

# CONSTITUTION

## Student Bar Association Michigan State University College of Law

Updated February 14, 2018

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### ARTICLE I: NAME, PURPOSE, AND AFFILIATION

#### A) Name

The name of this organization is the Michigan State University College of Law Student Bar Association [hereinafter “SBA”].

#### B) Purpose

The purpose of the SBA is:

- 1) to promote, establish, and run such activities and organizations as are deemed beneficial to the Michigan State University College of Law [hereinafter “College of Law”] and to represent student concerns and interests; and
- 2) to promote academic and social interaction among the students, faculty, alumni, administration, and board of trustees of the College of Law; and
- 3) to develop a mutual awareness and appreciation of the profession of law among the College of Law and community at large, including the American Bar Association; and
- 4) to serve as a representative of the student body to the faculty, alumni, administration, and board of trustees of the College of Law; and
- 5) to promote professionalism among law school students by providing an opportunity to participate in an integrated Bar modeled on the State Bar of Michigan; and
- 6) to promote service in the College of Law and the community at large; and
- 7) to promote and encourage diversity in the College of Law and the community at large.

#### C) Affiliation

The SBA is affiliated with the College of Law and Michigan State University. The SBA uses these schools' names with their permission.

## **ARTICLE II: IDENTITY AND DEFINITIONS**

### **A) Authority**

The SBA is an organization operating within the State of Michigan and under the by-laws of the College of Law.

### **B) Fiscal Year**

The fiscal year of the SBA runs from July 1-June 30 of each year.

### **C) Governing Documents**

The SBA shall operate under the guidelines set forth in this constitution and the SBA policy manual as defined in Article VIII of this Constitution.

### **D) Definitions**

- 1) A “full week of school” shall constitute at least four class days.
- 2) “First Year Students” are those in good standing who have completed no more than 28 credits.
- 3) “Second Year Students” are those in good standing who have completed more than 28 credits, but no more than 56 credits.
- 4) “Third Year Students” are those in good standing who have completed more than 56 credits.
- 5) “Academic Year” is as defined by the Registrar.
- 6) “Term of Office” consists of the period of time from the point a Senator (or Executive Officer) is elected until the next election of the position, or until the individual graduates, whichever occurs first.
- 7) “Duly Elected” consists of Senators who receive the requisite votes according to Article IV of this Constitution.
- 8) Senators are “Present” for the purposes of voting when they are physically present at a meeting.

### **ARTICLE III: STUDENT BAR ASSOCIATION**

#### **A) Composition**

- 1) There shall be 36 duly elected members of the SBA General Board. The General Board shall consist of a President, Vice President, Finance Director, Community Affairs Director, and Communications Director, the Chairs of Standing Committees, as well as at least eleven (11) class representatives to be divided as follows:
  - a) Four (4) representatives from the First Year Class (1L),
  - b) Three (3) representatives from the Second Year Class (2L),
  - c) Three (3) representatives from the Third Year Class (3L),
  - d) One (1) representative from the LLM Program.
- 2) The remainder of the General Board shall consist of at-large representatives.
- 3) The SBA Executive Board shall consist of the following members: President, Vice President, Finance Director, Community Affairs Director, and Communications Director.

#### **B) Duties**

The SBA General Board:

- 1) shall approve and recognize all official student organizations at the College of Law as outlined in the SBA Policy Manual,
- 2) shall adopt an annual budget for its operation,
- 3) shall approve policies for the disbursement and monitoring of all funds overseen by the SBA,
- 4) shall adopt rules for its own proceedings,
- 5) shall utilize Robert's Rules of Order in the absence of an adopted rule,
- 6) shall summon the attendance of its members and discipline and expel members,
- 7) may acquire and expend any further sums that may come to it by gift or any lawful function or enterprise conducted by it,
- 8) shall serve table time hours as recommended by the Community Affairs Director and ratified by a 2/3 majority vote of voting senators.
  - a. If the General Board disagrees with the number of table time hours recommended

by the Community Affairs Director, the General Board shall then discuss and decide how to correct the difference between an amount proposed by the General Board and that recommended by the Community Affairs Director

