to, or to ratify.
6. Bylaws – Standard operating procedures by which the organization has agreed to adhere. These provide for the efficient and equitable transaction of business and protect the membership.
7. Call the Question – A motion that has to be seconded, is non-debatable, and if passed has the effect of ending discussion on the main motion bringing the main motion to a vote.
8. Chair – The presiding officer at a meeting, usually the President of the organization.
9. Ex Officio – By virtue of office. The individual has all the privileges but none of the obligations of membership. “. . . [I]t is evidently the intention to permit, not to require, him to act as a member of the various committees.” (Robert’s Rules of Order, Art. IV, sec. 28). An ex officio member is without the right to vote.
10. Main Motion – A main motion/resolution introduces a question or business for consideration when no other business is pending. Only one main motion may be considered at a time, and no other main motion can be introduced until the first one is disposed of in some manner.

11. Majority Vote – A vote that includes at least one more than half of the votes cast by persons entitled to vote.
12. Motion – A formal proposal that certain action be taken.
13. Order of Business – A sequence of business to be taken up at a session of an assembly; a schedule of business to be considered at a meeting.
14. Quorum – The number of members that must be physically present for a legal transaction of business. Quorum of the SBA is (50% + 1).
15. Reconsider – An order at any time, even while the assembly is voting on the motion to adjourn, to reconsider a vote. It has to be made on the day on which a motion has been acted upon, or on the next succeeding day. If the vote is not reconsidered on the day it was taken, and no meeting is held the next day, then it cannot be reconsidered at the next meeting. A member who voted must make the motion on the prevailing side. Anyone can second the motion. A motion to reconsider cannot be made when the vote was taken by secret ballot as there is no way to tell who was on the prevailing side. No motion can be reconsidered twice unless it was amended after its first reconsideration. This motion requires majority vote regardless of the vote necessary to adopt the motion reconsidered.
16. Resolution – A resolution is a long main motion set in writing. That is, a resolution is usually of such length or importance that it should be written. It may have a preamble setting forth the reasons it is introduced. Resolutions may be made only when no other motion is pending.
17. Roll Call – A voice vote by calling roll of members; the request must be made before the vote and must be seconded.
18. Rising Vote – A show of hands. Members stand or raise hands to indicate vote.
19. Standing Rules – Rules, which deal with the details of the administration of an organization, are temporary or semi-permanent in nature, and may be adopted or changed without previous notice.
20. Subsidiary Motion – Subsidiary motions help the assembly to treat or dispose of a main motion. Since they relate to the question before the body, a subsidiary motion may be proposed when a main motion is still before the assembly. The vote on the subsidiary motion is taken before the main motion is acted upon.
21. Two-thirds Vote – Two-thirds of the votes cast by persons entitled to vote.
22. Voice Vote – Response of yes or no by members to indicate a vote.

B. Executive Board: Officers

1. *The President shall:*

- a. Preside at all meetings of the SBA;
- b. Preside at all meetings of the Executive Board;
- c. Have standing to vote only in the case of a tie on any matter before the SBA;
- d. Call special meetings at his/her discretion;
- e. Appoint all committees not otherwise provided for in the Constitution;
- f. Make provisions for the discharge *pro tempore* of necessary duties of absent or suspended Executive Officers and SBA Representatives;
- g. Co-sign all checks on the treasury of the SBA that are more than \$250.00 that are not signed by the Communications Director;
- h. Enforce the rules and standard operating procedures of the SBA;
- i. Carry out assignments and instructions given by vote of the SBA;
- j. Perform other duties as directed by the SBA;
- k. Act as liaison to the faculty and administration of the College of Law and Michigan State University; and
- l. Serve as an ex officio member of all SBA committees.

2. *The Vice President shall:*

- a. Be familiar with the Constitution and Robert's Rules of Order and serve as the Parliamentarian. The Vice President's powers shall be advisory to the SBA and the Executive Board;
- b. Maintain all resolutions and motions passed during his/her term;
- c. Maintain an official record of the attendance of all members of the SBA at all regular or special meetings and report absences in the minutes;
- d. Notify members of the SBA and initiate expulsion measures when absences exceed the number allowed;
- e. Conduct and monitor secret ballot voting;

