

**BY-LAWS OF THE  
STUDENT BAR ASSOCIATION**

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**SECTION I**

*Introduction*

- 1.1** In accordance with Article IX of the Constitution of the Student Bar Association (S.B.A.), the council functions under the guidelines and rules of this Code of Operation (Code).
- 1.2** The purpose of the Code is to provide a workable expansion of the S.B.A. Constitution up-to-date with the current activities of the council and amendable by council itself without consent of the entire student body.
- 1.3** The Code is to reflect the S.B.A.'s main purpose of representing student concerns, policy recommendations, and encouraging student involvement with Law Center decision making as outlined in the Constitution.
- 2.1** The contents of this document supersede any previous Code of Operations of the S.B.A. Any previous decisions by the Council regarding its Code of Operations shall be nullified through the ratification of this document.
- 3.1** All regulations listed herein shall be considered subordinate to any provision of the S.B.A. Constitution, which takes precedence over any other S.B.A. document.
- 3.2** A two-thirds (2/3) majority vote of the council shall determine whether a provision of the Code is in conflict with the Constitution. If such majority finds conflict to exist, it shall direct the council to eliminate the specific section of the Code.

**SECTION II**

*Officers and Representatives*

- 1.1 INTRODUCTION.** The officers of the S.B.A. shall be in their respective order of succession, the **EXECUTIVE BOARD:** President, Day Vice President, Evening Vice President, Treasurer, Secretary. **INTERNAL OFFICES:** The Finance Committee, Academic Affairs Committee, Administrative Affairs Committee, Student Activities and Student Life Committee, Communications Committee, and the American Bar Association Committee.

*Responsibilities and Description of Officer Positions*

- 2.1** The executive and administrative powers and responsibilities of the S.B.A. shall be vested in the executive board.
- 2.2** The executive board shall oversee the operation of all committees.
- 2.3** The executive board shall have the power to act for the S.B.A. when the council is not in session. Any action taken by the executive board shall be subject to *VETO* by a majority of the General Council present and voting at a duly called meeting.

**2.4 The President:** Shall be the chief executive officer of the S.B.A. and an *ex-officio* member of all council committees. He or she shall be empowered to call meetings. The President has chief responsibility for the external activities of the council including the preparation and implementation of the Annual Program and is the official S.B.A. liaison to the Administration and its staff. The President shall set and actively participate in the agenda of the standing committees and preside over full council meetings.

**2.5 The Day and Evening Vice Presidents:** Shall preside in the absence of the President. Shall be an *ex-officio* member of all council committees, and shall have chief responsibility for internal activities of the General Council. It shall be the chief responsibility of the Vice President to ensure that the council runs smoothly and the members are in good relations with each other. It shall be the responsibility of the Day and Evening Vice President along with the Secretary to keep all official S.B.A. documents current. The Day Vice President shall assume the office of President in the event a vacancy arises. The Day and Evening Vice President shall perform such other duties as the President may assign in the administration of the S.B.A.

**2.6 The Treasurer:** Shall be the chief fiscal officer of the S.B.A. The Treasurer shall be responsible and in control of all fiscal matters relating to the collection and disbursement of S.B.A. funds and shall keep clear and comprehensive records of all these transactions. The Treasurer shall prepare financial statements and present them to the Law Center community for each fiscal period as defined by Article III, Subsection D, paragraph 8 of the Constitution. The Treasurer shall present the annual budget as finally passed by the finance committee, in a conspicuous place. The Treasurer shall perform such other duties as the President may assign in the administration of the S.B.A.

**2.7 The Secretary:** Shall call the roll at the beginning of each council meeting and keep a posted record of attendance. The Secretary shall be in charge of keeping all records except those relating to fiscal matters under the purview of the treasurer. The Secretary is responsible for maintaining agendas and minutes of all General Council and executive board meetings. The Secretary shall issue, publish and post in a conspicuous place accurate minutes of the General Council meeting. The Secretary shall be in charge of the administration and execution of Student Bar Association correspondence. The Secretary shall perform such other duties as the President may assign in the administration of the S.B.A.

**2.8 The Finance Committee:** The executive board shall have the responsibility, by its third meeting, for appointing a chair and members to the Student Finance Committee (SFC). The members of the SFC shall be responsible for maintaining all records and working to coordinate both the application and disbursement processes. The chair shall be responsible for assigning groups an advocate from the finance committee. The finance committee shall direct every group interested in S.B.A. funding to apply through the grant process. Unless so designated by the By-Laws, the chair shall set the entire operating procedure of the committee.

**2.9 The Academic Affairs Committee:** The executive board shall have the responsibility, by its third meeting, for appointing a chair, vice chair and members of this committee. The responsibility of the chair is to coordinate student academic projects within the S.B.A. agenda. The main purpose of the committee is the evaluation and recommendation of programs to further the academic goals of the college and the students. The committee will promote an agenda the goals of which are to enhance the academic performance and mental well being of Touro students. The committee shall represent student interests in official School of Law policies and shall safeguard academic freedom and student's rights. This committee will work to ensure that the needs and concerns of the students are addressed within the official context of Touro Law Center.

**2.10 The Student Activities and Student Life Committee:** The executive board shall have the responsibility, by its third meeting, for appointing a chair, vice chair and members of this committee. The chair of the student activities and student life committee is the official S.B.A. liaison to all S.B.A. recognized student groups. The liaison shall be responsible for providing student input for consideration at S.B.A. meetings. The main purpose of the committee is to enhance the moral of the Touro student population, by coordinating and managing all social events and services and submitting budgets of funding to provide such events and services. Unless the chair of the student activities and student life committee is already a voting member of the student finance committee (SFC) through some other appointment or election, the coordinator of student activities and student life committee shall be one of the three council members appointed to serve on the student finance committee. This appointment shall be the exception to Section VI, Committees, Article 1.4. The committee shall coordinate the activities of the S.B.A. appointed students on issues regarding student life on campus actively inquiring and responding to student concerns.

The main purpose of this committee is to maintain, edit and update the S.B.A. Student Web Page assuring the integrity, fairness and professional perspective is perpetuated.

**2.11: The American Bar Association Committee:** The A.B.A. committee shall act as the liaison between the S.B.A. and the A.B.A. The committee shall convey all pertinent activities of the A.B.A. Law Student Division to the S.B.A. The committee shall inform the A.B.A. of any and all concerns of the S.B.A. The A.B.A. committee shall also oversee all liaisons to local bar association.

**2.12: General Council Solicitor:** (a) The executive board shall post a notice to the Student Body that the General Council is seeking applicants for the position of the General Council Solicitor. (i) The executive board shall hold interviews with all interested applicants. (ii) By the second General Council meeting after posting the notice, the Executive Board shall present to the Council the nominee or nominees it deems most qualified for the position. (iii) The Council shall affirm or reject the Executive Board's nominee, in the case of more than one nominee; the council shall elect one nominee to be the General Council Solicitor. (iv) Any student, whether on the Council or not, but excluding members of the Judicial Review Board, shall be General Council Solicitor. (b) The General Council Solicitor shall represent the General Council in all disputes before the Judicial Review Board, which the General Council is a party. In cases when the General Council is not a party but the Judicial Review Board's decision is of the interest to the General Council, the General Council Solicitor may submit amicus curie brief in support of petitioner or respondent. The General Council Solicitor shall be an expert on the constitution that any student can seek for advice when proposing a bill to the General Council.

### *Representative Positions*

**3.1** Membership shall consist of duly elected section representatives, the alternates who may assume the representatives position whenever a vacancy arises, and one American Bar Association Representative elected by the entire student body.

**3.2:** The Executive Board shall have the responsibility, by its third meeting, for appointing representatives to: The Finance Committee, Academic Affairs committee, Student Activities and Student Life Committee, Communication Committee, Administrative Affairs Committee, and the American Bar Association Committee. Responsibilities of the aforementioned positions will be in addition to normal Representative responsibilities.

**3.4 Alumni Liaison:** The Executive Board shall have the responsibility, by its third meeting, for appointing a representative to the position of Alumni Liaison. The Alumni Liaison is the official S.B.A liaison to the alumni of Touro and shall have the chief responsibility for the S.B.A.'s interaction with the alumni organizations, including, but not limited to keeping the Council informed of the activities of the alumni and keeping the alumni informed of the activities of the Council.

**3.5 Parliamentary Pro Tempore:** The Executive Board shall have the responsibility, by its third meeting, for appointing representatives as the Parliamentary Pro Tempore. The Parliamentary Pro Tempore shall assist the President and Day and Evening Vice Presidents in settling Points of Order in S.B.A. meetings. It shall be the chief responsibility of the Parliamentary Pro Tempore to ensure that the Full Council meetings abide by the House Rules.

### *Responsibilities and Duties of Representatives*

**4.1** The Student Representative and A.B.A. Representative shall represent the student's interests on the Student Bar Association.

**4.2** The Student Representative and A.B.A. Representative shall be a full voting member of the Student Bar Association.

**4.3** It shall be the responsibility of each Representative to attend all General Council meetings, and for internal S.B.A. Committees to work towards the completion of his or her community and current issue project(s), as well as to contribute to their committee reports submitted at mid-semester and the end of the semester, as outlined in Section IV, Annual Program.