- b. If a representative fails to complete the required number of table time hours during either semester of their term, and that failure causes the representative to exceed the permitted number of absences, that representative is ineligible to serve on SBA the following academic year.
- 9) shall adopt bills to accomplish the legislative power of the SBA by a majority vote, unless otherwise stated in the SBA Constitution or Policy Manual.
  - 10) shall hold all other legislative power of the SBA, exercised by majority vote, unless otherwise stated in the SBA Constitution or inconsistent with federal and state laws, the Policy Manual, policies of the university and/or the College of Law

### **C) Meetings**

- 1) The President may call special meetings of the SBA at any time by request of the Executive Board or upon petition of any five (5) Senators who present their request in writing.
- 2) Three (3) days notice shall be given for special meetings.
  - a) Absences will be excused if a Senator is unable to attend.
  - b) A quorum is required for any action to be taken.

### **D) Terms of Office**

- 1) Senators shall assume office upon being duly elected and shall serve until the next election for the Senator's seat. No term shall extend past the last day of examinations during the Senator's semester of graduation.
- 2) The President, Vice President, Finance Director, Community Affairs Director, and Communications Director shall assume their offices at the first General Board Meeting to be held no less than one academic week, and no more than three academic weeks, after the Executive Board elections. Any members of the previous Executive Board who were not reelected shall become Senators on the General Board, subject to a Senator's terms of office at said General Board Meeting.

### **E) Attendance**

- 1) A member shall be automatically removed from office after receiving more than three (3) absences. Upon a representative accumulating three (3) absences, the Vice President shall notify the member that he/she has reached the three (3) absences limit, and indicate to the representative the consequences of exceeding the absence requirement.

- 2) A representative of the Executive Board shall be automatically removed after being absent from Executive or General Board meetings more than three (3) times. The Vice-President shall hold the same responsibility regarding absences for Executive Board representatives as found in Article II, Section E (1-2) of this Constitution. Absence policy determinations relating to the Vice President's attendance shall be made by the President.
- 3) Absences from, but not limited to, General Board meetings, Committee meetings, and allotted table times shall count toward a representative's absence total. The Executive Board shall clarify to the General Board as to how absences will contribute to the total number of absences allowed. The Vice President, upon notice of an individual exceeding the total amount of permitted absences, must notify the removed representative immediately of their removal, and the opportunity to appeal.
- 4) A Senator who has been automatically removed from office as a result of the absence policy may send or present a written appeal to the Vice President for the purposes of challenging the removal. Such an appeal must be made within a seven (7) day period after being notified of the removal.
- 5) Following the General Board SBA elections, the Executive Board shall create an appeals board pool consisting of six (6) senators total. The makeup shall consist of (2) senators from each respective class (1L, 2L, 3L). The selections of each senator are to be made at random and the appointment is to remain secret amongst the appeals board as well as to the General Board. However, the General Board must be informed that an Appeals Board Pool exists, and that appointments have been made.
- 6) Service in the Appeals Board Pool and subsequent Appeal Hearings is mandatory. The Executive Board may further incentivize service however they choose.
- 7) Once three (3) members of the Appeals Board Pool serve on an Appeals Board, they are removed from the pool and replaced by random selection as outlined in subsection (6).
- 8) Upon receiving an appeal, the Vice President shall create an Appeals Board consisting of three (3) Senators drawn at random from the Appeals Board Pool. The Appeals Board shall consist of one (1) first year Senator, one (1) second year Senator, one (1) third year Senator. At the appeals hearing, the Appellant Senator shall be given an opportunity to submit a written brief and give an oral presentation as to why they should not be removed from the SBA. The Appellant's Committee Chair shall also be present to testify at the appeal. Decisions by the Appeals Board are deemed final.
- 9) In the case of an Executive Board representative, the Appeals Board will remain the same, however, should the Vice President be the Appellant, the President will oversee the Appeals proceedings.
- 10) When an Appeals Hearing is held, the Executive Board must notify the General Board at the next General Board meeting of: i) the representative removed, ii) whether there was

an appeal, and iii) the results of any such appeal.

