

Constitution and Bylaws of The Hamline University School of Law Student Bar Association

ARTICLE I: NAME AND PURPOSE

1.1 This Association shall be known as the Hamline University School of Law Student Bar Association (hereinafter “SBA”). The address of the SBA is 1536 Hewitt Avenue, St. Paul, MN 55104.

1.2 The purposes and objectives of the SBA are to:

1.2.1 Support and encourage academic excellence and professional growth among students;

1.2.2 Ensure the attainment and preservation of the rights of individual students to acquire a quality legal education in a just and reasonable manner;

1.2.3 Serve as a liaison between the students and the faculty, alumni of the school, and the greater community; and

1.2.4 Facilitate and foster community among students.

ARTICLE II: DEFINITIONS

2.1 Archive: Compile and preserve paper and electronic copies of records in a manner suitable for permanent storage and reasonable ease of retrieval and accessibility.

2.2 Class: SBA Members shall be divided into four classes: 1L Class, 2L Class, 3L Class, and Weekend Class. The 1L, 2L, and 3L Classes shall be comprised of Weekday Students based on their class standing as determined by the HUSL Registrar’s Office. The Weekend Class shall be comprised of all Weekend Students.

2.3 Constitution: This document, fully titled *Constitution and Bylaws of the Hamline University School of Law Student Bar Association*.

2.4 HUSL: Hamline University School of Law.

2.5 Member: Any student enrolled at HUSL who has paid the SBA membership fees for the current semester.

2.6 Minutes: Minutes, at a minimum, shall contain:

2.6.1 Name of the body convened;

2.6.2 Location, start and end time of the meeting held;

2.6.3 Time and place of the next scheduled meeting, if known;

2.6.4 Absence or presence of each member of the body convened and whether or not quorum was satisfied; and

2.6.5 All motions, points of order and appeals of the meeting, and whether sustained or lost.

2.7 Publish:

2.7.1 Meeting Announcements and Agendas: Provide public notice, by means of posting notice on at least one prominent bulletin board within the law school, and, if available, posting notice on the SBA, or other appropriate, website. Additional notice may be provided through email, newsletter, event calendars or similar publications, and/or student message boxes.

2.7.2 All Other: Provide public notice by means provided in Section 2.7.1 and by placing a copy of the item to be published on reserve in the HUSL Library.

2.8 Regular Board Meeting: Any duly called meeting of the Board of Governors which is not a special meeting.

2.9 School Day: Any day on which HUSL classes are in session, excluding exam and reading days, as designated by the Registrar's office.

2.10 Weekday Students: Students enrolled in the Weekday Program, as determined by the HUSL Registrar's Office.

2.11 Weekend Students: Students enrolled in the Weekend Program, as determined by the HUSL Registrar's Office.

2.12 Written: Means a document on paper or electronic form, such as, but not limited to, e-mail and/or fax.

ARTICLE III: MEMBERSHIP

3.1 Any Member may cancel his or her membership by filing a petition for refund with the SBA Treasurer no later than the last day of the semester to drop a class without notation/penalty, pursuant to Section 4.2.2.5(d)(iii).

3.2 Only Members may vote or hold office.

3.3 No Member may receive monetary compensation for any services rendered to the SBA, except that Members may be paid for working as an employee of the Bookstore. Board

Members shall be entitled to authorized advances or repayments for expenses incurred in conducting authorized SBA business.

ARTICLE IV: GOVERNANCE

4.1 This Constitution and the SBA Articles of Incorporation shall constitute the sole governing documents of the SBA.

4.2 Board of Governors (“Board”)

4.2.1 Composition

The Board shall consist of the following positions:

4.2.1.1 All SBA Officers, as described in Section 4.2.2;

4.2.1.2 One Representative at Large;

The Representative at Large shall:

4.2.1.2(a) Represent the interests of the membership at large;

4.2.1.2(b) Serve as Chair of the Student Programs Committee;

4.2.1.2(c) Serve as a member of the Executive Committee; and

4.2.1.2(d) Vote on issues presented to the Board.

4.2.1.3 Twelve (12) Class Representatives;

4.2.1.3(a) There shall be three (3) Representatives from each Class, as defined by Section 2.2.

4.2.1.3(b) Class Representatives shall:

4.2.1.3(b)(i) Represent the interests of their respective class members;

4.2.1.3(b)(ii) Vote on issues presented to the Board;

4.2.1.3(b)(iii) Hold Class Meetings at least once per semester; and

4.2.1.3(b)(iv) In the event of a representative’s inability to attend a Board meeting, arrange for a respective Class Alternate to assume their duties for the duration of the meeting.

4.2.1.4 Four (4) Class Representative Alternates (“Alternates”)

4.2.1.4(a) There shall be one Alternate for each Class, as defined by Section 2.2.

4.2.1.4(b) In the event of a Class Representative’s temporary absence from any regular or special meeting, the respective Alternate shall temporarily assume the office and responsibilities of the absent Class Representative, consistent with Section 4.2.1.3(b)(iv).

4.2.1.4(c) In the event of a permanent vacancy of the office of Class Representative, the respective Alternate shall assume the vacant position, consistent with Section 4.6.

4.2.1.5 One American Bar Association/Law Student Division (“ABA/LSD”) Representative;

4.2.1.5(a) The ABA/LSD Representative shall:

4.2.1.5(a)(i) Be an ABA/LSD member in good standing at the time of election and throughout their elected term;

4.2.1.5(a)(ii) Vote on issues presented to the Board;

4.2.1.5(a)(iii) Represent the SBA at all Circuit and National ABA/LSD meetings as a voting delegate, or arrange for the attendance by another Board Member who is also an ABA member to serve as a proxy, subject to approval of the Board.

4.2.1.5(a)(iv) Comply with all ABA mandated Roles and Responsibilities of ABA/LSD Representatives;

4.2.1.5(a)(v) Maintain and archive ABA/LSD records, and make such records available within seven (7) school days of a request;

4.2.1.5(a)(vi) Hold at least one meeting per semester of ABA members; and

4.2.1.5(a)(vii) Regularly disseminate information regarding the ABA/LSD to the SBA membership and board.