**4.4** In order to ensure the accessibility of the S.B.A. to the student body, each Representative must be available to hold office hours for at least one hour per week for the specific purpose of communications to the student body (e.g. to do a mail box stuffing, table setting, postering, etc). Representatives may be asked to devote additional time as communication needs require.

**4.5** In order to facilitate a better understanding of and sensitivity to the numbers of different perspectives contained within the Touro community, Representatives should attend all Dean Forums, Faculty meetings, information sessions, and outreaches as scheduled and/or required by the Executive Board.

**4.6** Each Representative will be assigned to an internal S.B.A. committee. Representatives should attend regular meetings of these Committees and maintain regular contact with the Committee leaders.

**4.7** The Student Representative shall perform such other duties as the Presidents or Committee Chair may assign.

### ***Judicial Review Board***

**5.1** These offices and procedures are adopted in the best interest of Constitutional law, basic fairness and efficiency of judicial procedure.

**5.2 Chief justice:** the Chief Justice shall act as the presiding officer for the Judicial Review Board. The Chief Justice will serve as primary liaison and Board representative to extra judicial parties and other branches of S.B.A Government.

**5.3 Associate Chief Justice:** the Associate Chief Justice shall assume all duties of the Chief Justice when the Chief Justice is unable to do so, or when the Chief Justice delegates such power to the Associate Chief Justice. The Associate Chief Justice shall assist the Chief Justice in securing efficient Board Procedure.

**5.4 Judicial Decorum:** A Justice shall not discuss a case pending before the Board with any other person, except another Justice, prior to the issuance of a valid judgment in the case.

**5.5 Removal of Justice:** the board may, upon the affirmative vote of four (4) Justices, recommend to the S.B.A General Council the removal of the justice. Removal will require two-thirds (2/3) vote of the General Council.

**6.1 Valid Judgment:** a judgment can be rendered only when the case has been heard by all five (5) Justices, in which all parties affected are given an opportunity to present their arguments, where all five justices vote and where majorities of the Justices concur in a decision.

**6.2** A valid judgment is binding upon all parties involved.

**6.3** Any judgment of the Judicial Review Board that the General Council finds by a preponderance of evidence did not give all affected parties an opportunity to present arguments may be vacated without prejudice by a two thirds (2/3) vote.

**7.1 Pleadings:** a case before the Board is activated by filing a petition with the Judicial Board.

**7.2** The petitioner must submit one copy of the petition to the Board and one copy to the respondent. The Respondent shall be all affected parties reasonable ascertainable to the petitioner and if the General Council is the respondent the petitioner should submit the petition to the General Council Solicitor.

**7.3** Any person with an interest in a decision of the Judicial Review Board may submit an Amicus Curiae Brief to the Judicial Review Board for consideration.

**7.4** A petition should clearly state all facts pertinent to the action. This includes Constitutional arguments on which the claim(s) is based and the specific remedy sought.

**7.5** The respondent has one (1) week to answer petitioner's complaint, except as provided in section 7.6 of the rule.

**7.6** The respondent must submit one copy of the answer to the Board and one to the petitioner.

**7.7** If the petition is filed with the Board during an election period, concerning an election issue, Respondent has two (2) days to answer petitioner's complaint.

**8.1** The Board has one (1) week, from the time a petition is filed, to review the claim and conduct a hearing, except as provided in section 8.2 of this rule.

**8.2** If a petition is filed with the Board during an election period concerning an election issue, the Board has two (2) days to review the claim and conduct a hearing.

**8.3** A valid judgment shall be issued on the next school day following the hearing.

### ***Editor-in-Chief***

**9.1** The S.B.A shall provide the Editor-in Chief with a job description, which specifically outlines his or her responsibilities.

**9.2** The Editor-in-Chief of the Restatement shall be compensated \$500.00 per semester.

**9.3** The stipend shall be allocated to the budget of the restatement by the S.B.A Finance Committee and shall be distributed by the Executive Board at the end of each semester.

**9.4** Disbursement of the stipend is contingent upon majority approval of the S.B.A General Council acknowledging that the Editor-in-Chief has satisfactorily performed the responsibilities set forth in the job description.

**9.5** At the last regularly scheduled S.B.A meeting in each semester the S.B.A shall vote whether to approve disbursement of the Editor's stipend. Approval of compensation to the Editor-in-Chief is subject to majority approval of the General Council and Executive Board.

(a) The General Council and Executive Board shall not consider the subject matter of the Restatement when deliberating on the compensation issue.

**10.1** If a member of the General Council or Executive Board believes that disciplinary action is warranted he or she may bring that matter up before the General Council and Executive Board at a regularly scheduled meeting of the S.B.A and that motion shall be considered.

(a) Any charge or motion must be in writing to the General Council and Executive Board.

(b) The Editor-in-Chief shall be allowed to present a written answer to the General Council and Executive Board before the charge or motion is brought to vote.

(c) A Majority Vote of the General Council and Executive Board (assuming a quorum has been established) will decide whether to issue a warning to the editor.

**10.2** Progressive discipline shall provide for one warning, in writing, which sets forth the reasons for the warning and explicitly explains what measures should be taken to remedy the situation which led to the warning. Additional warnings may be issued, at the discretion of the S.B.A before removal proceedings are initiated.

**10.3** If removal of the Editor is being considered the motion to remove must be approved by a two-thirds vote of the General Council of those members who are present.

**10.4** The Editor must be given reasonable notice of any warning or removal pending before the S.B.A and shall be given an opportunity to be heard before the matter is voted on.

**10.5** Notice of any warning, removal or related matter shall be provided to the entire student body by public posting of such notice.

**10.6** If Editor-in-Chief is removed before the completion of his or her term of office the compensation shall be withheld.

### **Section III** ***Elections***

**1.1 Introductions:** A primary responsibility of the Student Bar Association is to provide a fair and efficient mechanism for the election of students to its membership.

**1.2** All candidates who are already Officers of or members of the Council shall become non-voting members on all matters of election business decided by the Council. The Officer highest in the line of succession shall preside over the meetings while such issues are being discussed.

**1.3** Should the President or Day and Evening Vice Presidents be candidates for office, they shall not, during the election period be considered *ex-officio* members of the Election Board, nor shall they be entitled to be present at appeals hearings nor to know the results of the election before they are made public.

#### ***Election Schedule***

**2.1** The Executive Board shall select a date for the S.B.A Officer and S.B.A. Class Representatives election by the end of February. The week selected for the election shall be chosen such that enough time is left for any necessary run-off or new election to be completed according to the guidelines of this section before the beginning of the Reading Period.

**2.2** In addition to the spring election, annual elections shall be held, in accordance with the guidelines listed in this section, during September for S.B.A first-year Representatives.

**2.3** All elections shall be held on two consecutive days during the appointed week, such that polls shall be open for a total time of at least fifteen (15) hours and shall be monitored by members of the Election Board only. The hours shall be distributed, as to allow day and evening students equal and adequate time to vote.

### *Available Positions*

**3.1** During the spring election, the following positions will be open: those elected S.B.A Officers listed in Section II, Officers and Representatives, Article 1.1 of this Code: President, Day and Evening Vice President, Treasurer and Secretary; Student Representative positions of second and third year classes which includes the fourth year part-time students, and the A.B.A. Representative.

**3.2** During the September election, five (5) S.B.A first-year class Representative positions will be open.

**3.4** All candidates in any S.B.A election must follow the guidelines of this section.

### *Election Board*

**4.1** Election procedures shall be governed by an Election Board with an Election Board chairperson appointed by the President of the S.B.A.. No candidate for any election or General Council member may serve on the Election Board. In the event that the incumbent President shall be a candidate, the next officer in the line of succession who is not a candidate shall select the Election Board Chairperson.

**4.2** The Election Board shall be composed of at least five (5) members selected from the Council. Volunteers from the student body as a whole may also serve on the Election Board. Openings on the Election Board shall be widely publicized to the student body and best efforts shall be made to assemble a racially and sexually diverse and objective group of students to serve on the Election Board. The final Election Board membership must be approved by a simple majority vote of the Council.

**4.3** The Election Board reserves full evaluation and ruling privileges on any and all situations, activities, or procedures which are not specifically stated in this Code of Operations. Appeals of an Election Board decision follow Section III, Articles 7 and 12 of this Code.

### *Pre-Election Procedure*

**5.1** Not less than fifteen (15) days before the date of the elections, the Election Board shall send to each registered Student in the Law Center a letter announcing the elections. Such letter shall announce the dates of the elections and shall describe the type and number of positions available, as well as the procedure candidates shall follow to have their name placed on the ballot. At this time, the Board shall reproduce and make available to the community this section of this Code of Operations.

**5.2** All candidates for the position of S.B.A Officer shall submit a petition with the signatures of 70 registered students to qualify for the ballot. Candidates for the position of class Representative shall submit a petition with the signatures of 50 registered students from their respective class to qualify for the ballot. Candidates for the position of ABA Representative shall submit a petition with the signatures of 50 registered students to qualify for the ballot.

**5.3** Every candidate shall submit, in addition to the signed petition, a position paper of a maximum length of 350 words. The Election Board shall delete all words in excess of these maximum requirements without exceptions.

**5.4** Not less than seven (7) days before the election, a Candidates' Meeting will be held by the Election Board. Not less than seven (7) days before this meeting, the Election Board shall select and make public an exact time during the Candidates' Meeting which will mark the final deadline for 1) submitting petitions 2) submitting position papers and 3) declaring candidacy.