#### **F) Quorum**

- 1) The necessary quorum for the transaction of any and all business matters of the SBA shall be established if a majority of the voting representatives of the SBA are present at the meeting.
- 2) There will be no provision for absentee or proxy voting.
- 3) Abstentions count towards quorum, but do not count for or against the motion called.

#### **G) Vacancies**

If a vacancy is created for any reason, the Executive Board shall have the power to fill the vacancy with the advice and consent of a majority of the General Board.

#### **H) Forfeiture**

- 1) Any SBA member who has graduated, resigned, withdrawn, or been dismissed from the College of Law has forfeited his or her office.
- 2) An SBA member who shall begin any period of off-campus study or work during the Fall or Spring terms that will make it impossible to physically attend Executive Board, General Board or Committee meetings on a regular basis shall forfeit his or her office effective immediately upon commencement of that period of off-campus study or work.

#### **I) Representatives**

- 1) Representatives are jointly responsible for making announcements, conducting surveys or questionnaires and any other duties incident to representing their respective classes or sections.
- 2) All Senators shall serve on at least one SBA committee.
- 3) All SBA representatives are responsible for providing copies of all correspondence, incoming or outgoing, relevant to the SBA to the Communications Director.

#### **J) Executive Board**

The Executive Board shall:

- 1) consist of the SBA President, Vice President, Finance Director, Community Affairs Director, and Communications Director.

- 2) promote and maintain a productive rapport within the SBA.
- 3) have the power to meet, discuss, and take appropriate action to represent the best interests of the Student Body if they are unable to reach a quorum in a special meeting.
  - a) Any and all such action shall be reported at the next meeting at which a quorum is reached and be subject to ratification by a majority of the General Board.
- 4) meet twice each month and shall pass decisions in meetings by a simple majority vote at said meetings.
- 5) have the authority as specified in the SBA Policy Manual to establish SBA standing committees and select membership of these standing committees.
- 6) appoint representatives to other college, university, and public committees, commissions and similar bodies on behalf of the student body subject to the advice and consent of a majority of the General Board.
- 7) make financial decisions outside of approved budget allocations.
  - a) Such decisions must be ratified by a majority of the General Board.
- 8) appoint at the end of the academic year preceding the academic year for which the Executive Board will serve, a 2L or 3L student in good standing to serve as American Bar Association Law Student Division Representative, Council of Graduate Students Representative, Council of Graduate Students Executive Board Liaison, and all other special representatives as are necessary, to be approved by the General Board.
- 9) establish office hour policies for itself and the General Board. This policy will be retained in the SBA Policy Manual.

#### **K) Duties of Executive Positions**

- 1) President
  - a) In addition to powers as enumerated in this Constitution and the SBA Policy Manual, the President shall have all powers necessary to maintain the efficiency and efficacy of the SBA, including the ability to redistribute and assign tasks to all committees and officers of the SBA. Any such decision may be overruled by a two-thirds majority of the General Board.
  - b) The President shall serve as Chairperson of all meetings of the General Board.
- 2) Vice President
  - a) The Vice President shall have the power to execute all presidential duties in the absence of the president
  - b) Shall maintain attendance records for all members of the SBA
  - c) The Vice President shall act as the Parliamentarian of all meetings of the General

Board. Should the Vice President be required to serve as Chairperson, the Vice President shall appoint a Parliamentarian to serve.

