
From: SBA@students.law.uconn.edu [SBA@students.law.uconn.edu]
Sent: Monday, February 14, 2011 8:03 AM
To: Students@students.law.uconn.edu
Cc: SOTS LEAD
Subject: Meeting TOMORROW & Please Review SBA Constitutional Amendments

**SBA Meeting TOMORROW, Tues,
2/15, 9:30pm, Library 202
AND
*Please Review SBA
Constitutional Amendments
(see below) ***

Agenda:

- Public Comment
- Administrative Items (approval of minutes, etc.)
- E-Board Updates
- Discussion on Budget Committee Proposal for Spring 2011
- Preview for Next Meeting

Dear Students,

The SBA continually strives to serve the student body and the [SBA Constitution](#), was created to guide us in this process. In reviewing it, however, the Constitution and Bylaws Committee has found that our Constitution is in severe need of substantial changes and updates to help the SBA better serve the student body.

We have set an ambitious plan to review and amend the SBA Constitution, which has not been amended since the spring of 2008. At the last meeting of the Fall semester, the SBA adopted a constitutional resolution determining that in order to properly amend the SBA Constitution would require a majority vote by the SBA Board.

However, **the Constitution and Bylaws Committee needs YOUR input**. Kindly find attached the proposed amendments to the SBA Constitution. As the document that governs the umbrella organization for over forty student organizations as well as the entire student body, the SBA needs your help.

Kindly find attached a working copy of the Constitution that has passed through the Committee (but has yet to be reviewed by the entire SBA). **PLEASE review the proposed changes in the attached document and send any questions, comments, or other feedback to [Marco Allocca](#), Chair of the Constitution and ByLaws Committee, by Sunday, 2/27 by 11:59pm.** If you have any questions, comments, or concerns, please contact Marco or [your class representative](#).

We hope to bring the changes at an SBA meeting for discussion (Mon, 2/28, 9:30pm (Lib 202)). Like every SBA General Body meeting, this meeting is open to the entire student body, and there will be a public comment section to the meeting for students to express their concerns or questions.

Thank you for your time and consideration.

CONSTITUTION OF THE STUDENT BAR ASSOCIATION

PREAMBLE

We, the students of The University of Connecticut School of Law, do hereby establish the Student Bar Association and its governing Board, whose purposes shall include:

1. The promotion of such activities as may be of interest to the student body;
2. The promotion of cordial and effective relations among students, faculty, and administration of the Law School, and with the University at large, other law schools and the community; and
3. The expression and representation of student opinion on matters pertaining to the law, to the Law School and to the Student Bar Association.

ARTICLE 1 - MEMBERSHIP

Section 1: Every student enrolled in the University of Connecticut School of Law shall be a member (MEMBER) of the Student Bar Association.

Section 2: Every member elected to a class representative position shall be a representative (REPRESENTATIVE) of the Board of the Student Bar Association.

Section 3: Every member elected to an Executive Board position shall be an Officer (OFFICER) of the Board of the Student Bar Association.

Section 4: Every Member elected or appointed to an Executive Board position shall be a Cabinet Member (CABINET MEMBER) of the Board of the Student Bar Association.

Section 5: The total of Cabinet Members and Representatives shall comprise the Board (BOARD) of the Student Bar Association.

Section 6: The total of enrolled students at the University of Connecticut School of Law shall comprise the Association (ASSOCIATION).

ARTICLE II - BOARD

Section 1: The activities of the Association shall be directed by the Board, which shall exercise all powers not otherwise provided for, or not denied it by this Constitution. The Board shall consist of three Officers (referred to as the Executive Board), four Representatives elected from each of the three (3) Day Division classes, six Representatives from the Evening Division, one Representative from the Master of Laws (L.L.M.) Program, one Parliamentarian, one Chief Financial Officer, and one Representative of the American Bar Association (ABA Representative)

Section 2(a): The Officers and Cabinet Members of the Executive Board shall be, in order of succession: President, Vice-President, Secretary, Chief Financial Officer, Parliamentarian, and

Comment [SBA1]: Thoughts on changing this to Vice-President of Administration? What would we name the other VP/Social Chair?