**5.5** At this meeting, petitions will be checked, position papers will be counted, and the rules from 5.2 and 5.3 above will be enforced.

**5.6** The Election Board will then publish the candidates' position papers in an egalitarian manner. This published document will then be distributed to all students through their Law Center mailboxes, publication and posting.

**5.7** The Election Board shall create a ballot that shall be reviewed by the Dean of Student Affairs.

### *Campaign Regulations*

**6.1** The Election Board shall have the authority to prohibit all campaign spending by candidates and organizations and shall be empowered to limit and supervise all other campaign spending.

**6.2** No campaigning will be allowed within the Election Board designated area where voting is taking place: this rule applies to all persons, not simply candidates. The candidate is responsible for acquainting his or her constituency with this regulation.

**6.3** All candidates are required to obey law center poster regulations as published in the Student Handbook.

**6.4** The Election Board shall maintain a Campaign Bulletin Board outside the S.B.A office, upon which shall be posted all election information pertinent to candidates or the community. It shall be the responsibility of all candidates to check this Board daily, as the Election Board shall use this Board as its official means of communicating all campaign news to the candidates.

**6.5** Additional campaign requirements or guidelines may be established by the Election Board, except where inconsistent with either the Constitution or the provisions of this Code. All new requirements or guidelines must be posted on the Campaign Bulletin Board outside of the S.B.A office at least twenty-four (24) hours before they take effect.

#### ***Violations***

**7.1** The Election Board shall decide on whether there has been a campaign violation.

**7.2** Any violation of Section III of the Code of Operations may provide grounds for the disqualification of a candidate.

**7.3** Any candidate accused of violating the election regulations will be contacted by the Election Board and given the opportunity to explain or refute the charges prior to a decision being made about the complaint. Those meetings will not be public. Only the Election Board, the candidate and the person alleging the violation may be present. Under special circumstances, the presence of other persons may be permitted by majority vote of the Election Board to provide additional information.

**7.4** The resolution of all complaints, as well as an explanation of the complaint, will be publicized after the meeting of the Election Board.

#### ***Election Procedure***

**8.1** As required by the Constitution of the S.B.A., officers shall be elected by a majority vote and with at-large balloting. In the event that no candidate receives majority vote, a run-off election will be held between the top two vote-getters. The Representatives of the candidates from each class with the most votes shall be elected to Representatives' positions. In the event of a tie, a run-off election will be held between those candidates

#### ***Results***

**9.1** The Election Board shall tally the ballots in an open forum. The tallies of the election shall remain secret, to be known only by members of the Election Board, for a period of not more than 72 hours, after which time the tallies become public. No complaints may be filed with the Election Board after 24 hours from the closing of the polls.

**9.2** All of the candidates shall be notified of the election tallies at a public meeting to be held not more than 72 hours after the closing of the polls.

**9.3** Election tallies shall not be considered final until they are ratified by a simple majority of the existing General Council per Section III Article 1.2 of this Code. Tallies will be brought before the General Council for ratification at the first meeting following the election.

**9.4.** Any grievance a student has with the tallies of the election shall be brought to the Executive Board of the S.B.A. no later than 24 hours after the tallies become public. The Executive Board shall bring all grievances to the General Council at the first meeting following the election. In discussing the ratification of election tallies, the General Council may consider grievances, election board misconduct, and the proper tallying of votes. The General Council shall vote to accept or not to accept the tallies for each contested position and may not alter the tallies presented by the Election Board.

**9.5** If the election tallies for any position(s) are not ratified, the General Council has the power to decide an appropriate remedy, including but not limited to a revote or a new election. If the General Council decides to hold a new election, a new Election Board, which may include members of the old one, will be selected in accordance with Section III Article 4.1 of this Code. This election shall follow the provisions of the Code as well.

#### ***Referenda and Initiatives***

**10.1** If the Council at any time feels it necessary to determine the opinion of or to express the overwhelming concern of the entire student body on an issue, it may sponsor a referendum to be placed on the ballot during

the next scheduled election. Such referendum must be approved in its exact written form by two-thirds (2/3) majority vote of the Council in order to be placed on the ballot. Approval in this vote does not signify Council support for the meaning of the referendum, but merely Council's feeling that the students should be given the opportunity to express their opinion on this issues.

**10.2** The deadlines for the passing by Council of a referendum will be at the regularly scheduled meeting at least seven days prior to the first day of the election.

**10.3** If at any time any Student feels it necessary to determine the opinion of or express the overwhelming concern of the entire student body on an issue, he or she may sponsor an initiative to be placed on the ballot during the next schedule election. Such initiative must be signed by at least 50 students. The top of the initiative petition must state clearly that a signature does not indicate approval or disapproval of the meaning of the initiative, but merely support for placing the initiative on the ballot. It must also be written that the students who signed the petition are acknowledging with their signature that they have read the exact written initiative as it is being presented to the Election Board for consideration.

**10.4** This initiative must be presented by its sponsor(s) at the Candidates' Meeting held by the Election Board, at which time the validity of the sponsorship procedure shall be determine by the Election Board.

**10.5** Should the Council wish to support a particular side of a referendum or initiative issue, a simple majority vote Council shall determine the Council's official position on the issue, and any action taken on such issue shall be subject to the constraints of Section III Article 8 of this Code.

**10.6** After an election in which a referendum or initiative was on ballot. Council shall follow these procedures in responding to the community vote:

- (a) When Council has placed a referendum on the ballot to determine community sentiments on an issue, it shall be responsible to represent those majority sentiments in its future actions. Council shall decide how best to pursue the expressed community interest by a simple majority vote.

#### *Special Elections*

**11.1** In the event that a special event must be held to fill a vacancy in an Officer or Representative position on the Council elections shall follow the guidelines of this section, except the elections shall not be bound to the restrictions of Section III Article 2 of this Code.

**11.2** The Council must hold a special internal election in the event that the position of S.B.A. Officer, S.B.A Representative, SFC member is vacated. Such an election must be held immediately upon the vacation of the office, and rakes precedence over all other business. If the presidency is vacated, the next Officer in the line of succession shall assume the duties of the president until the position is filled by a special internal election.

**11.3** The Day and Evening Vice President shall be responsible for organizing internal elections for the positions outlines in Section III Article 12.1 in the Code. The availability of the position(s) must be widely publicized before the election is to take place. At this election meeting, the internal election shall be the first order of business after the Community Time has ended. The President shall, with the consent of Council, choose the format by which the candidates will address the Council. Voting will be by secret ballot. In the event of a tie, run-off votes will be held until the proper number of Representatives is selected.

#### *Recall*

**12.1** If any Student at any time feels an Officer or Representative of the S.B.A or a SFC chairperson is not upholding the duties of his or her position, he or she may initiate recall procedures. A petition must be signed by at least 100 students to recall an Officer, a S.B.A. Student Representative or SFC Chairperson. The top of the recall petition must state clearly that a signature does not include approval or disapproval of the recall motion, but merely support for a campus-wide vote to determine whether such action is necessary. It must also be written that the students who sign the petition are acknowledging their signature that they have read the exact written recall initiative as it is being presented to Council for consideration.

**12.2** The recall petition must be presented by its sponsor(s) during Public portion at a regularly scheduled Council meeting, at which time the validity of the sponsorship procedure shall be determined by a simple majority vote of the Council.

**12.3** If the Council approves the validity of the sponsorship, they shall then set dates to hold the recall election within two weeks of the time the petition was initially presented to Council.

**12.4** An Election Board shall be established in accordance to the guidelines of Section III Article 4.1 of this Code. The election procedure for recall shall be the same as any other election and the Election Board may set stricter guidelines where it deems it necessary.

**12.5** If a majority of students voting, vote to recall the Officer or Representative, than a vacancy shall be declared in that position and a Special Election shall be held under the guidelines of Section III Article 11 of this Code. However, if a majority of students voting, vote not to recall the Officer and Representative, then that member shall retain his or her position.

## **SECTION IV**

### ***Annual Program***

**1.1 Introduction:** The Student Bar Association is charged with the formulation of an Annual Program addressing the major areas of student life and Law Center administration. The program should be formulated on a semesterly basis in order that the Council may address issues in as timely a manner as possible.

**1.2** The Student Bar Association shall establish: The Finance Committee, Academic Affairs Committee, Administrative Affairs Committee, Student Activities and Student Life Committee, Communications Committee, and A.B.A. Committee.

**1.3** The Executive Board shall have the responsibility of overseeing the executive of the Annual Program through the Internal Committees of the Council (see Section IV. Committees).

### ***Composition and Procedure of the Program***

**2.1** The Annual Program shall consist of two semester agendas. Each agenda shall consist of two main components: a current issue project, as needed, in each of the three program areas (Academic and Administrative Affairs, Student Activities and Student Life, Communication) and a community project from each Representative.

**2.2** The President of the S.B.A shall convene the Student Affairs Committee prior to the finalization of the semester agendas in order to solicit input from the campus leaders on potential issues and encourage the leaders to inform their constituents of the Community Meeting.

**2.3** The Community Meeting will be a Full Council meeting, prior to the Setting of the Agenda, which will be set aside and advertised as open to community input on issues for the semester agenda. It will be the responsibility of Council with the guidelines of the Chair person of Student Activities and Student Life to inform and encourage individuals and student groups to attend and voice their opinions on the issues that will be incorporated in the agendas.