- 3) Finance Director
  - a) The Finance Director shall generally facilitate and oversee all committees and activities involving finances, fundraising, and oversight of the various student organizations within the SBA and the College of Law.
- 4) Community Affairs Director
  - a) The Community Affairs Director shall facilitate the planning of and generally oversee all SBA committees, except the Finance Committee.
  - b) Shall appraise the SBA on any relevant matters pertaining to community service, diversity, and social events that affect College of Law students.
- 5) Communications Director
  - a) The Communications Director shall take and maintain detailed minutes at all meetings of the Executive and General Boards.
  - b) Shall be responsible for the maintenance and oversight of the SBA's TWEN site and website.
  - c) Shall be responsible for all marketing and promotion of the SBA, events coordinated by the SBA, and all other marketing projects as assigned by the Executive Board.
  - d) Shall implement the SBA's informal newsletter on at least a monthly basis.
  - e) Shall serve as the Election Coordinator for the annual SBA elections along with any special elections held throughout the Communication Director's term in office.
  - f) Shall retain a copy of all communications relevant to the SBA.

#### **L) Table Time Hours**

- 1) Voting
  - a) The Community Affairs director shall make a recommendation for a table time hours requirement.
  - b) The recommendation shall be introduced at the first meeting of the semester.
  - c) Voting and approval of the table time hours requirement must be done at the following scheduled meeting.
  - d) The table time hours requirement shall be ratified by a 3/4 majority vote of voting SBA members if there is a recommendation to increase.
  - e) The table time hours recommendation shall be ratified by a simple majority vote of voting SBA members if there is no change or a decrease in the table time hours requirement.
- 2) Accountability
  - a) If a SBA member fails to meet the minimum table time hours requirement, each missed table time hour will count toward a half (1/2) of an absence.

### 3) Proportionality

- a) Determining absences accrued from missed table times hours shall be calculated at the termination of each semester by the following method:
  - i. The sum of table time hour opportunities shall be determined by the total amount of viable sign up spots that are posted in writing and available for any one (1) SBA member to participate.
  - ii. The minimum table time hours requirement promulgated at the beginning of the academic semester is multiplied by the amount of SBA members for that academic semester.
  - iii. The sum of (i) shall be divided by the product of (ii).
  - iv. The quotient of (iii) shall be multiplied by the minimum amount of table time hours promulgated at the beginning of the academic semester.
  - v. If the product of (iv) does not exceed the minimum table time hour requirement promulgated at the beginning of the academic semester, it shall be rounded to the nearest whole number and become the minimum table time hours requirement for that academic semester.

### 4) Re-Assessment

- a) After the midpoint of each academic semester, the Executive Board shall make an assessment of the table time requirement.
- b) Upon review, the Executive Board may decrease the table time hour requirement promulgated at the beginning of the academic semester.
- c) The Executive Board's assessment must be announced at the first regularly scheduled meeting that occurs after the midpoint of an academic semester.
- d) The controlling table time hour requirement shall be the figure arrived at from Article III (L)(3), unless the Executive Board determines the table time hour requirement should be lower.

## ARTICLE IV: ELECTIONS AND QUALIFICATIONS

### A) Qualifications

- 4) To be placed on a ballot, a candidate for an At-Large Representative shall:
  - a) Be an enrolled **MSU** College of Law Student currently in good standing and;
  - b) Have twenty (20) total signatures from fellow MSU College of Law students.
  - c) If a candidate has previously served as a member on SBA, he or she shall submit the following as part of his or her application:
    - i) (i) The minimum table time hours requirement for the most recent semester(s) from the academic year he or she previously served as a member on SBA;

- ii) (ii) The amount of table time hours he or she completed for the most recent semester(s) from the academic year he or she previously served on SBA; and
- iii) (iii) The amount of absences he or she accrued during his or her last academic semester of service.

- d) Should a negative discrepancy between the minimum table time hours requirement and the table time hours completed be greater than the maximum amount of absences permitted, the candidate's application shall be considered incomplete.
- e) Subsection (d) shall only apply if the candidate exceeded his or her allotted absences during the most recent semester(s) he or she served on SBA.