4.2.1.5(b) Nothing contained herein shall bind the ABA/LSD members in matters unrelated to SBA, but conflicts arising between the SBA Constitution and any ABA/LSD governing documents or procedures shall be brought to the attention of the Board.

4.2.2 Officers

4.2.2.1 The SBA Officers shall consist of the President, Vice President, Secretary, and Treasurer.

4.2.2.2 President

The President shall:

4.2.2.2(a) Call and chair Board and General Assembly Meetings;

4.2.2.2(b) Serve as a member of the Executive Committee;

4.2.2.2(c) Ensure that the Board fulfills its responsibilities for the governance of the SBA, functions effectively, interacts with administration optimally, and fulfills all of its duties;

4.2.2.2(d) Annually set goals and focus the Board's attention on matters of governance that relate to the SBA's structure, role, and relationship to the Administration and Members;

4.2.2.2(e) Serve as spokesperson for the SBA and as liaison to the Dean and Administration;

4.2.2.2(f) Serve as a signatory on all SBA bank accounts;

4.2.2.2(g) Nominate members to serve as Committee Chairs and as a Parliamentarian; and

4.2.2.2(h) Call a Special Election, Referendum or Initiative, consistent with Section 5.8, if the requirements of either Section 5.3 or Section 5.4 are met;

4.2.2.3 Vice President

The Vice President shall:

4.2.2.3(a) Exercise the powers and duties of the SBA President during the absence or incapacity of the President, in which case the Vice President shall not vote except to break a tie consistent with Section 6.3.3.3;

4.2.2.3(b) Succeed the President in office in the case of a permanent vacancy, pursuant to Section 4.4.1;

4.2.2.3(c) Serve as Chair of the Executive Committee;

4.2.2.3(d) Serve as a signatory on all SBA bank accounts;

4.2.2.3(e) Vote on issues presented to the Board, subject to the restrictions of Section 4.2.2.3(a); and

4.2.2.3(f) Fulfill such other assignments as the President determines appropriate and desirable for the Vice President to perform.

4.2.2.4 Secretary

The Secretary shall:

4.2.2.4(a) Act as recording secretary, or arrange for substitutes or assistants, at all Board Meetings and General Assembly Meetings;

4.2.2.4(b) Serve as a member of the Executive Committee;

4.2.2.4(c) Collect, compile, and preserve all significant records and minutes of the SBA;

4.2.2.4(d) Pass on all SBA records annually, in suitable form, to the succeeding Secretary;

4.2.2.4(e) Record the absence or presence of all Board Members at all Board and General Assembly Meetings;

4.2.2.4(f) Record votes taken at Board and General Assembly Meetings;

4.2.2.4(g) Record the official winners of all elections or appointments;

4.2.2.4(h) Publish all agendas, minutes, and notices of the Board and General Assembly Meetings in accordance with Section 2.7;

4.2.2.4(h)(i) Agendas shall be published at least seven school days prior to the meeting; and

4.2.2.4(h)(ii) Minutes of meetings shall be published within seven (7) calendar days after the meeting.

4.2.2.4(i) Ensure that announcements of the Board are published in a timely manner;

4.2.2.4(j) Manage, archive, and assume responsibility for all official SBA correspondence and official documents;

4.2.2.4(k) Make all SBA records available to Members within seven (7) school days of a written request;

4.2.2.4(l) Coordinate with the Treasurer in preparing and filing any required documents, including, but not limited to, the Annual Registration with the Minnesota Secretary of State and all necessary federal, state, and local tax forms;

4.2.2.4(m) Serve as a signatory on all SBA bank accounts;

4.2.2.4(n) Maintain a list of current Members; and

4.2.2.4(o) Vote on issues presented to the Board.

4.2.2.5 Treasurer

The Treasurer shall:

4.2.2.5(a) Manage and assume responsibility for all SBA finances, accounting, and bookkeeping, in conjunction with the SBA's accountant, Ways & Means Committee, and when applicable, the Bookstore Manager and Bookstore Committee Chair;

4.2.2.5(b) Serve as the Chair of the Ways & Means Committee;

4.2.2.5(c) Serve as a member of the Bookstore Committee and the Executive Committee;

4.2.2.5(d) Be responsible for:

4.2.2.5(d)(i) Financial Records

The Treasurer Shall:

4.2.2.5(d)(i)(1) Maintain and archive all SBA financial records; including, but not limited to, budget requests, special funding requests, allocations, tax records, income and expense reports, and SBA Bookstore receipts;

4.2.2.5(d)(i)(2) Create and maintain a separate file containing copies of the budget proposals of student organizations submitted to the Ways and Means committee;

4.2.2.5(d)(i)(3) Consistent with and pursuant to state law, prepare, for review by the Board, and file, upon approval of the Board, any required documents, including, but not

limited to, the Annual Registration with the Minnesota Secretary of State and all necessary federal, state, and local tax forms;

4.2.2.5(d)(i)(4) Prepare and provide to the Board a monthly Balance Sheet and Income Statement for the SBA, including the Bookstore, in conjunction with the SBA's accountant; and

4.2.2.5(d)(i)(5) Make all SBA financial records available for inspection and/or copying within seven (7) school days of a written request.

4.2.2.5(d)(ii) Annual Budget

The Treasurer Shall:

4.2.2.5(d)(ii)(1) Prepare, with the Ways and Means Committee, a projected expense and income budget for the SBA for the upcoming school year; and

4.2.2.5(d)(ii)(2) After a report to and subject to review by the Board, recommend the budget to the General Assembly for approval at a Spring General Assembly Meeting.

4.2.2.5(d)(iii) Member Refunds

The Treasurer shall:

4.2.2.5(d)(iii)(1) Issue a refund, without question, of a Member's current semester membership fees within seven (7) calendar days of receipt of the Member's written request for a refund, consistent with Section 3.1; and

4.2.2.5(d)(iii)(2) Inform the Secretary of Members receiving membership refunds in order for the Secretary to update the list of Members.