ABA Representative. With the exception of the Chief Financial Officer and the Parliamentarian, the Cabinet Members shall be elected in accordance with the procedures established in Article II, Sections 5 and 6. The Chief Financial Officer and Parliamentarian shall be appointed by the President and approved by a majority vote of the newly elected Representatives of the Board at the first meeting following the election of the Officers. Graduating Third Year Day Division Representatives and Fourth Year Evening Division Representatives, and the L.L.M. Representative may not participate in this vote the semester of their graduation. In matters of business of the Board, each Executive Board Member and Representative has voting authority; the Parliamentarian, ABA Representative, and Chief Financial Officer act in an ex-officio capacity with respect to voting.

(b) The members of each Day Division Class shall elect four (4) Board Representatives to represent their class. Day Division Members in the Four-Year Program will vote with their entering class until their third year, when they will vote with the Second Year Class. First Year Evening Division Board Representatives shall be elected from the First Year Evening Members. Upperclass Evening Division Board Representatives shall be elected from the Evening Division Members at large. L.L.M. Board Representatives shall be elected from the L.L.M. Program Members at large from all of the L.L.M. programs.

Section 3: The Election Committee shall establish and oversee the nomination and election processes. The Secretary shall serve as the Chair of the Election Committee. If the Secretary's Chair position creates a conflict of interest, the Secretary is required to delegate the position to a non-conflicted member of the Election Committee. The Election Committee shall establish a nomination period of not less than five (5) school days and will publicize this in accordance with general election procedures to the student body. All Members are eligible for election to the Board provided they are students in good standing with the law school and have been formally nominated to the Board in the form and manner prescribed by the Election Committee.

Section 4(a): Members may be nominated for both an Officer and a Representative position, but may not be nominated for more than one of either. The nomination shall require a printed name and the signature of the candidate in writing. The nominee must provide the following information in the form and manner prescribed by the Election Committee: candidate's name, year of graduation, position sought, and a description of the Member's reasons for seeking such position. The nomination shall also include the nominee's signature, which shall indicate the nominee's acceptance of the nomination.

(b) A nominee nominated for more than one (1) position on the Executive Board, may not become a candidate for more than one position. Any nominee who is nominated for more than one (1) position may correct such error before the close of the nomination period. The only exception to this rule shall be if the nominee is the only Member nominated for a position. In such case, the nominee will become a candidate for all other Executive positions. Should a candidate be elected to multiple positions, such candidate must choose only one (1) position to hold on the Board. Vacancies must be filled in accordance with Article II Section 9. Once the nomination period is closed, no corrections will be allowed without a showing of just cause before the Election Committee. The decision of the Election Committee shall be final.

Section 5(a): Each election shall be posted by secret ballot. The formal ballots shall be distributed to Members by the Election Committee in the form and manner assigned by the Election Committee. Each Member shall have one vote for each available position for which that voter is eligible to vote. The winner shall be determined by a simple plurality. No absentee ballots shall be allowed. In case of a tie for any position, a runoff election shall be held no later than the following week to decide only those positions with tie votes. In the event that the runoff election results in a tie, the Board shall decide the election with a majority vote.

(b) Only candidates who received the greatest equal number of votes are eligible to participate in the runoff election. If such a runoff election is held, any succeeding election provided for in this Constitution shall automatically be delayed one week.

Section 6: The President, Vice-President, and Secretary of the Executive Board and the ABA Representative shall be elected by Members at large the week before the Fourth Meeting of the Spring Semester each year, in accordance with the provisions governing elections embodied in Article II, Section 3, 4 and 5. Graduating Third Year Day Division Members, Fourth Year Day and Evening Division Members, and L.L.M. Members shall not be eligible to vote in such election. The Chief Financial Officer and Parliamentarian shall be appointed by the President and approved by a majority of the Representatives and Officers of the newly elected Board at the first meeting following the election of the Representatives in accordance with the provisions of Article II, Section 2.

Section 7(a): The First Day Division, Second Year Day Division, and Upperclass Evening Division shall elect their Class Representatives for the following academic year the week following the election of President, Vice-President, and Secretary, in accordance with the procedures set forth in Article II, Section 3, 4 and 5 of this Constitution. Graduating Third Year Day Division Members, Fourth Year Day and Evening Division Members, and L.L.M. Members shall not be eligible to vote in such election.

(b) Each Day Division Class may elect four (4) Members from their class to serve as Representatives for that class. The entire rising Second Year Evening and Upperclass Evening Division shall be considered as one (1) class for purposes of this section and may elect four (4) members from their class to serve as SBA Representative for that class.