5) To be placed on a ballot, a candidate for a Section/Class Representative shall:

- a) Be an enrolled **MSU** College of Law Student currently in good standing and;
- b) Have twenty (20) total signatures coming from his or her respective class.
- c) If a candidate has previously served as a member on SBA, he or she shall submit the following as part of his or her application:
  - i) (i) The minimum table time hours requirement from the most recent semester(s) from the academic year he or she previously served as a member on SBA;
  - ii) The amount of table time hours he or she completed for the most recent semester(s) from the academic year he or she served on SBA; and
  - iii) The amount of absences he or she accrued during his or her last academic semester of service.
- d) Should a negative discrepancy between the minimum table time hours requirement and the table time hours completed be greater than the maximum amount of absences permitted, the candidate's application shall be considered incomplete.
- e) Subsection (d) shall only apply if the candidate exceeded his or her allotted absences during the most recent semester(s) he or she served on SBA.

6) A candidate may run for both At-Large Representative and Class Representative provided he/she meets the signature requirements in Article IV, §A(2). If a candidate wins a Class Representative seat, his/her name will be removed from consideration of the At-Large position.

7) A candidate for any of the Executive Board positions shall:

- a) Be a current, or former, representative in good standing of the SBA.
- b) Be nominated and seconded by SBA Senators.
- c) Have at least one full term of office remaining at the time of the election.

**B) Selection Process:**

- a) Post Speech Deliberation
  - i. Upon completion of a candidate's five (5) minutes to deliver a presentation for his or her candidacy, the Senators, in the absence of all candidates running for

an Executive Board position in current deliberation, shall collectively have, for each Executive Board Position deliberated, **an equivalent of one (1) minute per present voting SBA Member, plus five (5) minutes.**

- ii. Unused time for a particular Deliberation round may not be transferred to remaining Deliberation rounds for other Executive Board decisions.
- iii. Each Senator deliberating a particular Executive Board position shall be permitted no more than one (1) minute to speak for each Executive Board position deliberation round.
- iv. If any Senator chooses to speak less than the one (1) minute allotted for any particular Deliberation Round, he or she may not use his or her remaining time in any Deliberation Round.
- v. If a particular Deliberation Round is completed with more than five (5) minutes remaining in the time allotted per Section (a)(i), any Senator may speak for up to one (1) minute as a continuance of the Deliberation Round; however, no continuance may exceed the time allotted in Section (a)(i).
- vi. In the event that no candidate receives a majority vote, the aforementioned further “discussion round” in Article IV (B)(1)(c)(ii) shall be subject to the procedure for “Post Speech Deliberation.”
- vii. Post Speech Deliberation shall adhere to Robert’s Rules of Order.

### **C) Procedures**

#### 1) Nomination Process:

- a) All candidates running for an Executive Board Position shall be nominated during the Nomination Process.
- b) The Nomination Process shall begin at the conclusion of the first General Board meeting that occurs in the Second Semester and shall conclude forty-eight (48) hours prior to when Elections begin.
- c) At the General Board meeting that precedes Election Day, the Executive Board shall present all current nominees to the General Board prior to the conclusion of the Nomination Process.
- d) Upon receipt of a nomination and its second for any Executive Board position during the Nomination Process, a Senator may run for other positions on the Executive Board during Elections if he or she does not obtain a majority vote for the Executive Board position for which he or she was originally nominated; however, such a Senator must be nominated and seconded upon pursuit of subsequent Executive Board Positions.
- e) SBA Members may nominate no more than one (1) Senator for each position on the Executive Board during the Nomination Process.
- f) In the event any Executive Board Position has a candidate running unopposed at the conclusion of the Nomination Process, the provisions articulated in the ‘Nomination Process’ shall not apply for such a position.