4.2.2.5(e) Serve as a signatory on all SBA bank accounts; and

4.2.2.5(f) Vote on issues presented to the Board.

4.2.3 Duties of the Board of Governors

The Board shall:

- 4.2.3.1 Be accountable to the membership as a whole or as constituted in a General Assembly;
- 4.2.3.2 Serve as the governing body of the SBA, and be accountable to the SBA membership as a whole;
- 4.2.3.3 Serve as the managerial body of the SBA, formulate the general policies and manage the affairs of the SBA, receive and spend monies of SBA, enact and adopt resolutions consistent with the powers and for the purposes contained herein for the benefit of the membership, subject only to the limitations contained in the Articles of Incorporation, this Constitution, and directives of the General Assembly;
- 4.2.3.4 Vote on the President's nomination of the Parliamentarian, Committee Chairs, members of SBA committees, and SBA representatives to HUSL or University committees. Approval of nominations requires a two-thirds (2/3) vote of quorum;
- 4.2.3.5 Serve as the membership's advocate to Hamline University and HUSL, and designate delegates to attend meetings where SBA representation is permitted;
- 4.2.3.6 Address the needs of membership through scholarship contributions, capital improvements to the law school, and support for the various student organizations as requested by those organizations;
- 4.2.3.7 Oversee the policies and operations of the SBA Bookstore, and upon a recommendation from the Bookstore Committee, make hiring decisions regarding the Bookstore Manager;
- 4.2.3.8 Take any and all action necessary to fulfill the responsibilities provided by this Constitution;
- 4.2.3.9 All motions concerning matters of appropriation or policy must be submitted in writing for approval by the Board of Governors unless exigent circumstances or another section herein provides otherwise. This section does not apply to amendments brought on a written motion;
- 4.2.3.10 The Board of Governors prior to adjournment of any meeting will move for and pass a motion stating the next time the Board of Governors will meet unless the Board of Governors adjourns Sine Die provided, however, that no more than once per semester may the Board of Governors adjourn Sine Die; and
- 4.2.3.11 Act with good faith and due diligence in exercising their respective powers and fulfilling their respective duties.

4.2.4 Terms of Office

Unless otherwise specified in this Constitution, the term of office for any elected position shall run from the date that the election results for that office are certified by the Election Committee until the date that the following Spring election results are certified, except that the term of office for the Class Representatives of the graduating 3L Class shall extend until Commencement.

4.3 Judiciary

4.3.1 Parliamentarian

The Parliamentarian shall:

4.3.1.1 Be nominated by the President and confirmed pursuant to Section 4.2.3.4;

4.3.1.2 Possess knowledge of the most current edition of Robert’s Rules of Order, and provide Robert’s Rules training to Board Members;

4.3.1.3 Upon request, advise officers, representatives, and committees regarding parliamentary procedure and interpretation of the Constitution and Bylaws;

4.3.1.4 At the request of any officer or representative, decide questions of constitutional interpretation and of the constitutionality of SBA procedural actions and decisions. Decisions of the Parliamentarian may be appealed to the Judicial Council, pursuant to Section 4.3.2.2(a)(i); and

4.3.1.5 Attend Board and General Assembly Meetings for the exclusive purpose of fulfilling the above duties.

4.3.2 Judicial Council (“Council”)

4.3.2.1 Composition

The Judicial Council shall:

4.3.2.1(a) Be comprised of three (3) SBA members elected in the Spring elections, pursuant to Section 5.1.1.1. At least two (2) members of the Judicial Council shall be of different Classes, as defined in Section 2.2;

4.3.2.1(b) Possess knowledge of parliamentary procedure or a commitment to acquire such knowledge within fourteen (14) school days of their election; and

4.3.2.1(c) Select a Chair from among themselves and publish their selection within fourteen (14) School Days of the Council’s election.

4.3.2.2 Powers

The Judicial Council shall have:

4.3.2.2(a) Appellate Jurisdiction

4.3.2.2(a)(i) Upon the written appeal of five (5) Members, the Council shall review the decisions of the Parliamentarian or the Election Committee.

4.3.2.2(b) Original Jurisdiction

4.3.2.2(b)(i) Upon written request of five (5) Members, the Council shall decide questions of constitutional interpretation and review the constitutionality of SBA actions and decisions.

4.3.2.2(b)(ii) Upon written request of five (5) Members, the Council shall hold a Misconduct Hearing to consider allegations of violations of the Constitution.

4.3.2.2(b)(iii) Upon impeachment of a Board Member, the Council shall hold an impeachment hearing and issue a recommendation to the Board, consistent with Section 4.6.2.

4.3.2.2(b)(iv) Decide election disputes.

4.3.2.3 Duties of the Judicial Council

The Council shall:

4.3.2.3(a) Hold hearings as required to exercise its powers as described in Section 4.3.2.2.

4.3.2.3(b) Investigate allegations and charges with due diligence to determine the weight of evidence supporting the allegation or charge, and determine its truthfulness; and

4.3.2.3(c) Be authorized to call witnesses, examine pertinent documents, and make factual findings.

4.3.2.4 Decisions of the Judicial Council may be appealed to the General Assembly consistent with Section 6.2.1.4.

4.4 Vacancies

4.4.1 If the office of President is vacant, the office shall be filled by the Vice President. The new President shall nominate a replacement Vice President from the Board with the advice of the Board. The nomination shall be confirmed upon a two-thirds (2/3) vote of quorum of a board meeting.

4.4.2 If the offices of both President and Vice President are vacant, the Board shall, by a majority of its voting membership, select an Acting President from the Board Members. Within a reasonable period of time, a special election shall be held to fill the vacant offices of the President and the Vice President. The duly elected President and Vice President shall take office immediately upon certification of the election results.

4.4.3 Class Representative vacancies shall be filled by the respective elected Alternate. If no Alternate exists, Section 4.4.5 governs.