**2.4** No later than one month after the beginning of the fall semester, full Council will commence with the Setting of the Agenda which will finalize both semester agendas. In this meeting, each Committee Chairperson will report and field suggestions on the project(s) that they will be working on for the semester. Upon Council's two-thirds (2/3) majority vote, Council will have Set the Agenda.

**2.5** Each semester agenda shall be publicized to the campus no later than one week after is has been approved.

**2.6** Each Committee Chairperson and Representative shall submit a report at a date close to mid-semester determined by the President on the progress on any current issue project and community projects respectively. The President and Day and Evening Vice Presidents shall conduct follow-up meetings with each Chairperson and Co-Chair to discuss his or her mid-semester report, the project and any other concerns. The following Executive Board meeting will be used to follow-up on mid-semester reports and discuss current issues and community projects as well as any other concerns.

### ***Current Issue Projects***

**3.1** Current issue projects are reactive projects to give students with a current problem or issue a vehicle through the S.B.A to address that problem. Any student that comes to the S.B.A with such an issue shall be directed to the respective committee Chairperson for review by the respective Committee. Upon review of the situation, the Committee shall decide on what action, if any, is necessary. While group consensus is the ideal, the final proposed project must be agreed to by at least a simple majority vote of the Committee's members.

**3.2** Each Committee Chairperson with the help of the respective Committee has the chief responsibility of contacting and informing individual students and student groups that may be interested in the respective area that the S.B.A Committees have resources available to them.

**3.3** At the beginning of each semester, each Committee Chairperson shall assemble the members of the respective Committee for the purpose of addressing possible current issue projects for the semester.

**3.4** If the Committee decides to initiate a current issue project, the Chairperson shall prepare a presentation to the Full Council which explains the project and its timetable.

**3.5** Each Committee's current issue project must be approved by a two-thirds (2/3) majority vote of the Council in order to be formally placed on the semester agenda.

**3.6** Each Committee is responsible for setting its own time tables, choosing how many projects will be activated, and selecting who will be addressing the particular current issue projects, however, it is advised that the most important aspect of a project is to see results and an over ambitious agenda reduces the quality of each individual project. Finishing one project before starting another is recommended.

**3.7** The A.B.A. Representative elected by the student body shall be the chair of the American Bar Association Committee. The chair shall represent Touro as a voting member at all A.B.A Law Student Division Conferences. The committee shall consist of at least one (1) additional representative from the General Council appointed by the Executive Board. The committee shall also oversee all liaisons to local bar associations appointed by the Executive Board as it sees fit.

**3.8** The Committees shall report on the status of their current issue project throughout the semester.

#### *Community Projects*

**4.1** Community projects are pro-active projects that are to enhance the quality of life for students of the Touro Community. These Community projects are not to be S.B.A exclusive, rather it is the chief responsibility of the Representatives to lead an effort with the help of individuals and student groups outside the S.B.A to achieve a successful resolution of the issue in concern. However, the community projects are to be S.B.A based and not functioning as a Representative's fulfillment of another organization's membership requirements.

#### *Semester Report*

**5.1** The Council, under the direction of the President and the Committee Chairperson shall publish a report at the end of each semester summarizing the activities of the Student Bar Association and its progress on the semester agendas.

**5.2** Each Committee Chairperson shall be responsible for the reports on the current issue projects of the Internal Committees. The President shall report on the progress of the Council and summarize any major issues which were dealt with in the course of the semester(s) in question.

### SECTION V

#### *Meetings*

**1.1 Introduction:** To ensure continuity and rationality in the conduct of its affairs, the Student Bar Association shall hold regular meetings in the specified locations. Such meetings should be arranged to maximize the visibility of the Council as well as to permit coherence in its operating procedures.

**1.2** It is the role of the S.B.A.'s meetings to reflect the S.B.A.'s main purpose of representing student concerns, policy recommendations, and encouraging student involvement with the Law Center decision making as outlined in the Constitution. Meetings are opportunities for the Council to have interaction with the student body, thus publicity and time should be allocated for the proper implementation of S.B.A.'s representative responsibilities. Non-S.B.A. members should be encouraged to take part in S.B.A's activities and discussions so that the S.B.A can better voice the concerns of the student body in its subsequent debate and initiatives

**1.3** The Student Bar association shall establish its own regular meeting time. This time, as well as the location of the weekly meeting, shall be publicized in accordance with the communications guidelines established in Section VII, Communications, of this code.

**1.4** At any time a special meeting of the Council may be called by three members of the Executive Board or any five members of the Council. In such a situation, every effort must be made to contact all members of the Council.

**1.5** A majority of the council constitute a quorum. A quorum must be present at any meeting in order for business to be conducted.

**1.6** All votes of Council will be of members present.

**2.1** The President of the Council shall preside over meetings. In the absence of the President, the next Officer in the order of succession (see Section II, Officers and Representatives, Article 1.1) shall preside, in accordance with the all other sections of this Code.

**2.2** The Day and evening Vice Presidents of the Council shall serve as Parliamentarian when questions of procedure face the council. The final decision shall rest with the presiding officer of the meeting.

**2.3** The council shall elect a Parliamentary Pro Tempore, who shall serve as Parliamentarian in the absence or exclusion of the Day and Evening Vice President.

**3.1** All meetings of the Council shall be open to all members of the Touro Community except by a vote of two-thirds (2/3) majority of the council members present to enter into Executive Session, in which the meeting is closed to all but Council members. By a two-thirds majority vote of the Council, other members of the community may be admitted to an Executive Session to assist the conduct of business.

**4.1** It shall be the duty of every member of S.B.A. to attend all meetings of that body unless prevented by illness or extraordinary circumstances. Excessive unauthorized absences constitute sufficient grounds for removal from the council in accordance with Section XI of the Code.

**5.1** Meetings of the Student Bar Association shall be governed by the S.B.A Roberts Rules, except when inconsistent with either the constitution of the Council or the provisions of this Code. Where the house rules are insufficient, the Presiding Officer, in consultation with the Parliamentarian, shall make a procedural decision.

**6.1** The agenda for all Full Council meetings shall be determined by the Executive Board of the Council. The agenda may be amended by two-thirds (2/3) majority vote of the Council. This weekly agenda shall be disseminated by the Secretary to all S.B.A. members at least two days before the general meeting of that week.

**7.1** From time to time, the Council may hold special meetings called Issues Meetings in order to informally focus one important issue and improve the Council's knowledge on that said issue. It is recommended to invite informed students, faculty, administrators, or anyone else that may enhance the discussion of Council.

**7.2** When Council wants to formally comment on an issue, event, or any other activity related to Touro, Council may pass a S.B.A. Statement. Such a motion must originate with a S.B.A. Representative or Coordinator and may be co-sponsored by other members.

**7.3** When Council wants to formally recommend a policy change on an issue related to Touro, Council may pass a S.B.A. Resolution. Such a motion must originate with a S.B.A. Representative and may be co-sponsored by other member.

**7.4** The President may not submit a motion for a S.B.A. Statement or Resolution unless he or she relinquishes the chair for the entire discussion to the Day and Evening Vice President or to the next Officer in the line of succession. The President may, however, place an issue on the agenda without having received a specific motion for resolution on it in order to facilitate an informal discussion on the topic or to prompt action on the part of other members.

**7.5** S.B.A. Statements and Resolutions on a given issue are due to the President or Presiding Officer no later than 72 hours prior at which the agenda would be set for the Full Council meeting. The motion is then determined as allowable or not by the President and is copied for all the members. Members should receive proposed Resolutions or Statements with the agenda at least one day before the given Full Council meeting. If multiple motions are submitted, they are presented in the order in which they were received by the President.

**7.6** For the benefit of the members of Council, if needed information packet shall be given to members along with the motion for a resolution no later than two days before the Full Council meeting. It shall also be made available to members of the student body at large in a manner determined by the Executive Board.

**7.7** Speakers or authoritative guests may be invited to address the Council in a question and answer session which occurs prior to the Council's own discussion of the issue and its vote on the motion. Although these guests may represent a known constituency, their purpose at the issue meeting is to inform and clarify, not to argue for one side or another on an issue.

**7.8** Council shall follow the S.B.A. House Rules during its discussion of a motion and a two-thirds (2/3) majority vote of the Council shall be required to pass any Statement or Resolution to become an official S.B.A. position.

**7.9** The secretary shall carefully record all proceedings in Council, and circulate these minutes to the membership after each meeting. In addition, such minutes should be posted electronically when available. Any

correction to the minutes shall be in order throughout the next meeting, whose adjournment should constitute their approval. The Executive board or the Council may amend the minutes by a majority vote.

**7.10** The House Rules of the S.B.A. will provide the order of business:

Opening business. Roll call and officer remarks.

Committee Reports. The treasurer and Committee chairs will have two minutes per Committee to report on the progress of their respective Committees. A detailed written summary of each Committee's work will be entered into the minutes.

Question time. Any law student may ask a question concerning council business. Any question that cannot be answered at that time will be treated as a question at the next meeting when the president will be responsible for answering it.

Docket or old business. The presentation of old business to be considered will be put to vote resolution or motions for amendments made.

New business. At the end of docket business, the Council may by two-thirds vote, chooses to review new business. All new business must be presented in written form to all members of the Council at the time of its introduction. The member introducing the new business will have two minute to explain why the Council should consider this. If the business is considered, it should be reviewed in the same manner as normal legislation.

