

**The Florida A & M Student Bar Association  
CONSTITUTION**

**ARTICLE I – NAME**

This Association shall be known as the Florida A & M Student Bar Association (SBA).

**ARTICLE II – OBJECT**

The SBA shall serve as the official representative of the College of Law Student Body to further the academic and social interests of its members and of the College of Law.

**ARTICLE III – MEMBERSHIP**

SECTION 1

Every student enrolled in the Florida A & M University College of Law (part-time or full-time) for the academic school year shall be a voting member of the Association. The payment of dues may be established in the Bylaws by the Executive Board and shall only affect privileges unrelated to voting.

SECTION 2

Honorary memberships may be awarded pursuant to the Bylaws.

**ARTICLE IV – OPERATIONS**

SECTION 1

Authority and Composition of the Executive Board –

- (A) The Executive Board shall be the governing body of SBA and shall be composed of the officers of SBA, as described in Article V, Section 1, of this Constitution. The Executive Board shall set its own rules of procedure for exercising its power to formulate policies and manage the affairs of SBA, subject to the other provisions of this Constitution.
- (B) A decision by the President shall be binding unless overridden by a majority vote of the Executive Board, excluding the vote of the President.
- (C) Any decisions made outside of a meeting by the President will be included in the meeting agenda for the next scheduled meeting.

SECTION 2

Meetings –

- (A) All meetings of the Executive Board shall be open to the public. Executive Board meetings shall be held bi-monthly during the academic year, excluding officially recognized holidays of the College of Law. The quorum of the Executive Board or the President may call emergency meetings when deemed necessary. The Secretary shall post notice of meetings at least 48 hours in advance of each meeting, including an agenda composed in collaboration with the President. Any member of the Association shall be free to speak after being recognized by the President. A board meeting may be cancelled by majority vote of the Executive Board.
- (B) A quorum consisting of more than 50 percent of the Executive Board must be formed to conduct business. The President shall chair all meetings, or the Vice

- President in his absence, and verify a quorum. All meetings are mandatory for Executive Board members, and nonattendance may be sanctioned as provided in the Bylaws. Quorum must be established within 15 minutes of the scheduled meeting, or all members will be dismissed and the meeting will be rescheduled.
- (C) Except as otherwise posted, each member of the Executive Board shall have one (1) vote on all matters.
  - (D) The President and/or Vice President and Secretary, or designee, must be a part of the quorum for business to be conducted.

### SECTION 3

Proposed Bylaws –

- (A) Through a majority vote, the Executive Board may adopt Bylaws consistent with this Constitution, establish procedures for conducting SBA events or achieving other SBA goals.
- (B) The Secretary shall maintain a file of approved Bylaws, including the date of adoption and effective date records. This file shall be available for inspection by any member of SBA in the SBA office.
- (C) A bylaw approved by the Executive Board is effective unless annulled under the procedures in Section 6 of this Article, or amended through a majority vote of the Executive Board.

### SECTION 4

Committees –

- (A) The President of SBA shall have the authority to appoint a committee of SBA members for any purpose. Creation and appointment of its members and chair shall be subject to majority vote approval of the Executive Board. Such action shall be recorded in the minutes.
- (B) The chair or any member of any committee may be removed by majority vote of the Executive Board.
- (C) Each member of the Executive Board shall serve on at least one committee.
- (D) Committees may include, but are not restricted to:
  - (1) Academic Affairs
  - (2) Alumni
  - (3) Communications/Public Relations
  - (4) Community Service
  - (5) Judiciary
  - (6) Diversity
  - (7) Fund-raising
  - (8) Student Services
  - (9) Elections
  - (10) Graduation
  - (11) Social/Sports
  - (12) Speakers
- (E) A committee shall issue reports as directed by the Executive Board. The Secretary shall include a summary of these reports in the minutes of the meeting

at which it is presented, and shall retain the report itself for inspection in the SBA office.

- (F) The Executive Board will determine the roles and scope of each committee.