#### 2) The President, Vice President, Finance Director, Community Affairs Director, and Communications Director:

- a) Shall be elected at a meeting held in February, the date of which shall be selected

- by the current Executive Board.
- b) Shall be elected by a majority of current SBA members present at this meeting,
    - i. Majority shall be defined as greater than 50% of all present voting members.
  - c) If more than two candidates run and none of the candidates receive a majority, then one-half of the candidates (rounded down) with the fewest votes shall be eliminated, and an additional election held with the remaining candidates.
    - i. In the event that only two candidates remain and there is a tie, the chair of the election meeting shall break the tie-vote.
    - ii. A new discussion round must occur between each round of voting, whether or not there are only two candidates, to allow for further discussion. The allowed speaking time, however, may be shortened.
  - d) Shall be elected in the following order: President, Vice President, Finance Director, Community Affairs Director, and Communications Director.
- 3) Committee Chairs
- a) Qualifications
    - i. An Executive Board member is not eligible to serve or apply for Chairship of any standing Committee.
    - ii. Only current SBA members, or those who have previously served a minimum of one semester on the SBA, are eligible to apply for the following year's Committee Chair positions.
  - b) Application Process
    - i. Each candidate must submit a Statement of Interest and take part in an interview.
    - ii. The newly elected Executive Board within thirty (30) days from its election shall submit its recommendations to the General Board for the Chairperson of the Standing Committees.
      - 1. Within fifteen (15) days, the Executive Board shall set forth the structure of the Standing Committees for the next year and release applications for Chairpersons of those Standing Committees.
      - 2. The period for submitting applications shall be at least seven (7) days.
      - 3. The Executive Board shall give reasonable notice to those qualified to be Chairpersons at the beginning of the application process.
  - c) Selection Process
    - i. The recommended Chairpersons shall be presented at the General Board meeting following the application process and confirmed by the General Board with a majority up/down vote.
      - 1. If the recommended chairs are not confirmed in the up/down vote, then the General Board will vote on the individual chair selections, requiring a majority vote.
      - 2. If a recommended Chairperson is NOT confirmed by either vote, then the Communications Director will solicit nominations for an election to occur immediately following the nomination period. The period to solicit nominations shall not be less than seven (7) days.

3. At the General Board Meeting immediately following the end of the nomination period, an election will occur for any persons nominated for a vacant Committee Chair position that were not confirmed in accordance with Article IV, Section B(2)(c). The election guidelines will follow those in accordance with Article IV, Section B(1)(b)-(c)
  4. From the point they are confirmed to the close of the spring semester, the incoming Chairperson will shadow and assist all official duties of the outgoing chair.
- d) Vacancies
- i. If a Committee Chair cannot complete their duties, the Community Affairs Director shall assume the responsibilities of the Committee Chair until the next meeting of that Committee.
  - ii. At the next meeting of that Committee, the Community Affairs Director shall serve as the Chairperson until a new Chairperson is elected by a majority vote.
  - iii. Eligible candidates for a new Chairperson shall be current members of the Committee.
  - iv. The Executive Board shall make a recommendation to the General Board regarding the candidate to fill the vacancy.
  - v. The General Board will confirm or deny that Executive Board's recommended candidate.
  - vi. The Chairperson shall serve until the completion of that term.
- 4) At-Large & Class Representative Elections
- a) The SBA Executive Board with the assistance of the Committee Chairs shall, in consultation with the faculty/staff advisor, conduct the At-Large and Class Representative Elections.
  - b) Candidates for At-Large and Class Representatives may solicit the signatures required by Section A of this Article during the first two full weeks of school in the fall semester.
    - i. These signatures shall be submitted to the Communications Director by 5:00pm on the Friday of second full week in the fall semester.
  - c) Elections shall be held during the third full week of school in the fall semester.
    - i. Elections shall be held from 10:00am until 5:00pm Monday through Thursday of said election week.
    - ii. The results of the election shall be tabulated and announced by Friday 5:00pm of said election week.
  - d) One Representative shall be elected from each section of the following constituency:
    - i. First Year Class.
  - e) Three (3) Representatives shall be elected from each of the following constituencies:
    - i. Second Year Class; and
    - ii. Third Year Class.
  - f) One (1) Representative shall be elected from the following constituency:
    - i. LLM Program.