Public Portion. Any student may comment on S.B.A. business or bring up issues concerning any matter within the Law Center.

**7.11** Parliamentary Authority the current edition of Robert's Rules of order shall govern the procedures of each meeting. If, however, the President and/or parliamentarian make a parliamentary ruling, it will take a majority vote of appeal to overturn them. The parliamentarian's responsibilities shall include clarifying parliamentary procedure upon request, taking minutes at executive board meeting, keeping a portfolio of all Constitution. Bylaws amendments passed by the full council and compiling updated copies of the Constitution and Bylaws before the end of his/her term to be distributed to all incoming S.B.A. members.

**7.12** The Executive Board shall decide how best to pursue action with the Administration, the Faculty, the Staff, or any other applicable authorities once a Statement or Resolution is passed.

## **SECTION VI**

### ***Committees***

**1.1 Introduction.** As the majority of the tasks of the Student Bar Association shall be conducted outside the context of the Full Council meetings, the Committees of the Council constitute its operational framework. A rational, coherent, and efficient Committee system is essential to the proper performance of all Council responsibilities.

**1.2** The Student Bar Association shall establish: The Finance Committee, Academic Affairs Committee, Student Activities and Student Life Committee, Communications Committee.

**1.3** Internal Program Area Committees (Academic Affairs Committee, Student Activities and Student Life Committee) shall meet at least once for every week that Full Council meets in order to report on the status of the program area activities (current issue and community) and prepare to informally receive necessary information from General Council meetings.

**1.4** The Executive Board of the Council shall bear the responsibility of appointing members of the Council to internal Committees and all Council Committees. With this responsibility and the duties of their offices in mind, the Executive Board shall not appoint any of its members as Council representatives to internal Committees (see Section II. Officers and Representatives. Articles 2.6 and 2.7 for exceptions).

**1.5** A member of Council shall not be internally appointed to more than one internal Program Area Committee or except with a two-thirds (2.3) majority vote of Council.

### ***The Executive Board***

**2.1 Introduction.** All Officers, as listed in Section II. Officers and Representatives, Article 1.1 shall constitute the Executive Board of the Student Bar Association.

**2.2** The Executive Board shall have collective responsibility for organizing the activities of the Council, and in particular shall have responsibility for organizing and coordinating the activities of Council members and Internal Committee students in the Annual Program.

**2.3** The Executive Board shall present the Council with a list of goals for the semester and a calendar of S.B.A. events and meetings no later than the third Full Council meeting of the fall semester. This calendar does not need to be voted on but must be presented to the Full Council for discussion. The calendar will be posted for the community in an effort to allow non-S.B.A. students an opportunity to join S.B.A. in its functions and meetings.

**2.4** The Executive Board shall make all appointments of Council members to Council and Committees. (see Section VI. Committees and for exceptions see Section II, Officers and Representatives, Article 3.2 and Section X, Affiliation) and shall be responsible for the coordination of student activities on the Advisory Committee on Law Center Planning.

**2.5** The Executive Board shall establish regular meetings with officers of the administration especially the Law Center President and the Dean of Student Life, department chairs, and members of the Faculty Executive Committee (see Section VII, Communications).

**2.6** The Executive Board shall be empowered to appoint any Representative of Council to represent the S.B.A. on any ad hoc and standing positions, including Law Center, student, or non-Touro groups, Committee conferences, meetings, or events as it deems necessary to increase student input or keep the S.B.A. better informed.

#### *Internal Committees*

**3.1** The Day and Evening Vice Presidents shall have primary responsibility for the internal workings of the Council such as office management, Constitutional matters removal, legislation, elections, and other function deemed necessary by the Council Office management includes jurisdiction over office supplies and equipment, and other material deemed essential to the operation of the organization. The Day and Evening Vice Presidents will be responsible for carefully scrutinizing the S.B.A.'s Official Documents to make sure that they are up-to-date and not inconsistent with each other, as well as written most effectively for the smooth operation of Council and achievement of its goals. The Day and Evening Vice Presidents will conduct weekly business during or immediately following the Executive Board meeting and will meet separately as business deems necessary. Day and Evening Vice Presidents, Secretary, Treasurer, and the Communications Committee shall work towards the execution of these duties in providing that the necessary recording and posting of documents is accomplished.

**3.2** The Coordinator of Academic Affairs shall Chair the **Academic Affairs Committee**, which shall also include the council members appointed to the Committee which fall under the jurisdiction of the Coordinator. This Committee shall have primary responsibility for the development of a student program in the areas of Law Center academics and administration, and more specifically, shall bear the responsibility for those areas of the program which deal with curriculum planning and administrative direction of the planning. This Committee shall coordinate the activities of the S.B.A.-appointed student members on those Law Center Committees and Advisory Committees on Law Center Planning (ACLSP) subgroups which relate to those areas, including but not limited to, activities and programs related to the Bar Exam.

**3.3** The Coordinator of Campus Life shall chair the **Student Activities and Student Life Committee**. Which shall also include the council members appointed to the Committees which fall under the jurisdiction of the Coordinator. This Committee shall have primary responsibility for the development of a student program in the areas of student affair. Law Center housing and Law Center cafeteria services and shall coordinate the activities of the student members on those Law Center Committees and any S.B.A. subgroups which are concerned with these affairs. They will address any matter related to the physical mental and emotional well being of the student body. This Committee oversees the S.B.A.'s interaction with student groups including the Constituting Process, Category changes and Co-sponsorship of events. The student Activities committee will be responsible for keeping records of the student groups through registration and the publication of the Guide to Student Activities.

**3.6** The Coordinator of Communications shall chair the **Communications Committee**. Which shall also include at least three (3) other Council members appointed by the Executive Board. This Committee shall establish and maintain proper and effective channels of communication between the Student Bar Association and the student body, the faculty, the staff, and the alumni of Touro Law Center through the S.B.A. Web page, (see Section VII. Communications).

**4.1** The President and Day and Evening Vice Presidents of the Student Bar Association shall be *ex-officio* members of all internal Committee.

***Treasury and Student Finance Committee***

**5.1** The S.B.A. shall have nine (9) seats on the Student Finance Committee, one of which shall be held by the President, the Coordinator of Student Activities of S.B.A., another by the Treasurer of S.B.A. and the remaining six (6) members who shall be elected by a majority vote of the General Council.

**5.2** The Treasurer shall be responsible for tracking and reporting on all financial business. All records must be kept up to date and public disclosure of all disbursements must be made on a month to month basis.

**5.3** All financial material, documents and records are to be kept in the office of the S.B.A. and all records must be surrendered for an official accounting at the end of the fiscal year.

**5.4** All financial material, documents and records are to be turned over to the incoming Treasurer. It is the responsibility of the outgoing Treasurer to facilitate the transfer of this position.

**5.5** Student Finance Committee meetings will be held once every month throughout the school year. Emergency meetings may be called by the Chairperson.

**5.6** A quorum of the committee consists of a simple majority.

**5.7** A majority vote is required to pass any budget.

***Budget Outlay***

**6.1** The council shall outline a budget at the start of each academic year, before any fund can be allocated.

**6.2** All expenditures require an invoice or a bill, which must be approved by the Treasurer.

**6.3** No expenditures shall be approved for the compensation of any Touro Organization leader(s) and no individual(s) shall be indemnified for personal items, lodging or meals. Conventions, which meet the approval of the Finance Committee, will be an exception to this section within pre-established limits on spending.

**6.4** Itemized and approved budgets must be followed exactly as presented. If an organization wishes to spend funds allocated for one budget line on another budget line, they may do so with the approval of the Treasurer and the Finance Committee Chairperson.

**7.4** An organization may seek emergency funding by submitting a request to the Finance Committee. The Committee must approve this emergency funding by a two-thirds (2/3) vote.

**7.5** A minimum of ten percent (10%) of the total S.B.A. budget will be allocated in a discretionary fund throughout each fiscal year. This fund may be used in cases of severe financial emergency upon a two-thirds (2/3) vote of the Finance Committee, as well as a two thirds (2/3) vote of the General Council. Any moneys remaining in the discretionary fund at the end of the fiscal year will be allocated into the fund for the upcoming fiscal year.

**7.6** If the budget income remains and the conclusion of an academic year, the money shall roll-over to the following academic year.

**7.7 Operations.** The following shall outline a budget at the start of each academic year, before any fund can be allocated.

- (a) **Administrative Expenses** – the Executive Board may appropriate up to \$200.00 in a semester without consulting the General Council for normal expenses and posturing of public notices.

**7.8 Disbursement** – The President and Treasurer shall have signing authority. All disbursements and contracts must be co-signed by both signatures. No check should ever be made out to a person who is the signatory of that check. The council may allocate money from its discretionary fund but may not violate budget constrains. The President, Treasurer, nor any other member of the executive board may spend money or bind by contract the Student Bar Association which has not been appropriated through legislative business.

**8.1 Procedures-** Any organization seeking S.B.A. funding must open its membership to all students at Touro Law Center. Failure to do so will void the Organization from any and all S.B.A. funding.

- (a) The President of the Student Bar Association shall have the authority to cease any and all funding to an organization pending an emergency meeting of the Student Bar Association Finance Committee. To determine if that Organization is in compliance with Article VI. Section 8.1 of the S.B.A. By-laws.
- (b) If the Finance Committee determines that an organization is not in compliance with Article VI. Section 8.1. of the S.B.A. By-laws, they shall propose to the Student Bar Association General Council that all funding be terminated.