- f. Attend all meetings of the Executive Board and of the SBA;
 - g. Act as liaison between the Student Body and the Executive Officers of the SBA;
 - h. Coordinate internal operations of the SBA with the President;
 - i. Act as an ex officio committee member of all SBA committees and oversee all external liaisons and representatives to the SBA; and
 - j. Be an aide to the President.
3. *The Communications Director shall:*
- a. Record the minutes of the meetings of the Executive Board and of the SBA;
 - b. Conduct and maintain copies of all SBA correspondence to external parties;
 - c. Issue notice of meetings and agendas after consultation with the President;
 - d. Keep and maintain records, rules, and all adopted resolutions and bring the same to all SBA meetings;
 - e. Co-sign all checks on the treasury of the SBA that are more than \$250.00 that are not signed by the President;
 - f. Maintain and update a record, both digital and physical, containing the SBA Constitution, SBA Policy Manual, and adopted resolutions in collaboration with the Vice President and the Internal Affairs Chairperson, who shall submit updated versions of the SBA Constitution and SBA Policy Manual to the communications director by the last meeting of each semester; and
 - g. Be an aide to the President.
4. *The Finance Director shall:*
- a. Chair the Finance Committee, which will be composed of no less than four SBA members in addition to the Finance Director. Such committee will recommend budgetary and fiscal policy to the elected body and should be selected at the first SBA meeting of the Fall Semester;
 - b. Chair the Special Fiscal Conference meeting that must occur at least twenty-four hours prior to the second SBA meeting to construct a budget for the SBA. The proposed budget must be debated and voted on by the full SBA;
 - c. Act as liaison between the student body and the Executive Officers of the SBA;

- d. Propose the budget at the second meeting of each new school year, along with finance operating procedures, if any;
- e. Provide a budget update including actual expenditures at the first SBA meeting in the Spring Semester;
- f. Provide budget and financial statements at the last meeting of the Spring Semester;
- g. Provide for an appeals process, if necessary, in relation to the student organization funding allocations. The process shall be formulated at the discretion of the Director;
- h. Maintain all financial records of the SBA;
- i. Receive all money due to the SBA and give receipt thereof;
- j. Enforce cash-handling procedures noted in Appendix A of this Policy Manual;
- k. Render a financial report regarding financial activity subsequent to the last SBA meeting. This includes the balance of the SBA bank account, the total dollar amount allocated over the proceeding week, and the remaining balance of the budget;
- l. Make such payments from the funds of the SBA as approved by the SBA;
- m. Make all books and records of the Finance Director open to public inspection upon written notice one week prior to such inspection;
- n. Be responsible for the completion and filing of any and all tax-related forms;
- o. Supervise and coordinate with the Fundraising Chair;
- p. Act as custodian of any and all financial records to be maintained for three years;
- q. Contact and coordinate with the College of Law Comptroller;
- r. Co-sign with either the President or Communications Director for all checks on the Treasury of the SBA that are more than \$250.00;
- s. Attend all meetings of the Executive Board and of the SBA; and
- t. Be an aide to the President.

5. *The Community Affairs Director shall:*

- a. Coordinate events external to the College of Law that are non-enumerated SBA obligations;
- b. Coordinate all SBA Committees and events that are planned;
- c. Coordinate interaction between the College of Law and the surrounding legal, governmental and academic communities;
- d. Attend all meetings of the Executive Board and of the SBA;
- e. Act as liaison between the Student Body and the Executive Officers of the SBA;
- f. Oversee the coordination of the College of Law's Annual Barrister's Ball;
- g. Propose and present estimated table time hour requirements at the first General Board meeting of each semester to be voted on in accordance with Article III Section B Subsection 8 of the SBA Constitution; and
- h. Be an aide to the President.

C. Appointed Special Representatives/Chairpersons:

1. *The American Bar Association Law Student Division Representative shall:*

- a. Be appointed by the Executive Board of the SBA and confirmed by the SBA General Board;
- b. Be a member of the ABA/LSD;
- c. Represent SBA at all ABA/LSD conferences and produce a report of conference activities at the next scheduled SBA meeting upon his/her return. Where the Executive Chairperson of the ABA/LSD cannot attend said conferences, attendees will be appointed by him/her along with the SBA President. Other persons may attend these conferences at the discretion of the SBA President;
- d. Represent the SBA in the Law Student Division of the American Bar Association;
- e. Serve as liaison between the SBA, ABA, and the College of Law student body;
- f. Increase awareness of and membership in the ABA/LSD at the College of Law;