(c) Incoming First Year Day, First Year Evening Division Representatives, and the L.L.M. Representative shall be elected during the Fall Semester, no more than six (6) weeks after commencement of classes. The First Year Day Division may elect four (4) Representatives. The First Year Evening Division may elect two (2) Representatives. The L.L.M. Program may elect (1) Representative to represent the entire L.L.M. Division (including multiple L.L.M. programs). The Election Committee will administer these elections in accordance with Article II.

(d) Members seeking election to the Board must be enrolled to attend classes at the School of Law's Hartford campus for two full semesters during the term for which they seek to serve on the Board. Members who will be absent from the Hartford campus for one or more semesters during the term for which elections are being held will not be eligible to campaign in said

elections or run for positions in said elections. Such Members, however, are eligible to vote in said elections.

Section 8(a): The President, Vice President, Secretary, ABA Representative, and Parliamentarian of the Board shall serve for a term beginning after the third meeting or one month, whichever occurs first, following their election, and ending at the same time the following year. The Chief Financial Officer's term shall begin on the first day of the next fiscal year following the election, described in Article II, Section 6, and end on the last day of that fiscal year. Outgoing Officers will aid new Officers with the transition. Representatives, except for graduating Third Year Day Representatives, Fourth Year Evening Representatives, the L.L.M. Representative shall serve for a term extending from the meeting following their election until they are replaced by new Representatives at the meeting following their election. Graduating Third Year Day Representatives, Fourth Year Evening Representatives, and the L.L.M. Representative shall serve a term of office from their election until their anticipated graduation date. If a Graduating Third Year Day Representative, Fourth Year Evening Representative, or L.L.M. Representative does not graduate with their class, the term of office will not carry over to the following academic year.

(b) Terms of office for First Year Representatives shall extend from the first meeting following their election until they are replaced by new Representatives at the meeting following the election of Upperclass Representatives for the following academic year, and such offices shall remain vacant until a new election is held during the following Fall Semester as provided in Article II, Section 7.

Section 9(a): Vacancies in the Board arising from resignation, removal, failure to elect the allotted number of representatives, inability to complete a term of office, or any other reason, may be filled by a majority vote of the Board members present and voting at a regularly scheduled meeting from a list of nominees submitted by an election Search Committee formed for that purpose. Notice of the vacancy shall be posted at least one week prior to such vote and shall provide for nominations to be submitted in the same manner as for general elections. The Election Search Committee shall by default be the Election Committee unless the President chooses to appoint a separate three (3) person ad hoc committee comprised of sitting SBA Representatives.

(b) A vacant Class Representative position may be filled only by a member of the class from which the vacancy arose (i.e., a Second Year Day Division Representative position may be filled only by another Second Year Day Division student). Evening Division Members may, following the election for First Year Evening Division students, fill an Evening Division vacancy for the remainder of the term. If a current Class Representative is elected to an Executive Board position, a new election will be held to fill the newly vacated position, following election procedures as outlined in this Section.

(c) An Executive Officer position vacancy may only be filled by a member of the Second or Third Year Day Division, or Second, Third, or Fourth Year Evening Division class. In the event that twenty-five percent (25%) or more of the representative seats of the Student Bar Association become vacant with six weeks or more remaining in their terms, a special election

will be held to fill the vacant seats. With a majority vote of its sitting representatives, the Student Bar Association can opt to have a special election if there are fewer than six weeks remaining or fewer than twenty-five percent (25%) of the seats vacant.

Section 10: Representatives that transfer to another division shall continue to represent and report to the division that elected them.

ARTICLE III: OFFICERS

Section 1: The President of the Board shall be the Chief Executive Officer of the Association. The President shall preside at all meetings of the Association and of the Board, shall be an ex-officio member of all committees, shall exercise general direction of the business of the Association, subject to the supervision by the Board, shall see that all orders and resolutions of the Board are executed, and shall act as a voting delegate for the Law School at the American Bar Association Law Student Division. At the end of each semester, the President shall report the activities and business of the Association in an open letter addressed to the Members of the Law School community at least once in the fall and spring semesters.

Section 2: The Vice-President shall, in the absence of the President, discharge the duties and exercise the powers of the President. The Vice- President shall also serve as the Chairperson of the Social Committee. The Vice-President may choose to delegate the position of Social Committee Chairperson to any current member of the Board, upon approval by a majority of the Board. Such delegation of authority resulting in the establishment of a separate Chairperson for the Social Committee shall result in the Chairperson receiving the title of Cabinet Member as defined in Article I, Section 4.