#### SECTION 5

Minutes –

- (A) The Secretary shall submit for approval, via e-mail or typed hardcopy, minutes of the prior Executive Board meeting at the start of every meeting. Upon approval of the Executive Board's minutes, they shall be regarded as the official chronicle of SBA activities and may be relied on by SBA members.
- (B) The Secretary shall ensure that all important activities of the Executive Board, and the material required by other parts of this Constitution, be included in each meeting's minutes.
- (C) After approval, the Secretary shall post the minutes on a public board inside the College of Law. Posting shall begin the running of any period triggered by Executive Board activity reflected in the minutes. Such a period may be created either by this Constitution or Bylaws.

#### SECTION 6

Petition and Referendum –

- (A) All acts and decisions of the Executive Board shall be considered final acts and decisions of SBA. However, members of the Association may question the act on referendum by filing a written petition with 35 percent of the members of the Association within seven (7) calendar days of the posting of minutes reflecting those acts or decisions.
- (B) Upon receipt of a proper petition, the President shall within seven (7) calendar days call for a referendum of the SBA Membership on the matter in question. The referendum shall be by secret printed ballot and cannot take place earlier than seven (7) calendar days, nor later than ten (10) calendar days, after the call for the referendum. Annulment or affirmance of any act or decision requires at least two-thirds ( $\frac{2}{3}$ ) of the ballots cast and will require that the total number of ballots cast exceed two-thirds ( $\frac{2}{3}$ ) of the student membership. The Executive Board cannot vote.
- (C) Such annulment or affirmance shall be binding upon the President and Executive Board for the remainder of the term in office.

#### SECTION 7

SBA Sponsorship –

- (A) SBA sponsorship cannot be attached to any event in absence of an Executive Board approval.
- (B) A majority vote of the Executive Board shall decide contested issues of SBA sponsorship.

**ARTICLE V – OFFICERS<sup>1</sup>**  
**SECTION 1<sup>2</sup>**

The officers of the Association shall be:

- (A) President
- (B) Vice President
- (C) Secretary
- (D) Treasurer
- (E) One First-Year day representative
- (F) One First-Year evening representative
- (G) One Second-Year day representative
- (H) One Second-Year evening representative
- (I) Two Third-Year day representatives
- (J) One Third-Year evening representative
- (K) One Fourth-Year evening representative

Parliamentary Procedure

General Executive Board meetings shall be conducted under Robert’s Rules of Procedure. If a meeting becomes deadlocked, the President may declare a five-minute recess. When the meeting continues, the President shall have control of the floor.

SECTION 2

Duties –

- (A) The duties of the President shall be to preside at all meetings of the Executive Board and to appoint committees with the advice and consent of the Executive Board pursuant to this Constitution; to make all appointments required by university officials, subject to the approval of the Executive Board; and to assume such other duties prescribed in the Bylaws and this Constitution. Further, all SBA expenditures must be promptly reported to the Executive Board.
- (B) The duties of the Vice-President shall be to assume the duties of the President in his/her absence and other duties delegated by the President, and to assume such other responsibilities as prescribed in the Bylaws and this Constitution. The Vice-President shall be responsible for the supervision of the Committees.
- (C) The duties of the Secretary shall be to permanently record in typewritten form the minutes of all meetings; to keep posted at all times a current edition of the SBA Constitution in a prominent place in the law school; to keep current the Bylaws and committee reports; to post notice as required of each meeting and other events; and to assume such other duties as prescribed in the Bylaws and this Constitution. If the Secretary cannot perform those duties, then the President will appoint someone else.
- (D) The duties of the Treasurer shall be to act as custodian of SBA funds and to keep records thereof; to conduct the collection and supervise the disbursement of the funds; to disperse funds pursuant to the Bylaws and the Constitution and to keep records thereof; to submit a bi-monthly report to the Executive Board of Association income, expense and the weekly balance of funds; and to assume

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<sup>1</sup> Amended by Amendment V

<sup>2</sup> Amended by Amendment VI

such duties as prescribed in the Bylaws. If the Treasurer cannot perform these duties, then the President will appoint someone.

### SECTION 3

Vacancies –

- (A) A vacancy in the office of President shall be filled immediately by the Vice President for the unexpired term.
- (B) The Executive Board will then appoint a new Vice President from the Student Body within ten (10) calendar days after the vacancy occurs.
- (C) All other vacancies shall be filled by appointment of the President, subject to approval by the Executive Board.
- (D) Any office shall be deemed vacant if the officer is not registered at the College of Law.