- (c) If the General Council of the Student Bar Association votes to cease any further funding to an organization, funding shall terminate immediately, and until the Organization has provided evidence to Finance Committee that they are in compliance with Article VI. Section 8.1 of the S.B.A. By-laws.

**8.2** Organizations requesting S.B.A. funding must submit their proposals no later than the third (3<sup>rd</sup>) week of the fall and spring semesters. The Finance Committee will post specific dates during the first week of each semester.

**8.3** Organizations requesting funding must include the following in their request.

- (a) Name of the Organization and the names of the officers.
- (b) Documents (i.e., Charter, Constitution, or Bylaws) which describe the function and purpose of the organization.
- (c) An itemized budget for the most recent fiscal period.

**8.4** The Finance Committee will hold hearings for all organizations requesting S.B.A. funds. The hearings will be held no later than the fourth (4th) week of the Fall Semester. The times and dates of such hearings will be posted during the first week of the Fall Semester.

**8.5** The Finance Committee must submit its proposed budget to the General Council of the S.B.A. no later than the fifth (5th) week of the fall semester, and its revised budget no later than the fifth (5th) week of the spring semester.

## **SECTION VII**

### ***Communications***

**1.1** Introduction. The student Bar Association should be both responsive and visible to the students who are its constituents and to others of the Law Center community including the faculty, staff Administration, and alumni.

**1.2** Ensuring this responsiveness and visibility, and articulating the student position on campus issues, with the intention of generating and increasing student involvement are the reasons for maintaining an effective communications network.

**1.3** It is the chief responsibility of the Coordinator of Communications with the Communications Committee to oversee the Council's communications and relations with all of the Law Center's communities in maintaining the Student Bar Association Web Page.

### ***Communication with the Student Body***

**2.1** The President of the Council shall set up an advisory board within the Student Activity and student Life Committee. This Committee shall consist of representatives from various student groups plus any interested students from the community at large. The Committee shall meet regularly and its meetings shall always be open to any interested student or member of the Law Center community. Furthermore, the group shall be consulted in forming the semester agenda for the Council.

**2.2** When Council desires better communication of a certain student group or collection of groups or individuals the Council may hold an Outreach in order to both informally discuss the important issue of the said collection of students and relay to that group the resources the S.B.A. has available for them. The Student Activity and Student Life Committee shall oversee the preparation of any Outreaches. The outreach will be an open forum in a public area for the collection of opinions and comments or issues regarding the Touro community.

**2.3** When Council wants to better educate the student body at large on a particular issue. The Council may hold a Forum. A Forum usually consists of a panel of diverse and informed individuals. The panel will speak first on prepared questions from a moderator, or may speak freely about any area of the issue than concerns them the most. After the panel speaks it is recommended to allow the audience to interact with the panelists in a question. Answer, and comment section. The Student Activity and Student Life Committee shall oversee the preparation of any Forums. The President shall participate in all forums as the head Representative of the S.B.A. interest.

**2.4** The Secretary of the Council shall diligently maintain a book containing all approved Council minutes from the semester. This book shall be open for public inspection in the S.B.A. Office during regular business hours.

**2.5** The Council shall maintain a system of class Rounds, whereby when assigned by the Executive Board all members of Council shall be responsible for talking with students in their assigned Class schedule area.

**2.6** The Council shall from time to time select a question or questions to assign to Representatives. The purpose of this question is to enlighten the Council about the sentiments of other students and to educate other students about the activities and interests of the Council.

**2.8** A monthly S.B.A. comment table shall be established and publicized at which time students can air concerns and ideas for the Council. It shall be the duty of the Student Activity and Student Life Committee to assign the table staff, which shall consist of Council members.

**2.9** Input from the S.B.A. comment table shall be distributed to the appropriate internal Council Committee which addresses each particular issue, these Committees being that of the Finance Committee, Academic Affairs Committee, Student Activities and Student Life Committee, and Communications Committee.

**2.10** It shall be the responsibility of the Student Activities and Student Life Committee in consultation with the Student Activities Office, and the Communications Committee (through the S.B.A. student Web Page) to edit, update, and publish, no later than the first month of each academic year, a sourcebook guidebook to all student organizations on campus called the Guide to Student Activities (GSA). Information to be included within the publication should be the name of the group, a brief statement of its purpose and functions, a contact name, phone number and E-mail address.

**2.11** The S.B.A. shall appoint, with a majority vote of Council, a delegate to any student organization which requests one, and advertisement of this service should be made in the Touro Times at the beginning of the year. Further, in such ad hoc, vital, and temporary instances of campus ferment that may arise, a majority vote of Council shall be sufficient to appoint an S.B.A. delegate to a student group, so that S.B.A. shall have a finger on the pulse of student activism. It shall be the delegate's responsibility to keep track of the organization's activities, report to Council offer S.B.A. help to the organization, solicit S.B.A. help for the organization, and act as a liaison, generally.

**2.13** All S.B.A. documents that are to be discussed in open council (i.e. not executive session) should be open to public scrutiny by any member of the student community. An office copy of each document should be on file in the S.B.A. office, and for major S.B.A. changes (e.g. the appointments or constituting process). Five copies should be available in the S.B.A. office for non- S.B.A. student use.

#### ***Communications with Faculty and Administration***

**3.1** The Coordinator of Academic Affairs or his or her Committee shall be responsible for the maintenance of proper channels of communication with the members of the Faculty and Administration.

**3.2** The Council, through the Academic Affairs Committee, shall inform the Faculty Executive Committee of the issues Council is discussing and ask for input and ideas.

**3.3** The Academic Affairs Committee shall establish regular monthly meetings with members of the Faculty Executive Committee in order to discuss the issues respective groups face, and the ways they can work together to accomplish their collective goals more effectively. It shall be the responsibility of the Coordinator of Academic Affairs to organize such meetings.

**3.4** When issues profoundly affecting the student body arise in which the General Council feels that there is an overwhelming student body and / or General Council consensus, the General Council shall lobby the faculty by department or other means on the given issue. The decision to conduct such an effort must be made by a two-thirds (2/3) majority vote of the General Council. This lobbying would occur before the full faculty meeting at which the said issue would be addressed.

**3.5** All Council members shall be encouraged to attend at least one faculty meeting per semester, and it is strongly recommended that they attend every monthly meeting. Executive Board members shall be required to attend all faculty meetings, and shall be subject to the same attendance rules as those applying to Council meetings. Should in the future, permanent student speakers at faculty meetings be established, a portion of those permanent speakers should be a S.B.A. member and this section should be so amended.

**3.6** Academic Affairs Committee shall regularly inform appropriate officers of the Administration of the Council's semester agenda.

**3.7** The Executive Board shall establish regular meetings with officers of the Touro constituents. In particular, the Executive Board shall be responsible for communication with officers of the Administration the Faculty Executive Committee, and the department chairs on all matters relating to Annual Program.

**4.1** The Touro Student Bar Association makes a variety of decisions for Touro which have important implications for students. Communications with and awareness of the S.B.A. is thus important to the general student body and to the Council in particular. The President as liaison in consultation with the student activities and student life committee and communications committee shall, therefore, be responsible for maintaining communication between the S.B.A. and the student body.

**4.2** In particular, the Executive Board shall be empowered to send Representatives to meetings of any student Committee of Touro.

**4.3** The liaison upon approval of the Executive Board shall, when deemed necessary, arrange meetings, between itself and individuals, groups, or Committees of the S.B.A. The Executive Board shall in particular be responsible for presenting the Annual Program to individuals, groups, or Committees of the Student Bar Association.

**4.4** All communications to and from members and Committees of the S.B.A., which is outlined above, shall be reported to full council.

**5.1** The alumni are an important part of Touro. Communications with and awareness of the alumni's involvement will help students when they leave campus and harbors good will toward Touro through a worldwide constituency, and is thus important to the general student body and to the Council in particular. An Alumni Liaison, an appointed member within the Student Activities and Student life committee shall therefore be responsible for maintaining communication with the alumni organizations and individuals and the student body.

#### *Communications with the Staff*

**6.1** The Council shall maintain regular communications through its staff liaison with Law Center staff and their respective organizations.

### **SECTION VIII**

#### *Appointments*

**1.1** Introduction. A primary responsibility of the Student Bar Association is to nominate and appoint students to serve on all regular and special Committees of the Law Center, The expedient nomination of the best possible candidates is the primary objective of the nomination process.

#### *Procedure*

**2.1** The appointments will be chosen through an interview process in March by a panel consisting of the Newly elected Executive Board, and at least one member of the extant Executive Board, and the S.B.A. outgoing Chair whose committee or interest fall under the jurisdiction of that selection. The result of the appointments will be brought before New General Council no later that one week after the interviews have consulted. The Appointments must be ratified by at least two-thirds of the newly elected General Council members present.

**2.2** The appointments panel will set up a meeting between the candidates and current representatives on the respective Law Center Committee to allow an opportunity for all candidates to resolve questions and become better informed about the Committee that interests them.

**2.3** The Appointments Panel shall make sign up lists allowing for no less than ten (10) minutes between the interviews, readily available at least one week before, and are taken down no sooner than, twenty-four (24) hours before the interviews are schedules to commence.