Section 3: The Secretary shall be responsible for noticing, recording and posting the minutes of all meetings, the maintenance of Association and Board records, providing notice to the State of all meetings, making reservations for SBA and student spaces on campus, and coordinating general correspondence to the Association (including, but not limited to, information about SBA and Committee meetings). Additional duties include maintenance of the SBA Offices and acting as the Election Committee Chairperson, in the absence of a conflict of interest. The latter position may also be delegated to any member of the Board upon approval by a majority of the members of the Board.

ARTICLE IV: CABINET MEMBERS

Section 1: The Chief Financial Officer shall be the Chief Financial Officer of the Association and Chairperson of the Budget Committee. The latter position may be delegated to any member of the Board upon approval by a majority of the members of the Budget Committee. The Chief Financial Officer shall also be responsible for the financial records and accounts of the Association, shall render financial statements to the Board when required, and shall exercise general financial supervision over all committees appointed by or operating under the direction of the Board.

With the approval of either the Dean or Associate Dean for Finance and Administration the Chief Financial Officer shall be authorized to issue a check for any amount up to \$500.00 for any purpose without the prior approval of the Officers or Representatives of the Board. However, such allocation may be subject to a Presidential veto and affirmed by a two-thirds (2/3) vote by the board.

Section 2: The Parliamentarian shall act as the Speaker of the Association and Chairperson of the Constitution and ByLaws Committee. The latter position may be delegated to any member of the Board upon approval by a majority of the members of the Constitution and ByLaws Committee. The Parliamentarian shall be responsible for interpreting and applying the SBA Constitution. The Parliamentarian shall ensure that the Board adhere's to Robert's Rules of Order.

Section 3: The ABA Representative serves as 1 of the school's 2 official voting delegates to the ABA Law Student Division Assembly, advocates on behalf of the Law School within the ABA, and serves as the Law School's point person to the ABA Law Student Division. The ABA Representative shall encourage student ABA membership to actively recruit and enroll new members.

ARTICLE V: REPRESENTATIVES

Section 5: The Representatives of the First Year Day, Second Year Day, Third Year Day, Upperclass Evening, and L.L.M. Classes shall serve as the representatives of their classes under the Board.

ARTICLE VI: FINANCES

Section 1: The Board shall be authorized to appropriate and make expenditures necessary for the conduct of any activity consistent with the purpose of the Association.

Section 2: There shall be rendered a Chief Financial Officer's report of the finances of the Association at the first meeting of each semester, and the contents of such report shall be posted publicly via hard copy and in any other manner to promote ease of access by the Association.

Section 3: There shall be prepared and posted by the Chief Financial Officer a statement of all financial affairs of the Association once during the months of September and January, and within ten (10) days after the end of the term of office.

Section 4: Ten (10) school days prior to the Board's vote on a budget, the Association must be notified of the forthcoming posting of the budget. At least five (5) school days prior to the vote, the proposed budget must be posted on the Student Bar Association bulletin board and in any other manner to promote the ease of access by the Association.

ARTICLE VII: COMMITTEES

Section 1: The President may appoint such committees and committee members to said committees as needed to promote the goals of the Association as stated in the Preamble to this

Constitution. Such committees must be chaired by a Representative, Officer, or Cabinet Member of the Board, unless the committee specifically stands as a committee of non-Board members (i.e. SBA Diversity Committee).

Section 2: The following shall be standing Committees: Budget and Finance Committee, Election Committee, Social Committee, and Constitution and ByLaws Committee.

Section 3: All committees (both Standing and Ad Hoc) must have at least three (3) members and headed by a Chairperson.

ARTICLE VI: MEETINGS

Section 1: Association meetings may be called by the President upon due notice to the Association and to the State (in accordance with state law).

Section 2: The Board shall endeavor to meet at least two (2) times a month or every other week in a convenient and designated place on the Law School campus.

Section 3: No meeting of the Board shall be officially convened nor shall any business of the Association be voted upon unless a quorum of the Board is present, which is counted and recognized by the Secretary. Meetings should be conducted with the presence of at least two Officers, one of whom must be the President or Vice-President, unless a meeting is called by Members in accordance with Section 7.

Section 4: A quorum of the Board shall be a majority of the occupied positions of the Board, which is counted and recognized by the Secretary. Vacant positions will not be counted toward the number required for quorum.