### SECTION 4

Impeachment by the Executive Board –

Any officer may be impeached from office without prejudice. Reasons for impeachment are limited to serious misconduct, dereliction of duty, or violation of Bylaws. The procedure to impeach is as follows:

- (1) A motion by any Officer of the Executive Board and a majority vote by the Executive Board for the Officer in Question are required to begin impeachment proceedings.
  - (a) Notice must be provided within seven (7) calendar days to the Officer in Question that a motion for impeachment will be placed before the Executive Board.
  - (b) The Officer in Question can then speak on their own behalf for no more than ten (10) minutes.
  - (c) This right to speak is waived if the Officer in Question is not present and the Officer was given verifiable notice of seven (7) calendar days.
- (2) The motion will go before the Judiciary Committee to determine if it is an impeachable offense. The recommendation then will be brought to the Executive Board.
- (3) If the Committee recommends impeachment, immediately following and outside of the Officer's presence, there shall be discussion from any member of the Executive Board. Discussion is limited to three (3) minutes per person.
- (4) Immediately following, a vote shall be taken outside of the Officer in Question's presence.
  - (a) The full Executive Board must be present to determine if the Officer in Question may be removed. Impeachment of the Officer will require that three-fourths (3/4) of the full Executive Board agree to impeachment by their vote.
  - (b) Immediately following the removal vote, the Officer in Question can then submit their resignation within three (3) calendar days. Any matter brought before the Executive Board as reason for

impeachment shall be concluded once the Executive Board votes on the issue of impeachment, and the Officer in Question will not be subject to impeachment for the same matter unless the full Executive Board agrees.

- (5) Vacancies shall be filled as stated in this Constitution.

## **ARTICLE VI – ELECTIONS OF OFFICERS**

### **SECTION 1**

Registration –

- (A) Candidacy for any office shall become effective by filing with the chair of the Elections Committee a signed statement of candidacy containing:
- (1) The name of the individual,
  - (2) The office sought.
- (B) All statements must be filed no later than 5 p.m. one week before the election.
- (C) No student may register for more than one office.
- (D) No student on academic probation is eligible to run for office.
- (E) Anyone running for President must be a 2L.

### **SECTION 2**

Procedure –

(A) Timing of Elections –

- (1) All officers shall be elected in April as directed by the Elections Committee, and shall assume office at the end of the Spring semester.<sup>3</sup>
- (2) The Representatives of the first-year class, one evening and one daytime Representative, shall be elected from members of the first-year class in the Fall semester of each year.<sup>4</sup>

(B) Procedures<sup>5</sup> –

- (1) Announce candidacy in early March by filling out a form and submitting it to the SBA Office.
- (2) The candidate's package due the week before Spring Break includes a one-page biographical essay.
- (3) The speeches will be held the week after Spring Break.
- (4) The election will be held the week following the speeches.

(C) Candidate's Forum –

- (1) A candidate's forum shall be held at a time designated by the Elections Committee, no less than two calendar days before the election.
- (2) Each candidate shall be given a maximum of five minutes to speak.
- (3) The Elections Committee may allow time for questioning of the candidates.

(D) Election shall be held by secret printed ballot.

(E) The polls shall remain open from 8 a.m. to 7 p.m.

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<sup>3</sup> Amended by Amendment II, Section 1

<sup>4</sup> Amended by Amendment VI

<sup>5</sup> Amended by Amendment II, Section 2

(F) The procedure for determining the winner will be as stated in Article 2, Section 3, of the Bylaws.

### SECTION 3

Judiciary Committee<sup>6</sup> –

(A) There shall be a Judiciary Committee, which shall ensure the fairness, expediency, and finality of SBA elections. It shall consist of three members of the Executive Board. It shall be chaired by the SBA Vice President. The President, with the approval of the Executive Board, shall appoint the other two members. If any member of the Judiciary Committee has declared himself/herself to be a candidate for office as described in Article V, Section 1, of this Constitution, he/she must resign from the Judiciary Committee. In the event that one or more of the Judiciary Committee members cannot serve for any reason, the vacancy shall be temporarily filled in accordance with Article V, Section 3, of this Constitution. This temporary appointment may be made permanent by a majority vote of the Executive Board.