4.4.4 Judicial Council vacancies shall be filled by a special election held within twenty-one (21) school days of the occurrence of the vacancy.

4.4.5 All other Board vacancies shall be filled by a Member nominated by the President with the advice of the Board. The nomination shall be confirmed upon a two-thirds (2/3) vote of quorum of a Board meeting.

4.5 Recall

4.5.1 Submission to the Judicial Council of a petition which clearly states the reason(s) for the recall and bears the valid signatures of fifteen percent (15%) of a Board member's constituency shall cause the Board to hold a special recall referendum for that Board member.

4.5.2 The recall referendum shall be held within fourteen (14) school days of the submission of the petition to the Judicial Council.

4.5.3 A two-thirds (2/3) majority of the votes cast shall be necessary for removal from office by recall, provided that votes are cast by at least thirty percent (30%) of the eligible Members in the constituency of the Board member being recalled.

4.5.4 The vacancy shall be filled pursuant to Section 4.4.

4.6 Impeachment

4.6.1 Bill of Impeachment

4.6.1.1 The Board shall bring a Bill of Impeachment against any Board Member for misconduct.

4.6.1.2 Misconduct shall include, but is not limited to, incompetent or negligent performance of duties, violation of the SBA Articles of Incorporation and/or of

this Constitution, mismanagement of SBA funds, or violations of the HUSL Code of Conduct.

4.6.1.3 A Bill of Impeachment shall include the specific allegation(s) of the misconduct.

4.6.1.4 Signatures of a majority of the members of the Board on a Bill of Impeachment shall constitute impeachment, triggering Section 4.6.2 of this article.

4.6.2 Impeachment Hearing

4.6.2.1 The Judicial Council shall conduct an Impeachment Hearing within fourteen (14) School Days of the impeachment, consistent with Section 4.3.2.3.

4.6.2.2 The Judicial Council Chair shall publish notice of the hearing, pursuant to Sections 2.7 and 6.1.3.

4.6.2.3 An impeached individual shall have full right to present his or her case to the Council at such hearing. If the Council finds that there is not substantial evidence to support the impeachment, the Council shall dismiss the impeachment, pursuant to Section 4.3.2.3(b).

4.6.2.4 The Judicial Council shall report its finding to the Board within seven (7) school days of the hearing.

4.6.3 Vote of the Board on Impeachment

Upon a report by the Judicial Council finding substantial evidence of the charge, a two-thirds (2/3) vote of the entire voting membership of the Board shall result in removal of the impeached member from office.

4.7 Misconduct Hearings

4.7.1 The Judicial Council shall conduct a Misconduct Hearing within fourteen (14) School Days of receipt of a written request of any Member consistent with Section 4.3.2.2(b)(ii).

4.7.2 If, upon completion of a misconduct hearing, the Judicial Council does not find substantial evidence of a violation of the Constitution, the matter shall be dismissed.

4.7.3 If, upon completion of a misconduct hearing, the Judicial Council finds substantial evidence supporting the allegation, the Council shall make a formal report to the Board at the next Board Meeting.

ARTICLE V: ELECTIONS, PETITIONS, INITIATIVES, AND REFERENDUMS

5.1 Elections

5.1.1 There shall be a Fall and Spring election each year.

5.1.1.1 Spring Election

5.1.1.1(a) The Spring election shall be held at least fourteen (14) calendar days prior to the first day of Spring Break.

5.1.1.1(b) The Spring Ballot shall include the following positions:

5.1.1.1(b)(i) All Officers of the Board;

5.1.1.1(b)(ii) Three (3) 2L Class Representatives and one Alternate;

5.1.1.1(b)(iii) Three (3) 3L Class Representatives and one Alternate;

5.1.1.1(b)(iv) Three (3) Weekend Class Representatives and one Alternate;

5.1.1.1(b)(v) One Representative at Large;

5.1.1.1(b)(vi) One ABA/LSD Representative; and

5.1.1.1(b)(vii) Three (3) Judicial Council members.

5.1.1.2 Fall Election

5.1.1.2(a) The Fall election shall be held no later than the sixth week of classes in the Fall semester.

5.1.1.2(b) The Fall Ballot shall include the following positions:

5.1.1.2(b)(i) Three (3) 1L Class Representatives and one 1L Alternate.

5.1.2 Eligibility of Candidates for Elections

5.1.2.1 Each Member shall be eligible to run for any position on the Board or the Judicial Council, subject to the position qualifications, and other rules published by the Election Committee.

5.1.2.2 A Member shall not be a candidate for more than one position at a time.

5.1.2.3 No Member who anticipates vacating the position prior to the expiration of the term may run for that position.

5.1.3 Procedure to Appear on the Election Ballot

5.1.3.1 A Member shall be placed on the ballot after filing a document entitled Candidacy Notice signed by at least fifteen (15) Members of the constituency of the position.

5.1.3.2 The Candidacy Notice shall specify the Member's name, the position that the Member seeks, the Member's qualifications, and the Member's Class as defined in Section 2.2.

5.2 Petitions

5.2.1 A petition bearing the valid signatures of at least fifty (50) SBA Members shall cause the Board to consider a specific resolution within ten (10) calendar days of the presentation of the petition.

5.2.2 The petition shall be presented to the Secretary, and shall include the full text of the specific matter to be presented to the Board.

5.3 Initiatives

5.3.1 The general membership of the SBA may, by initiative, directly propose and initiate legislation.

5.3.2 A document entitled "Initiative" containing the full text of the proposal and the valid signatures of at least fifty (50) SBA Members shall be submitted to the Secretary. A special referendum shall be called pursuant to Section 5.8.

5.3.3 A two-thirds (2/3) majority of those casting ballots is required to enact the proposal, provided that twenty percent (20%) of the Members of the Student Bar Association cast votes. Approved initiatives shall have the same effect as legislation passed by the Board of Governors and signed by the President.

5.4 Referendum

5.4.1 The general membership of the SBA shall have the power to directly eliminate, nullify, or revoke existing legislation.