Section 5: Voting shall be by a show of hands. In the alternative, a motion may be made to conduct a vote by secret ballot.

Section 6: Each Officer AND Representative of the Board shall have one (1) vote. No proxy or absentee votes shall be accepted.

Section 7: The President or Vice-President shall, upon written petition signed by not less than thirty-five members (35) of the student body, call a meeting of either the Board or the Association, as requested, regarding any matter of importance to the Association and embodied in said petition. Said meeting shall be conducted by the Executive Board or the Board, and the original petitioner shall serve as spokesperson for the subject matter of the petition.

ARTICLE IX: REMOVAL FROM OFFICE

Section 1: Any Representative or Officer is subject to removal from office for any of the following reasons;

- (a) Failure to attend three (3) properly noticed regular meetings of the Board as a Representative, or two (2) meetings as an Officer or Cabinet Member, without written notice to the Secretary;
- (b) Failure to join and/or adequately participate in at least one (1) SBA Committee;
- (c) Violation of any Article of this Constitution;
- (d) Failure to properly represent one's constituency;
- (e) Any Academic misconduct;
- (f) Making false, disingenuous, or malicious representation/presentation to the Board and/or Association;
- (g) Failure to adhere to or fulfill any positional requirement;
- (h) Any reasonable circumstance presented by the moving party and approved by the Constitution and ByLaws Committee.

Section 2: To initiate proceedings to remove an Officer or Representative, the moving party must submit a statement no more than one thousand (1,000) words describing the reason for said removal, signed by at least twenty-five (25) members to the Chairperson of the Constitution and ByLaws Committee. If the subject of said removal is the Chairperson of the Constitution and ByLaws Committee, then such submission shall be to the President. If said submission has been endorsed by at least twenty-five (25) members, the Constitution and ByLaws Committee must hold impeachment proceedings regarding the complaint.

Section 3: Upon the submission of the written statement, the Constitution and ByLaws Committee must place the complaint in a public forum on campus in order to inform the Association of such proceedings. The complaint must be posted at least five (5) days prior to the impeachment proceedings.

Section 4: The Constitution and ByLaws Committee may choose (with approval by the President) to hold the impeachment proceedings during a scheduled Board Meeting or may choose to initiate proceedings upon their own accord. In any event, the impeachment hearing may not occur more than three (3) weeks after the initial submission of the impeachment.

Section 5: The Parliamentarian shall act as the Chief Justice in any impeachment process. The impeachment panel shall consist of the Parliamentarian, one Representative of the Board assigned by the President, and one Representative of the Board requested by the party being impeached. The panel shall be the only Members allowed to question the impeached party.

Section 6: The party being impeached has the right to have any Member of the Association testify on their behalf and has a right to be heard. The party being impeached has the right to confront the drafter of the complaint them.

Section 7: Following the impeachment hearing, the panel shall put forth a formal recommendation to the Board prior to their vote. Such recommendation shall include the panel's suggestion as to how the Board should vote and the justification for their stance.

Section 8: The final decision to remove an Officer or Representative from office must be made by a two-thirds (2/3) vote by the Board. Such vote requires quorum.

Section 9: Any vacancies resulting from the above proceedings shall be filled pursuant to Article II, Section 9.

ARTICLE X: AMENDMENTS

Section 1: This Constitution may be amended by a vote of a majority of the voting members of the Association with due notice for that purpose, except that this Article of the Constitution may be amended by the affirmative vote of three-fourths of the total Association membership.

Section 2: A proposed amendment to this Constitution shall be posted on the Association notice board for at least one week prior to the vote on such amendment.

ARTICLE XI: BYLAWS

Section 1: Should any conflicts arise between the SBA Constitution and the ByLaws, the Constitution shall govern. The ByLaws are subservient to and dependent on the Constitution.

Comment [SBA2]: This clarifies the relationship of the Constitution to the ByLaws

Section 2: The Board may enact such ByLaws as it deems necessary and proper to promote the purposes of the Constitution.

Section 3: The Board shall approve any ByLaws by a majority vote.

Comment [SBA3]: This imposes a voting structure for the passage of ByLaws, which do not currently exist.

Section 4: Any proposed by-laws must be submitted by the Chairperson of the Constitution and ByLaws Committee. The proposed By-Laws must be submitted to the Board and posted in a public forum at least five school days (5) days prior to the Board voting upon them.

Section 5: Any passed ByLaws are binding upon the Association so long as they do not conflict with the SBA Constitution.