- g. Report to the SBA Vice President regarding the ongoing activities of the ABA; and
 - h. Provide a monthly oral or written report to be presented at the SBA General Board Meetings.
2. *The Council of Graduate Students (COGS) Representative shall:*
- a. Be appointed by the Executive Board of the SBA and confirmed by the SBA General Board;
 - b. Represent the College of Law on the COGS' Full Council;
 - c. Report to the SBA Vice President regarding the ongoing activities of COGS; and
 - d. Provide a monthly oral or written report to be presented at the SBA General Board Meetings.
3. *The Council of Graduate Students (COGS) Executive Board Liaison shall:*
- a. Be appointed by the Executive Board of the SBA and confirmed by the SBA General Board;
 - b. Serve as a liaison between the College of Law SBA, the College of Law student body, and the COGS' Executive Board;
 - c. Report to the SBA Vice President regarding the ongoing activities of COGS; and
 - d. Provide a monthly oral or written report to be presented at the SBA General Board Meetings.
4. *The Technology Services Student Liaison shall:*
- a. The position of Technology Services Student Liaison should be someone who
 - i. Has a comprehensive understanding of computer systems, and has the ability to work with system administrators and department members to understand the current issues and solutions
 - ii. Can serve as both an advocate for the SBA and the student body as well as act as an interpreter or voice for the Technology Services Department

- b. Be approved by the Director of Technology Services, appointed by the Executive Board of the SBA, and confirmed by the SBA General Board
- c. Serve as a liaison between the Technology Services Department, the SBA, and the student body
- d. Report to the:
 - i. SBA Vice President regarding important and/or relevant ongoing activities of the Technology Services Department
 - ii. The Director of Technology Services regarding the ongoing concerns of the SBA and the student body
- e. Provide a monthly oral or written report to be presented at the SBA General Board Meeting
- f. Communicate student-relevant announcements to the student body (e.g. via the Daily Docket)
- g. The purposes of the position include:
 - i. Conveying Technology Services' announcements to the SBA and the student body
 - ii. Coordinating "best-use" events and seminars to help students best take advantage of the network
 - iii. Fielding questions and issues brought forth by the student body

5. Liaison Reports

- a. Liaisons shall adhere to a 5-minute time limit on their reports.
- b. Liaisons shall submit committee notes to the Vice President.

D. General Board and Committee Meetings

1. Full General Board meetings will be held biweekly during both the Fall and Spring semesters. Times and locations will be determined by the Executive Board. Please consult the schedule provided by the Executive Board with the specific dates and times for the meetings.
 - a. Committee meetings are scheduled at the discretion of the Committee Chair.
 - b. The Executive Board election meeting will not be held as part of the regular General Board meeting schedule during the Spring semester. The

date and time of the Executive Board election meeting will be determined by the Executive Board.

2. The dress code for all General Board meetings will be business casual. The Executive Board shall retain the authority to alter the dress code for any meeting as deemed appropriate.
3. Regular attendance at General Board and Committee meetings is expected. The Vice-President should be notified in advance of any foreseen absences from any General Board meetings. The respective Committee Chair should be notified in advance of any foreseen absences from a Committee meeting. Failure to notify the Vice-President or Committee Chair may result in an unexcused absence counted.
 - a. An unexcused absence from a General Board meeting will count as one absence.
 - b. An unexcused absence from a Committee meeting will count as one-half absence.
4. Members are expected to arrive to all General Board and Committee meetings on time. The Vice-President or Committee Chair should be notified of any foreseen late arrivals.
5. General Board members are not permitted to use technology, including cell phones and laptops, during any General Board meeting. The following individuals are permitted to use technology during General Board meetings for the purposes listed:
 - a. The Vice-President, for recording attendance for the General Board meeting.
 - b. The Communications Director, for recording meeting minutes of the General Board meeting and facilitating Executive Board elections.
 - c. All other Executive Board members, as needed.
 - d. Any member, including Committee Chairs, wishing to use technology during a General Board meeting, must obtain permission from an Executive Board member.
6. Members are expected to demonstrate professional decorum and respect during presentations of reports and in discussion of any topics warranting debate.
 - a. At times, it may become necessary to enact a Speakers List to facilitate discussion and debate of various agenda items, including discussion and

debate of Constitutional and Policy Manual amendments. Members may signal to be placed on the list by the Vice-President when such a list is needed.