- g) The remaining positions shall be comprised of At-Large Representatives elected by the College of Law student body.
- h) Vacancies
  - i. If there is a vacancy for an At-Large or Class Representative position, an election shall take place to fill said vacancy.
  - ii. No individual election may last longer than one (1) week.
  - iii. All applicants must complete the election materials as instructed by the Communications Director to be considered for appointment.
  - iv. The Communications Director shall facilitate the election process to fill a vacancy and will present all valid and successful candidates to the Executive Board for further consideration.
  - v. Upon the Executive Board's recommendation, each applicant shall have the opportunity to present themselves for no more than (5) minutes to the General Board for its deliberation and approval.
  - vi. The General Board's deliberation process shall adhere to the procedure as outlined in Article IV (B)(2).
  - vii. Upon a majority vote from the General Board, successful candidates may fill any vacancy contemplated in Article (B)(4)(h).
  - viii. If the General Board cannot agree to fill a vacancy upon a majority vote, said vacancy shall be determined by an Executive Board majority.
  - ix. Successful candidates will commence service on the General Board immediately upon being elected and accepting the position herein.

#### 4) Miscellaneous Procedures

- a) There shall be absentee ballots available in the Registrar's Office for those students who are not able to vote during regularly scheduled elections.
- b) The Election Coordinator(s) shall bring any discrepancies or problems with elections or election procedures before the Faculty Advisor.

### **ARTICLE V: IMPEACHMENT, REMOVAL, RECALL, AND SUCCESSION**

#### **A) Impeachment and Removal of Executive Officers**

- 1) 1 Any Executive Officer may have impeachment and removal proceedings initiated against them by any Senator on the grounds of misfeasance, malfeasance, nonfeasance, or any other just cause. This motion must be seconded.
- 2) The Senator making the motion shall present to the entire SBA, in the new business submission prior to the next regularly scheduled meeting, a Bill of Particulars specifically enumerating the grounds for impeachment.
- 3) Once the topic of Impeachment is introduced at a regularly scheduled meeting under new business, the Impeachment Process will be considered to have been initiated.

- 4) The moving Senator shall have as many minutes to present a Bill of Particulars as there are Senators that make a majority of Senators present at the meeting the Impeachment Process is initiated, so long as there is a quorum.
- 5) The responding Senator is subject to the same time requirements and has a choice of which meeting to respond.
- 6) Removal from office shall require an additional two-thirds majority vote of Senators upon the conclusion of the proceedings enumerated under Article V of this Constitution. The vote will be conducted in an anonymous manner with the same supervision as noted in Article V (A)(3).
- 7) The vote for impeachment may not occur the same meeting Bill of Particulars is introduced.
- 8) A single Impeachment Process may not occur longer than the course of two regularly scheduled meetings and may only occur during regularly scheduled meetings.
- 9) Each SBA member may initiate no more than two (2) Impeachment Processes per “Academic Year,” as defined in the Constitution, and no SBA Senator may be subject to more than one (1) Impeachment Process per “Academic Year.”

#### **B) Removal of SBA Senators**

- 1) An SBA Senator may be removed for misfeasance, malfeasance, or nonfeasance upon a vote of three-fourths of the SBA.
- 2) No such vote shall be taken until the Senator shall have been informed of the charges made against him/her and given a full, fair, and open hearing.
- 3) Reinstatement requires approval of three-fourths of the General Board.

#### **C) Recall of Elected Officials**

All Elected Officials will be subject to recall under the following procedure:

- 1) Filing of a petition with signatures equaling one-fourth of the persons represented by the Elected Official.
- 2) The petition shall contain a Bill of Particulars stating grounds for recall. The petition shall be filed with the Vice President.
- 3) A special recall election shall be held within two weeks of the filing of such petition.

- 4) A majority vote of the official's constituents is required for removal of any Elected Official.
- 5) If the recall is successful, the Executive Board shall fill the vacancy governed by the established procedures in Article III of this Constitution.