**2.5** The Appointments panel shall conduct all interviews of the candidates for the respective Law Center Committee. The panel may fully explore the candidate attributes. Appointments are an important process in the S.B.A.'s involvement in giving student input in policy changes, as well as for that individual's contribution to Touro and should not be taken lightly. Interviews may be held in a professional and objective manner equal to each of the candidates involved.

**2.6** The Appointments panel shall meet to decide on its recommendations to the Council when all considerations are completed.

**3.1** The newly elected Executive Board shall be responsible for certifying results to the Appointments. The results of each interviewing panel's recommendation will be posted in the S.B.A. office within twenty-four (24) hours after the final interview of the appointments process has taken place, including names of candidates

chosen, appeals notifications, qualities looked for in the candidates, and general questions asked of all of the candidates. These results shall not be considered final until they are approved by the General Council.

**3.2** An appeal must be received within two (2) days of the Appointments panel's posted decision.

**3.3** Upon receipt of an appeal, the Appointments Committee shall meet with the respective appellants. The Appointments Panel shall issue a decision on the appeal within forty eight (48) hours of the appeal's receipt.

**4.1** The Appointments Panel shall screen and nominate prospective candidates for the Law Center Judicial Disciplinary Council.

**5.1** The Appointments Panel must inform student Committee members that, as Representatives, they also serve at the pleasure of the duly elected S.B.A.. The Appointments Panel shall send a letter to each appointee regarding his role within one week after the Council approves the appointment list.

**5.2** The Chair of the Committee shall contact each appointee when Council addresses, at a full Council meeting, an issue under the jurisdiction of his or her Law Center Committee.

**5.3** If an appointee misses two meetings with their internal Committee during a semester, they will be removed from their position and replaced in accordance with this Section.

**5.4** As the Council is responsible for appointing Student members to Law Center Committees, and as those appointments are to be made in the best interest of students, the Council may exercise its authority to remove those members, once appointed.

**6.1** An abridged version of this Section shall be sent by the Executive Board to all Law Center Committees to which the Council appoints student members before the appointments process begins.

## **SECTION IX**

### *Finance*

**1.1** Introduction. As the Student Bar Association represents all students, it is the responsibility of the Council to spend its monies keeping in mind the best interests of all students.

**2.1** It shall be the responsibility of the Treasurer of the Council to formulate the budget of the Council for presentation to the Student Finance Committee (SFC). The President of the S.B.A. shall select not more than two official Representatives of Council, one of which may be herself or himself, to present the budget proposal to SFC.

**2.2** The Treasurer shall keep accurate and up-to-date records of all financial transactions of the Council and of the current status of S.B.A. funds. He or she shall be prepared at every meeting to answer questions regarding finances and the regulations established by the SFC. The Treasurer shall deliver a report on current SFC activities and expenditures once every month.

**3.1** In accordance with Law Center policy, two members of the Council shall retain signing power over its funds. These members shall be the President and Treasurer of the Council.

### *Communications with the Student Finance Committee*

**4.1** The Chairperson of the Student Finance Committee should give a presentation to Full Council at the beginning of each year to explain the workings and responsibilities of SFC and its relationship to the S.B.A.

## **SECTION X**

### *Resignation*

**1.1** Upon submittal to the Council of a written and signed statement expressing a member's wish to terminate his or her membership on the Council, such member will have officially resigned. This resignation shall be considered final and valid immediately upon its submittal to the Council as a whole.

**1.2** An Officer may resign to a Representative position even if that requires increasing the number of Representatives allowed in Section III- Elections.

**2.1** Upon the receipt of a resignation, a vacancy is created on the Council and proceedings should begin immediately to fill the vacancy in accordance with Section III- Elections, Article 11.

**3.1** The submission of a resignation by any member shall nullify and close any removal proceedings which may be in process, however this will not close any disciplinary proceedings still pending.

## **SECTION XI**

### *Removal*

**1.1 Introduction.** In order for the interests of students to be represented best, and in order for the fulfillment of the Council's program to occur smoothly, the active and regular participation of all Council and Law Center Committee members is a necessity. The Council maintains the authority to remove its own members from office, and has the right and responsibility to recall any student from his or her S.B.A.- appointed Law Center Committee position, should that student be found guilty of inadequately performing his or her Committee duties.

### ***Removal of Council Members and Officers***

**2.1** Any member of the Student Bar Association may be removed from the Council by a two-thirds (2/3) vote of the Council, in accordance with Article VIII, Section 3, of the S.B.A. Constitution.

**2.2** In order to ensure competent leadership it shall be the role of the next Officer in line after the President and Day and Evening Vice President to hold an internal vote of confidence in a secret ballot form where only the counters will know the results, however, if there is a vote of "no confidence" the results will be released. The election shall be held five (5) weeks from the initial S.B.A. meeting of each semester and shall be a vote upon the competence of the President and Day and Evening Vice President in two separate ballots. The next Officer in line after the President and Day and Evening Vice President and the Secretary shall count the ballots. A two-thirds (2/3) majority vote of "no confidence" shall be required for Council to remove the President or Day and Evening Vice President from office. Removed Officers shall be replaced by an internal election within two meetings.

**2.3** The following actions constitute grounds for removal of S.B.A. Representatives and Officers from Council:

**(a)** Any Council member missing three unexcused Law Center Committee meetings or twenty percent of the scheduled Committee meetings over a one-semester period will be brought before the Executive Board on grounds of removal.

**(b)** Any Council member or Officer missing three unexcused S.B.A. meetings or twenty percent of the scheduled meetings over a one-semester period will be brought before the Executive Board on grounds of removal. To be considered at a meeting, members must be in attendance no later than thirty (30) minutes into the meeting and stay for the remaining entirety of the meeting or at least three hours of said meeting.

**(c)** Any Officer missing three unexcused Executive Board meetings shall come before the entire Council on grounds of removal. Said Officer shall state the reasons for the absences. Council members will then vote by secret ballot on the motion of removal of the Officer.

**(d)** The Day and Evening Vice Presidents shall formally warn any council member not fulfilling the obligations of office that removal proceedings are pending. The Executive Board shall officially notify the member, in writing, that he or she will be placed on a two-week warning status. After this time period, the member shall be brought before the Executive Board for removal if such charges persist.

**2.4** When a member is brought before the Executive Board on grounds of removal, the Board will first hear explanations from said member. If, after questioning, the Board votes by a two-thirds (2/3) majority to remove the member from the Council, said member may then either appear before the entire Council or submit his or her resignation at the next meeting.

**2.5** When a member appears before the entire Council on grounds of removal, the President (or if the President is being questioned for removal, the next Officer in the line of succession, shall explain the charges and the reason for the Executive Board's decision to ask for removal. However, in order to preserve the impartiality of the Presiding Officer, the Day and Evening Vice Presidents (or if the Day or Evening Vice President is being questioned for removal, the next Officer in the line of succession), shall serve as the official representative of the Executive Board in advocating the accused member's removal. The accused Representative or Officer shall then have time to defend himself or herself, after which the floor will be open for questions. Voting on a question of removal shall be by secret ballot.

**3.1** When an internal Officer is brought before the Council on grounds of removal only for the violation of rules applying solely to Officers, then, if he or she is removed by a two-thirds (2/3) majority vote of the Council, such Officer will only lose his or her Officer status and will retain Council membership. This article shall not be construed to prohibit the complete removal of internal Officers from the Council for other violations.

### ***Removal of S.B.A. - Appointed Members of Law Center Committees***

**4.1** Any member of a Law Center Committee may be removed by the Council as a result of frequent absences from Committee meetings (as defined in Article 2.2 (a) of this Section) or failure to contribute to the goals and program of the Council.

**4.2** Should any member of the Council desire removal of a Law Center Committee member on these grounds, he or she must first discuss the matter with the Coordinator of the affected program area so that the Coordinator may work directly with the Committee member to eliminate the need for unnecessary removal.

**4.3** Any member of Council, in accordance with Articles 4.1 and 4.2 of this Section, may raise the issue of removal of a Law Center Committee appointee at any Council meeting.

**4.4** Any Law Center Committee member being considered for removal shall be required to come before the full Council and shall be allowed to speak on his or her own behalf. The Council member bringing charges and the Committee Chairperson shall also speak on this issue.

**4.5** Removal of any Laws Center Committee member requires a two-thirds (2/3) majority vote of the Council.

**5.1** Questions of removal take immediate precedence over all other Council business except for public time.

## **SECTION XII**

### *Amendments*

**1.1** In accordance with Article X, Section 1 of the S.B.A. Constitution, this Code of Operations shall be amendable through the following procedure:

(a) All proposals for changes in the code must be presented in written form before the Council at least one week before they are considered formally.

(b) Once the necessary waiting period has elapsed, a two-thirds (2/3) majority vote of Council is required to approve amendments.

## **SECTION XIII**

### *Constituting Process*

**1.1 Introduction.** Campus organizations further the common interests of the members of the group and are essential parts of the learning environment at Touro Law Center. Open to all students and facilitated through a student government network, these organizations develop many opportunities for experiential learning which supplement and reinforce classroom activities for students.

**1.2** It is the role of the Student Bar Association to provide support for all recognized student groups, facilitate access to each group through accurate dissemination of information, and to identify the parameters of the groups' activities within Touro Law Center.