7. General Board meetings are conducted using Robert's Rules of Order. The Vice-President, as Parliamentarian of the SBA, is responsible for ensuring compliance.
8. Unless indicated, speakers at General Board meetings do not adhere to a time limit.
 - a. Liaisons are allowed no more than five (5) minutes of speaking time to report any announcements.
 - b. Candidates for Executive Board positions must adhere to election guidelines as written in the SBA Constitution. Candidates will have a total of five (5) minutes to present a speech and field questions from voting members of the General Board for each position for which he or she is nominated.
9. Non-members of the General Board are considered constituents of the elected representatives of the SBA. Constituents are permitted to raise any questions or concerns during the open comment period at the beginning of every regularly-scheduled General Board meeting.
 - a. Constituents and liaisons are not permitted to attend the designated General Board meeting for Executive Board elections. This meeting will be considered a closed meeting.

E. Finance Distributions

1. Subject to the Constitution, and other sections of this Policy Manual, the Finance Committee has, within its discretion, the power to distribute funds to requesting student organizations in accordance with the Funding Guidelines, as established by the Finance Committee and approved by the General Board.
2. Notwithstanding section 1 of this section, except in subsection (c)(ii)(1), any Finance Committee approval of funds distribution which exceeds \$1500, shall be subject to a vote by the General Board of SBA
 - a. In the event of an award in excess of \$1500, the Finance Director shall notify the requesting organization of the amount they have been conditionally awarded by the Finance Committee and of the voting requirement for amounts exceeding \$1500. No Appeals will be heard until the General Board has voted.
 - b. Under section 3 of this section, the Executive Board will hear any and all appeals to the decision of the General Board. Because the Executive Board is

- i. In the event of a request being awarded in excess of \$1500, the appeal request must take place in writing, no later than midnight on the second day following the General Board vote, as provided in Section D of this Policy Manual.
 - b. Such a writing shall be no more than one (1) page in length with a 12 point font and shall state, with particularity, the reasons for the appeal and how the Finance Guidelines should be interpreted differently.
 - c. An organization wishing to appeal to the Executive Board must send a representative to an Executive Board meeting no later than three (3) weeks after the original Finance Committee decision.
 - i. If the amount awarded by the Finance Committee is in excess of \$1500 and therefore subject to a vote of the General Board under section D(2) of this Policy Manual, the organization wishing to appeal to the Executive Board must send a representative to an Executive Board meeting no later than three (3) weeks after the General Board decision.
 - d. A member of the Executive Board who is a voting member, or holds an executive board position within the organization appealing the Finance Committee or General Board decision, shall recuse themselves from voting on the appeal.
2. The Executive Board, on receiving an appeal from the Finance Committee or General Board, must review the original finance application and the Finance Guidelines under which it was rejected, or reduced. An appealable reduction must substantially affect the nature of the proposed event.
 3. The Executive Board shall consider the Finance Committee Guidelines in the appeal, as published to the Student Organizations.
 4. All appeal decisions rendered by the Executive Board shall be considered final.
 - a. This includes any appeals for amounts regulated under Section D(2)-(3).

F. Appeals Board Sanctions

1. Upon approving a Senator's appeal, the Appeals Board may apply one or more of the following sanctions on the appealing Senator:
 - a. Require the member to complete more table time hours, not to exceed twice the amount required of any member.
 - b. Reassign the member to a committee different from where they had last been assigned.

- c. Bar the member from running for one or more of the following SBA positions:
 - i. SBA Executive Board positions.
 - ii. Liaison positions.
 - iii. SBA Committee Chair positions.
- d. Demotion from current SBA Executive Board, Committee Chair, or Liaison position.

Appendix A - SBA Cash-Handling Procedure

1. All money (from events, dues, fundraisers, etc.) collected during a single day's sales must be deposited to the College of Law Accounting Office within one business day from the date of receipt.
2. The representative collecting money must provide a receipt in return for money received. A receipt can be a pre-numbered slip, a pre-numbered ticket stub, etc. The representative collecting the money must keep the original receipt and provide the person offering the money a carbon copy/duplicate receipt.
3. At the end of his/her shift, the representative collecting money must write and sign a shift summary report detailing:
 - a. The total amount of money collected during his/her shift;
 - b. The amount of money in cash collected during his/her shift;
 - c. The amount of money in checks collected during his/her shift; and
 - d. The total number of items sold during his/her shift.
4. If a cash reserve is kept at the table for change purposes, the representative must make sure that the same amount of cash is left at the table for the beginning of the next shift. For the last shift of the day, the representative will include the amount of "money for change purposes" as a separate line item in his/her shift summary report before depositing all money to the College of Law Accounting Office.
5. At no time may money be left unattended at the sales table or in the SBA office. If the representative who is scheduled for the next shift does not show up, the current representative must deposit the money in the College of Law Accounting Office.