#### **D) Succession**

- 1) In the event that a vacancy is created in the office of the President, whether by removal or resignation, the Vice President shall assume the office of President and a special election shall be held to fill the Vice Presidency. If the Vice President declines to accept the position of President, a special election shall be held.
- 2) In the event that a vacancy is created in the Executive Board, for an office other than that of the President, except as provided in Section D (1) of this Article, whether by removal or resignation, the vacancy shall be filled via a special election.
- 3) Special elections shall follow the procedure outlined in Article IV of this Constitution, except that the date of the election shall occur at the next meeting of the General Board.

### **ARTICLE VI: FISCAL MATTERS**

#### **A) Budget**

- 1) The SBA shall adopt a balanced budget every academic year upon approval of a two-thirds-majority of the SBA.
  - a) This budget shall be submitted every academic year by the Finance Director.
  - b) This budget shall be submitted in writing to the SBA General Board.
- 2) The SBA shall either approve or disapprove the entire budget.
  - a) Approval: Upon approval by a simple majority of the SBA the budget shall be binding and in full effect.
  - b) Disapproval: Upon disapproval by a two-thirds majority of the SBA the budget shall then be voted on line-by-line by a simple majority of the seated members of the SBA actually elected.

#### **B) Authorization Resolution**

- 1) No person shall be authorized to incur any obligation or enter into any contract on behalf of the SBA without the prior authorization of the Finance Director. Every such resolution shall specify:
  - a) the name of the vendor,
  - b) the purpose of the undertaking,
  - c) the account to which the disbursement, when made, will be charged,
  - d) the name of the officer or agent of the SBA empowered to act on its behalf, and

- e) the amount of the obligation authorized, if known, or if unknown, the maximum amount authorized, and the unit price, hourly rate or other measure of computation to be used.
- f) For obligations and/or contracts above the amount of \$2,000, the approval of the President is also required.

#### **ARTICLE VII: SBA POLICY MANUAL**

- 1) All documents (standing rules, finance operating procedures, and any other policies or procedures) created under authority of this Constitution shall be collected in the SBA Policy Manual.
- 2) This manual will be maintained in the SBA office and available electronically via TWEN and/or the SBA website.
- 3) The Vice President and the Communications Director shall jointly maintain the Policy Manual and ensure that it is current and up-to-date.
- 4) Any amendment to the Policy Manual shall be implemented upon the approval of a majority of the representatives at an SBA General Board Meeting.

#### **ARTICLE VIII: SBA CONSTITUTION: AMENDMENT PROCEDURES**

##### **A) Process**

- 1) The procedure for submitting amendments before the SBA shall be established by standing rule.
- 2) A Resolution amending this Constitution shall be introduced at a regularly scheduled meeting and shall not be acted upon until the next regularly scheduled meeting.
- 3) Any amendment, properly submitted to the SBA, shall be approved upon an affirmative vote of two-thirds of the elected body at any SBA meeting.
- 4) Any textual or editorial changes to an article of this Constitution that does not alter the substantive meaning of the article may be made by the Vice President, subject to the approval of the Executive Board.

#### **ARTICLE IX: HONOR CODE, DISCRIMINATION, AND SEXUAL HARRASSMENT POLICY**

##### **A) Honor Code Policy**

- 1) The SBA fully supports the application of the College of Law Student Honor Code. Any process or procedure set forth in this Constitution shall also be subject to the provisions of the Honor Code.

**B) Discrimination Policy**

- 1) The SBA condemns discrimination and will not discriminate on the basis of age, color, gender, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight, and will tolerate none by any student, officer, or group. The SBA fully supports the application of the College of Law Discrimination Policy.

**C) Sexual Harassment Policy**

- 1) The SBA condemns and will not tolerate sexual harassment of students, faculty, and staff. The SBA fully supports the application of the College of Law Sexual Harassment Policy.