5.4.2 A document entitled "Referendum" containing the full text of the legislation to be stricken and the valid signatures of at least fifty (50) SBA Members must be submitted to the Secretary of the SBA. A special referendum shall be called pursuant to Section 5.8.

5.4.3 A two-thirds (2/3) majority of those casting ballots is required to effectuate the revocation, elimination, or nullification, provided that twenty percent (20%) of the Members of the SBA cast votes.

5.4.4 Dates of Referendums

There shall be at least one Spring and one Fall Referendum per school year.

5.4.4.1 The Spring Referendum shall be held no later than the last full week of classes and shall include the Proposed Budget for the upcoming school year

5.4.4.2 The Fall Referendum shall be held no later than the sixth week of classes in the Fall semester and shall include the Ways and Means Committee's Proposed Allocation of Funding to student organizations.

5.5 Election, Initiative, and Referendum Disputes

5.5.1 Disputes over results or processes shall be decided by the Judicial Council.

5.6 Voting in Elections, Initiatives, and Referendums

5.6.1 Each Member shall be eligible to vote in all SBA Elections, Initiatives and Referenda.

5.6.2 All SBA Elections Initiatives or Referendums shall be by secret ballot.

5.6.3 Proxy voting shall not be allowed in Elections, Initiatives or Referendums.

5.7 Ballots for Elections, Initiatives and Referendums

5.7.1 The Election Committee shall prepare and publish ballots prior to the first day of the Election, Initiative, or Referendum.

5.7.2 A separate ballot shall be prepared for each Class, containing only the positions or issues for which that Class is eligible to vote.

5.7.3 Each election ballot shall provide space for a write in candidate for each position.

5.7.4 Ballots shall be collected over a period of four (4) consecutive School Days comprised of two (2) weekdays and two (2) weekend days.

5.7.5 Members shall be required to sign for a ballot at the polls in order to confirm their eligibility to vote, and to ensure that each member votes only once.

5.7.6 Each Member may cast only one ballot.

5.7.7 If the Election Committee so provides, absentee ballots are allowed.

5.8 Special Elections, Referendums and Initiatives

5.8.1 Consistent with Section 4.2.2.2(h), the President shall call a Special Referendum or Initiative when the conditions of Sections 5.3 or 5.4 within fourteen (14) school days of the Secretary's receipt of the properly executed Referendum or Initiative.

5.8.2 Consistent with Section 4.2.2.2(h), the President may call a Special Election when necessary.

5.8.3 The Ballot for the Special Election, Referendum or Initiative shall be published no less than seven school days prior to the first day of the Special Election, Referendum or Initiative.

ARTICLE VI: MEETINGS

6.1 Generally

6.1.1 Location

All meetings shall be held at Hamline University, preferably in the Law School.

6.1.2 Frequency

Each body of the SBA shall hold a meeting of its members at least once per semester.

6.1.3 Notice

The place, time, date, and agenda for any meeting of a body of the SBA shall be published pursuant to Section 2.7 at least seven (7) school days prior to the scheduled meeting, unless otherwise required by this Constitution.

6.1.4 Minutes

6.1.4.1 Minutes, consistent with Section 2.6, from each meeting shall be prepared by the body's Chair, or their designee, and published pursuant to Section 2.7 within five (5) school days after the meeting.

6.1.4.2 Minutes shall be archived consistent with Section 2.1.

6.1.5 Quorum

Quorum to conduct business shall be a majority of the membership of the body, present in person, electronically or by proxy, unless otherwise provided in this Constitution.

6.1.6 Parliamentary Procedure

Meetings shall be conducted pursuant to the most current edition of Robert's Rules of Order.

6.1.7 Open Meetings

All SBA meetings shall be open to all Members, except that a meeting may be closed for data privacy purposes pursuant to the exceptions and closings procedures of the Minnesota Open Meeting Law. See Minn. Stat. Chapter 13D.

6.1.8 Special Meetings

6.1.8.1 Special meetings may be called by:

6.1.8.1(a) The SBA President;

6.1.8.1(b) The Chair of the body to be convened;

6.1.8.1(c) The written request of one fourth (1/4) of the members of the body to be convened, published pursuant to Section 2.7; or

6.1.8.1(d) A petition signed by fifty (50) Members of the SBA, published pursuant to Section 2.7.

6.1.8.2 All Special Meetings shall be limited to the subject(s) indicated in the published agenda or petition.

6.1.8.3 In addition to the Notice required by Section 6.1.3, advance notice of at least two (2) school days, stating time, place, and agenda shall be given to each individual member of the body to be convened, unless the specially called meeting is of the General Assembly.

6.2 General Assembly Meetings

6.2.1 Powers of the General Assembly

Members at a General Assembly Meeting shall:

6.2.1.1 Review and vote on referendum proposals regarding ratification, amendment, or restatement of the SBA governing documents for referendum;

6.2.1.2 Hear and vote on motions, petitions and/or resolutions made by Members as to the operations, policies, and financial matters of the SBA, including adoption of the Annual Budget for referendum, setting Member fees and dues, and any other matters or statements relevant to or directed to the SBA, Hamline University School of Law, Hamline University, or the legal or larger community that is consistent with the goals of the organization as stated in Article I;

6.2.1.3 Direct the Board in its actions as necessary or proper; and

6.2.1.4 Act as the court of last resort regarding SBA matters including but not limited to financial, constitutional, and election matters consistent with Section 4.3.2.4.

6.2.2 Procedure for General Assembly Meetings

6.2.2.1 General Assembly meetings shall be held at least once each semester.

6.2.2.2 Notice shall be published not less than fourteen (14) school days prior to the meeting consistent with Section 2.7.

6.2.2.3 Members shall register with the Secretary upon entering the General Assembly.

6.2.2.3(a) Members shall present an HUSL student identification card or a driver's license as proof of identification to the Secretary at registration along with any original proxies.

6.2.2.3(b) Members shall initial their name, and the name(s) of any authenticated proxy votes, on the registration list.