### *Procedures*

**2.1** Any group wishing to acquire status as a Student Activity Group must observe the following procedures:

**(a) Constitution Preparation**

Members of an organization must prepare a written Constitution containing:

**1.** Name of the organization.

**2.** Statement of purpose, including nature of departmental, administrative, legal, religious, political or financial affiliations without which at the organization would not exist where applicable.

**3.** Description of membership and definition of membership. Must include verbatim, the non-discrimination statement on attached Constitution format, a statement requiring majority membership to consist of full and part-time Touro students.

**4.** Description of Officer positions or structure of leadership. Officers must be currently enrolled as either full or part-time Touro students.

**5.** Election of Officers (where applicable).

**6.** Organizational financial responsibilities (where applicable). If activity fee funded, must include verbatim, the Student Activity financial responsibility statement on attached Constitution format; if non-activity fee funded, must include a description of the financial account structure and the financial obligations of membership.

**7.** Description of duties official advisor (where applicable).

**8.** Amendment procedure. Must include, verbatim, the S.B.A. amendment statement on attached Constitution format.

9. The Category's required number of signatures of members of the organization who are full and part-time Touro students.

**(b) Submission and Review**

The group must submit a draft of the Constitution to the S.B.A. Coordinator of Student Activities for review at least two (2) full days before the Student Activities Committee's regularly scheduled meeting.

**(c) Representation at the meeting of the Student Activities Committee**

A representative of the organization must attend the Student Activities Committee meeting for questions and discussion, as deemed necessary by the Committee. A simple majority of the Committee is needed to recommend the Constitution.

**(d) Full Council Approval of Constitutions**

Weekly, the Coordinator of Student Activities will present a report of all Constitutions it recommends, including the group's full name, category status, statement of purpose, and reasons for recommendation. If this report includes any co-sponsorship, changing status to Category three, or appeals, the group concerned will be asked to attend the Full council meeting in order to explain their purpose and field any questions from Council. The Coordinator will provide copies of all proposed Constitutions for members that request them.

Constitutions shall be considered official when a two-thirds (2/3) majority of present Council members vote to accept them.

**(e) Categorization of Student Group**

The Student Bar Association shall also decide, upon recommendation of the Coordinator of Student Activities, to which student activity category the new group will be assigned. (See Section II on Student Activity Categories). This decision shall be part of the motion to constitute, e.g. "I move to constitute the XYZ CLUB as a Category One group."

**(f) Constitutional Revision**

If there are any Constitutional change unresolvable at the Full Council meeting as deemed necessary by Council before approving the Constitution, the group must begin the process again resubmitting a new Constitution as per steps A-D.

**(g) Approval**

The Constitution of the newly constituted group will receive an official stamp indicating the date of its approval, its category, and the signature of the Coordinator of Student Activities. It shall be the responsibility of this coordinator to forward a copy of this Constitution to the Student Activities Office and to the Student Finance Committee, if a Category Two Group.

**(h) Appeal**

A group wishing to appeal the decision of the Student Activities Committee may submit a written request and reasons for the appeal to the S.B.A. Coordinator of Student Activities within fourteen (14) days of the date of the Student Activities Committee's original decision. The group shall have a hearing with the Student Activities Committee of the S.B.A. within fourteen (14) days after the Coordinator of Student Activities has received the appeal. Upon closure of this hearing, if there is at least a one-fourth (1/4) minority vote of the Student Activities Committee approving of the Constitution, the Constitution will be brought before Full Council at the next regularly scheduled meeting. If a minority of the Student Activities Committee approves of the Constitution, a member of the majority opinion will report the majority's reservations to the Full Council before its decision. The group's written appeal will be submitted to all Council members.

2. A group wishing to appeal the decision of Council may submit a written request and reasons for the appeal to the S.B.A. coordinator of Student Activities within fourteen (14) days of the date of the Councils original decision. The group shall have a hearing with the Student Activities Committee of S.B.A. within fourteen (14) days after the Coordinator of Student Activities has received the appeal. The Coordinator of Student Activities will submit the decision of the Student Activities Committee and the group's written appeal to the Full Council at the next regularly scheduled meeting after the appeal.

3. A group wishing to appeal any aspect of this Code must submit a written request and reasons for the appeal to the S.B.A. Student Activities Committee in the same manner as outlined in Subsections (b) and (c) above with the exception that a two-thirds (2/3) majority vote of Council is needed to suspend the rules of this Code of Operations.

**(i) Amendment and Category Changes**

A group wishing to change its Constitution or category must submit an amended Constitution and a written request with reasons for the change to the Student Activities Committee of S.B.A. in the same manner as outlined in Subsections (b) and (c) above.

### *Student Activity Categories*

**3.1** Groups shall be classified in one of the following two categories:

**(a) CATEGORY ONE** student groups not requesting activity fee funding.

**1.** Responsibilities

**a.** Must exist within the confines of all Law Center policy: The stated purpose and the group's activities must be consistent with the tenets of community behavior and the Law Center's guidelines for risk management.

**b.** Must not be privately incorporated.

**c.** Must follow the procedures for obtaining status as a student group at Touro Law Center as outlined in Section II.

**d.** Must adhere to the Constitution and statement of purpose of this group.

**e.** Must have its current leadership on file with the Office of Student Activities by submitting an annual leadership update form to the S.B.A. Coordinator of Student Activities on or before the deadline established by the Student Activities Office and the Student Bar Association. Any subsequent changes to this information must be filed within one week of the changes. If a group will intentionally be inactive for a period of one or two semesters, the period of inactivity must also be registered with the S.B.A.

**f.** Must maintain a mailbox through which all official communication with the organization may be conducted.

**(b) CATEGORY TWO** student groups requesting activity fee funding

**1.** Responsibilities

**a.** All responsibilities of CATEGORY ONE GROUPS outlined above in Subsections 3.1 a. **MUST HAVE EXISTED AS A CATEGORY ONE GROUP FOR AT LEAST ONE SEMESTER.**

**b.** Must demonstrate a substantial community impact (i.e. lectures, seminars, popular membership, and other non social events representing Touro to another community).

**c.** Funding must be integral to the goals of the group.

**2.** Privileges

**a.** All privileges ONE GROUPS as outlined above Subsections 3.1.b.2.

**b.** Eligibility to submit a budget from the Student Activity Fee for the approval of the Student Finance Committee. Said groups shall not be limited to communications money and social fund from SFC.

**3.2** Groups intending to exist for a specific period of time may be designated Ad Hoc groups. Such groups shall adhere to all other guidelines outlined in this section, including the group categories listed above.

### *Maintaining Constituted Status*

**4.1** Each constituted group must register its Constitution and its leadership at the start of each semester in order to maintain its status as a constituted group;

**(a).** The group must officially sign in at the Student Activities Office at the start of each academic year, if they have an SAO account, within the time period set by the SAO.

**(b).** In the first month of the academic year, the group must additionally register with the S.B.A. Coordinator of Student Activities, including a brief explanation of its purpose and activities and a listing of the group's leaders for that year for the inclusion into the Guide to Student Activities. Subsequent changes to this information must be filed within one week of the changes.

**4.2** Groups that fail to register, as outlined in Article 4.1 of this Section, will be considered inactive.

**4.3** Groups that hold no official meetings or events for two consecutive semesters will be considered inactive. Groups that do not use any funding available to them for two consecutive semesters may be brought by the SFC before the Student Activities Committee for beginning the de-Constitution process.

**4.4** Inactive groups shall have all privileges as a constituted group, outlined in Article 3.1 suspended, including all access to funds deposited in SAO accounts.

**4.5** All groups that have become inactive shall be contacted by the Coordinator of Student Activities, if members of the group can be found.

**4.6** Groups which have become inactive may be restored to active status upon completion of their registration, as outlined in Article 4.1 of this Section, within a date set by the Student Activities Committee and a majority vote of the Student Activities Committee prior to the Student Activities Committee's decision.

**4.7** Inactive groups that fail to restore their active status after one full semester shall be removed from the official list of constituted groups, losing all privileges as a constituted group as outlined in Article 3.1 of this Section. These groups are considered deconstituted.

**4.8** The S.B.A. Coordinator of Student Activities shall update monthly a list of all active student groups, both S.B.A. constituted and groups recognized by other offices and departments of the Law Center, and distribute this list to the SAO, Plant Operations, Police and Security, and all other offices responsible for overseeing and providing access to privileges related to the existence as an active student group. This list shall be used to verify active groups seeking access to these privileges.

#### ***DeConstitution of Student Groups***

**5.1** The S.B.A. may at any time deconstitute groups that fail to adhere to S.B.A., SFC, or Law Center regulations.

**5.2** All groups that are being proposed for deConstitution shall be contacted by the Executive Board and the General Council.

**5.3** Every group subject to deconstituting proceedings has a right to a hearing.

**5.4** Such a group wishing to remain constituted may submit a written request and reasons for remaining constituted to the S.B.A. within fourteen (14) days of the date of notification. The group shall have a hearing with the S.B.A. within fourteen (14) days after the Coordinator of Student Activities has received the written request. Upon closure of this hearing, if there is a simple majority vote of the Student Activities Committee approving of the Constitution, the Constitution will be brought before Full Council with the Coordinator of Student Activities for review and vote.

**5.5** Any subsequent requests to reconstitute a group that has been deconstituted shall be considered on a case-by-case basis through the same means as a new group as outlined in Article 2.1 of this Section. Restrictions and/or conditions may be placed upon such a group's privileges as a constituted group.