6.2.2.3(c) The Secretary shall, upon confirmation of the Member's identification (and proxy if presented) and after obtaining the Member's initials on the registration, provide the Member with a card for voting (one card per member plus one card per validated proxy, if any).

6.2.2.4 The Secretary shall determine and announce quorum at the start of the meeting and shall confirm that voting requirements are met consistent with this Constitution.

6.2.2.5 The President shall have discretion in recognizing amendments to matters on the agenda and motions on other business which are made in writing over those made orally in order to facilitate orderly proceedings of the General Assembly.

6.2.2.5(a) Members may submit written proposals containing at least one signature to the Secretary as they register.

6.2.2.5(b) The Secretary shall deliver the proposals to the President for discussion and consideration.

6.2.2.6 Any matter brought up in the General Assembly may, upon a majority vote of the General Assembly, be referred to the Board for their consideration, or to a Referendum.

6.2.2.7 The General Assembly may consider and review proposals for the budget, student organization allocations, amendments, etc., before such matters are balloted for a Referendum.

6.2.3 Quorum for General Assembly Meetings

6.2.3.1 Quorum for conducting the business of the General Assembly shall consist of ten percent (10%) of the Membership.

6.2.3.2 Those present by proxy shall be counted for determining quorum.

6.2.3.3 Where a quorum does not exist, the President shall call a Referendum limited to matters on the agenda that require adoption by the SBA membership. Such Referendum shall be held no later than fourteen (14) school days after such General Assembly Meeting. The remainder of the General Assembly Meeting may continue.

6.2.4 Voting at General Assembly Meetings

6.2.4.1 Votes concerning constitutional or budgetary matters shall be determined by referendum or initiative as applicable per Section 5.3 or 5.4.

6.2.4.2 Voting by proxy shall be allowed for any General Assembly Meeting.

6.2.4.2(a) The proxy shall be in writing, and signed and dated by the party authorizing the proxy.

6.2.4.2(b) A proxy shall entitle the proxy holder to exercise discretion in voting on all matters presented for a vote at the General Assembly Meeting, unless otherwise limited by the language of the proxy.

6.2.4.2(c) Proxies shall expire fourteen calendar days after being signed and dated.

6.2.4.2(d) Proxies shall be counted “present” for the establishment of quorum.

6.2.4.2(e) Proxies shall be destroyed no later than seven (7) school days

after the day of the meeting at which they were cast, provided that a list of the names of those Members voting by proxy at the meeting may be maintained and archived.

6.2.4.3 Calling for a vote and voting by e-mail shall be allowed when a decision is needed and a meeting cannot be called.

6.2.4.3(a) The e-mail shall be sent to the entire membership.

6.2.4.3(b) At least twenty percent (20%) of the Members of each Class shall cast a vote in order for action to be taken.

6.2.4.3(c) Proxy voting shall not be permitted for votes taken e-mail.

6.2.4.4 Each Member shall be entitled to one vote, except that the President may only vote to break a tie.

6.2.4.5 A majority vote of those constituting a quorum shall represent the action to be taken by the General Assembly, unless otherwise stated in this constitution.

6.3 Board of Governors Meetings

6.3.1 The Board shall hold regular meetings at least once per month. The meeting times and dates for each semester shall be set by the close of that semester's registration period. The schedule for each semester shall be published pursuant to Section 2.7 within seven (7) school days. The Secretary shall provide written notice of meetings to each Board member stating time, place, and agenda. The Secretary shall publish notice pursuant to Section 2.7 at least seven (7) School Days prior to the scheduled meeting.

6.3.2 Quorum

In addition to Section 6.1.5, quorum shall require the presence of at least one Representative or Alternate from each Class, except that the current year's entering Class need not be represented until such representatives are elected.

6.3.3 Voting

6.3.3.1 Proxy voting by Board Members at any meeting of the Board shall not be allowed.

6.3.3.2 In the existence of exigent circumstances, any action, other than an action which must be taken at a General Assembly Meeting, Election or Referendum, may be taken by written action, signed or consented to by authenticated electronic communication, by three-fourths (3/4) of the voting membership of the Board. Such written consent or authenticated electronic communication shall be filed with the minutes of the proceedings of the Board.

6.3.3.3 Each Member of the Board shall have one vote, except that the President shall not vote unless to break a tie.

6.3.3.4 A majority vote of those constituting a quorum shall represent the action to be taken by the Board, except that any vote regarding financial matters in excess of Five Thousand Dollars (\$5,000.00) shall require a two-thirds (2/3) vote of the quorum.

6.3.3.5 Calling for a vote and voting by e-mail shall be allowed when a decision is needed and a meeting cannot be called.

6.3.3.5(a) The e-mail shall be sent to all Board Members.

6.3.3.5(b) At least three-fourths (3/4) of the members of the Board shall cast a vote and at least one representative from each Class shall cast a vote in order for action to be taken.

6.3.3.5(c) A majority of those votes cast shall determine the action to be taken, provided the requirements of Section 6.3.3.5(b) are fulfilled.

6.3.4 Attendance

6.3.4.1 Any Board Member who misses two (2) Regular Board Meetings during the Fall or Spring semester shall be automatically and summarily removed from the Board.

6.3.4.2 The Secretary shall include a statement on the record during the taking of attendance that the Board member has missed their second Regular Board Meeting, and that, upon adjournment of the current meeting, the Member is automatically removed from the Board.

6.3.4.3 Immediately following the Board Member's removal, the Secretary shall provide notice of removal, including the procedure for reinstatement, to the removed Board member.

6.3.4.4 Any removed Board member may request reinstatement by submitting a written request for reinstatement to the Secretary. The request shall be submitted not less than three (3) school days prior to the first Regular Board Meeting following the Board member's removal. Upon receipt of the request for reinstatement, the removed Board member shall be given a reasonable amount of time to argue for their reinstatement at the first Regular Board Meeting following the Board member's removal.

6.3.4.5 A two-thirds (2/3) vote of those present is required to reinstate a removed Board member.

6.3.4.6 If the removal is not appealed at the first Regular Board Meeting immediately following the removal, or if two-thirds (2/3) support of the Board of Governors is not garnered on a motion for reinstatement, the removal will become final and the vacant position shall be filled in accordance with Section 4.4.

6.3.5 Teleconferencing

Upon request of a member of the Board, meetings shall be held by electronic means, including, but not limited to, videoconferencing and/or teleconferencing.

At or before the first Board meeting after the 2005 Fall elections, the Board shall adopt and implement procedures for conducting meetings electronically including, but not limited to how to recognize a member to speak, and under what circumstances a member may attend electronically as opposed to in person. Prior to the adoption of procedures for electronic meetings, the Board may, by majority vote, choose not to hold meetings by electronic means.

6.4 Class Meetings

6.4.1 The Class Representatives shall convene a meeting of their Class each semester.

6.4.2 A quorum for the business of the Class shall consist of twenty-five (25) Members of the convened class.

6.4.3 The Representative-at-Large shall attend class meetings.

ARTICLE VII: COMMITTEES

7.1 Formation and Organization

7.1.1 There shall be Standing Committees of the Bookstore Committee, the Election Committee, the Executive Committee, the Membership Committee, the Student Programs Committee, the Special Events Committee, the Student Services Committee, and the Ways and Means Committee.

7.1.2 Ad Hoc Committees may be created upon the majority vote of the Board, and may be dissolved by two-thirds (2/3) vote of the Board.

7.1.3 Committee Chairs shall be nominated by the President and approved consistent with Section 4.2.3.4, unless otherwise provided for by this Constitution.

7.1.4 Committee members are nominated by the Committee Chair for appointment and approval by the Board consistent with Section 4.2.3.4, unless otherwise provided for by this Constitution.

7.1.5 The tenure of committee chairs and members shall coincide with that of the SBA President.

7.1.6 Any disputes regarding committee duties, powers, policies, and functions shall be resolved by a majority vote of the Board.

7.2 Procedures

7.2.1 Each Standing Committee shall meet at least once every semester.

7.2.2 The Chair of each committee shall appoint a committee secretary who shall publish notice of any meeting, stating time, date, place, and agenda, and provide the same to each committee member at least three (3) school days prior to any meeting.

7.2.3 The secretary of each committee shall prepare and submit minutes to the SBA Secretary within seven (7) school days after each committee meeting.

7.2.4 Quorum for conducting the business of a committee shall consist of one-third (1/3) of its members unless otherwise stated.

7.2.5 Each Member of a committee shall have one vote, except that the committee chair shall not vote unless to break a tie.

7.3 Standing Committees

7.3.1 Bookstore Committee

7.3.1.1 Composition of the Bookstore Committee

7.3.1.1(a) The Bookstore Committee shall consist of no fewer than five (5) voting members.

7.3.1.1(b) The Treasurer shall serve as a voting member of the Bookstore Committee but shall not be its Chair.

7.3.1.1(c) The Bookstore Manager shall serve as an ex officio, non-voting member of the Committee.

7.3.1.2 Duties of the Bookstore Committee

The Bookstore Committee shall:

7.3.1.2(a) Manage the business of the bookstore in conjunction with the Bookstore Manager;

7.3.1.2(b) Make recommendations to the Board regarding the hiring of a manager and setting the salary of the manager and employees;

7.3.1.2(c) Make quarterly reports to the Treasurer; and

7.3.1.2(d) File tax returns and other required business documents with the appropriate authorities in a timely manner.

7.3.2 Election Committee

7.3.2.1 Composition of the Election Committee

The Election Committee shall consist of five (5) Members, none of whom may be Board Members or candidates for Board office.

7.3.2.2 Duties of the Election Committee

The Election Committee shall:

7.3.2.2(a) Be responsible for conducting all elections, initiatives and referendums in a fair and impartial manner consistent with this Constitution and all published election/referendum/initiative procedures and rules;

7.3.2.2(b) Establish, publish, and enforce election/referendum/initiative procedures and rules consistent with this Constitution;

7.3.2.2(c) Publish a current copy of the election/referendum/initiative procedures and rules on reserve at the HUSL Library at all times; and

7.3.2.2(d) Set and publish a date for an Election or Referendum or Initiative no later than fourteen (14) school days prior to the Election or Referendum or Initiative.

7.3.3 Executive Committee

7.3.3.1 Composition of the Executive Committee

7.3.3.1(a) The Executive Committee shall be chaired by the SBA Vice President.

7.3.3.1(b) The members of the Executive Committee shall consist of the SBA Officers and the Representative at Large.

7.3.3.2 Duties of the Executive Committee

The Executive Committee shall:

7.3.3.2(a) Provide leadership to and execute the objectives and goals of the Board of Governors;

7.3.3.2(b) Spend money only in accordance with the Annual SBA budget. Any expense in excess of the approved budget shall be presented to the Board for approval; and

7.3.3.2(c) Ensure annual review and update of policies and procedures, including, but not limited to, procedures for conducting meetings electronically (Section 6.3.5), conflict of interest policy (Article X), Election/Referendum/Initiative Procedures and Rules (Section 7.3.2.2), financial and funding procedures (Section 7.3.8.2(a)(iii)).

7.3.3.3 Powers of the Executive Committee

The Committee may conduct the business of the SBA, but shall not have the authority to bind the SBA in any action.

7.3.4 Membership Committee

The Membership Committee shall:

7.3.4.1 Serve as a public relations entity and promote active participation in the SBA through events such as Table Days, Accepted Applicants Weekend, and First Year Orientations;

7.3.4.2 Assist with and coordinate recruitment of membership for all SBA committees;

7.3.4.3 Maintain a positive “brand image” for the SBA; and

7.3.4.4 Be responsible for general membership communications, including establishing, maintaining, and administering SBA e-mail lists.

7.3.5 Special Events Committee

The Special Events Committee shall:

7.3.5.1 Unite the student body by providing student socializing, networking, and fundraising opportunities; and

7.3.5.2 Organize and execute social events, such as the Barrister’s Ball, Bar Review, the 3L Cruise, seasonal barbecues, and other milestone celebrations, such as the Legal Research and Writing memo and brief completions.

7.3.6 Student Programs Committee

7.3.6.1 Composition of the Student Programs Committee

7.3.6.1(a) The Student Programs Committee shall be chaired by the Representative at Large.

7.3.6.1(b) Membership on the Student Programs Committee shall be open to one representative of each HUSL student organization.

7.3.6.2 Duties of the Student Programs Committee

The Student Programs Committee shall:

7.3.6.2(a) Serve as a liaison with student organizations and work closely with the Dean of Programs and the Career Services Office to optimize student and administrative resources;

7.3.6.2(b) Increase collaboration between student organizations in order to maximize attendance at campus events;

7.3.6.2(c) Coordinate with the Ways and Means Committee to develop and manage incentives for student organizations to co-sponsor programs;

7.3.6.2(d) Facilitate issues of common concern for student organizations (e.g. co-sponsored activities and allocation and management of SBA bulletin board space); and

7.3.6.2(e) Hold Student Organization Roundtable Meetings.

7.3.7 Student Services Committee

The Student Services Committee shall:

7.3.7.1 Maintain and improve the quality of the student experience at HUSL;

7.3.7.2 Address issues including, but not limited to, food service, facility maintenance, technology, security, and scholarships; and

7.3.7.3 Serve as an ombudsman for student complaints, and work with students to reach satisfactory resolutions of pertinent problems.

7.3.8 Ways and Means Committee

7.3.8.1 Composition of the Ways and Means Committee:

7.3.8.1(a) The Ways and Means Committee shall be chaired by the SBA Treasurer; and

7.3.8.1(b) The committee shall be comprised of at least one Member from each Class as defined in Section 2.2, in addition to the Chair.

7.3.8.2 Duties of the Ways and Means Committee

The Ways and Means Committee shall:

7.3.8.2(a) Meet at least twice per school year to:

7.3.8.2(a)(i) Prepare a proposed budget for the Spring Referendum;

7.3.8.2(a)(ii) Allocate funding to student groups for the Fall Referendum; and

7.3.8.2(a)(iii) Annually review and update financial and funding procedures.

7.3.8.2(b) The Treasurer, on behalf of the Committee, shall, report to the Board the Committee's proposed budget for the upcoming school year. After review by the Board, the Treasurer, on behalf of the Committee, shall recommend the Committee's proposed budget to the Members at a Spring General Assembly for submission for referendum, consistent with Section 4.2.2.5(d)(ii).

7.3.8.3 Quorum

Quorum for conducting the business of the Ways and Means Committee shall consist of two-thirds (2/3) of the committee members.

7.3.9 Culture and Diversity Committee

7.3.9.1 Composition of the Culture and Diversity Committee:

7.3.9.1(a) The Culture and Diversity Committee shall be chaired by a person appointed by the President;

7.3.9.1(b) Membership on the Culture and Diversity Committee shall be open to one representative of each HUSL student organization, and/or persons selected by the Committee Chair; and

7.3.9.1(c) Membership on the Culture and Diversity Committee shall be open to one committee-chosen HUSL professor or staff member interested

in culture and diversity issues.

7.3.9.2 Duties of the Culture and Diversity Committee:

The Culture and Diversity Committee shall meet at least twice per school year to:

7.3.9.2(a) Maintain and improve the quality of an atmosphere of culture and diversity at HUSL;

7.3.9.2(b) Facilitate communication of such initiatives and activities to the HUSL students; and

7.3.9.2(c) Provide a report at the Board and General Assembly meetings as required by the SBA President.

ARTICLE VIII: PARLIAMENTARY AUTHORITY

The latest edition of Robert's Rules of Order shall govern all procedural matters of the SBA not provided for by the SBA Constitution and By-Laws.

ARTICLE IX: AMENDMENT AND RESTATEMENT

9.1 Notice

Proposed amendment(s) and restatements of the Constitution and Bylaws shall be published pursuant to Section 2.7, and made available electronically to all Members for a period of two weeks (14 days) prior to the General Assembly Meeting at which the proposal will be presented.

9.2 Approval

9.2.1 The SBA Constitution and Bylaws may be amended or restated by:

9.2.1.1 A vote of the General Assembly, held in accordance with Section 6.2, provided that two-thirds (2/3) of those Members present (including those present by proxy) is required for approval; or

9.2.1.2 A referendum held in accordance with Section 5.3, provided that a two-thirds (2/3) vote of those Members voting in the referendum vote for approval.

9.3 Correction

The Board may correct the punctuation, grammar, and numbering of this Constitution or

any Amendment, provided that the correction does not change the provision's meaning.

ARTICLE X: CONFLICT OF INTEREST POLICY

The Board shall adopt and implement a Conflict of Interest Policy. Upon adoption, the policy shall be published pursuant to Section 2.7.2.

CERTIFICATION:

I, _____, (Alees J. Alles) Secretary of the SBA, do hereby certify, that this Constitution and Bylaws was ratified on April 29, 2005 by the SBA General Assembly, in accordance with its powers under Article V of The Constitution of the SBA in effect on the date of ratification. I further certify that the General Assembly voted to make this Constitution and Bylaws effective as of May 1, 2005, at which time, this Constitution and Bylaws shall supercede and nullify all preceding Constitutions and/or Bylaws of the SBA.

Signed: _____ Date: _____
Alees J. Alles, SBA Secretary October 5, 2005

CERTIFICATION OF CORRECTION:

I, _____, Secretary of the SBA, do hereby certify, that this Constitution and Bylaws was corrected on November 10, 2005 by the SBA Board of Governors, in accordance with its powers under Article IX of the Constitution and Bylaws of the SBA.

Signed: _____ Date: _____
Alees J. Alles, SBA Secretary November 21, 2005