## ARTICLE VII – AMENDMENTS

### SECTION 1

- (A) The Executive Board may amend this Constitution by a three-fourths ( $\frac{3}{4}$ )-majority vote of the Executive Board. The proposed amendment must have been printed in full in the posted agenda for the meeting. Such a proposal may be offered by any member of the Executive Board, and must be included by the Secretary in the next meeting's posted agenda.
- (B) Upon approval, the amendment must be included in the full minutes of the meeting, and shall not be effective until posted.
- (C) The Secretary shall record any amendment approved under this Section in the official copy of the Student Bar Association Constitution posted in the Student Bar Association office.
- (D) Thirty-five (35) percent of the members of the Association may petition the President within ten (10) calendar days of the posting for a referendum on the amendment. Such a petition suspends the amendment until a referendum can be held. Such referendum shall be held within 30 days of the petition being filed.
- (E) Such a referendum must meet the requirements of Section 3 of this Article. The Executive Board may not reconsider an annulled amendment until one year after the referendum.

### SECTION 2

- (A) A petition and referendum of the members of the Association may permanently amend this Constitution.
- (B) An amendment proposal petition must contain the complete proposed changes and shall be signed by 35 percent of the members of the Association.
- (C) A referendum under this Section must meet the requirements of Section 3 of this Article.

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<sup>6</sup> Amended by Amendment III

- (D) The Secretary shall record any approved amendment in the official copy of the Student Bar Association Constitution posted in the Student Bar Association office.

### SECTION 3

Upon receipt of a proper petition, the President shall within thirty (30) calendar days call for a referendum of the Association on the matter in question. The referendum shall be by secret ballot and shall not take place before ten (10) calendar days, nor later than thirty (30) calendar days, from the date petition was filed calling for the referendum.

Annulment or affirmance of any amendment shall require a two-thirds (2/3)-majority vote of the ballots cast and shall require that the total number of ballots cast exceed two-thirds (2/3) of the membership of the Association. The Executive Board cannot vote.

## **ARTICLE VIII – TRANSITION**

### SECTION 1

- (A) This Constitution shall become effective only after approval by a majority of the members voting in referendum.
- (B) All officers elected in the April 2003 election shall abide by the Articles and Bylaws as if elected under this Constitution.



**The Florida A & M Student Bar Association  
BYLAWS**

**ARTICLE I – ATTENDANCE**

As required by the Constitution of the Student Bar Association, Article IV, Section 2, attendance by Officers is mandatory, and nonattendance may be sanctioned as provided in these Bylaws.

**SECTION 1**

The Student Bar Association hereby adopts the following policy on attendance.

**SECTION 2**

Definitions –

- (A) “Officer” is defined in Article V, Section 1, of the Constitution of the Student Bar Association.
- (B) “Mandatory Executive Board Meeting” or “Meeting,” is defined as the bi-monthly scheduled Executive Board Meetings during the Fall or Spring semester, or is any meeting called by the Executive Board of which two weeks prior written notification has been given to the Executive Board.
- (C) “Officer in Question” is defined as the Officer who may be sanctioned under these Bylaws.
- (D) “Executive Board Member” is defined as any member of the Executive Board or any member of the Executive Board’s committees.
- (E) An “Absence” is any absence from an Executive Board Meeting. Meetings shall begin as long as a quorum is present.
- (F) “Office hour” is defined as the weekly scheduled time designated by each Officer at the beginning of each semester between eight in the morning and eleven in the evening (8 a.m.-11 p.m.) during the Fall or Spring semester. One hour must be scheduled for each Officer per week.

**SECTION 3**

Sanctions –

Officers who fail to attend mandatory Executive Board Meetings or fail to hold their scheduled Office Hours can be sanctioned as follows:

- (A) Executive Board Meetings –
  - (1) Attendance is mandatory to the position of an Officer, and failure to attend may be considered misfeasance, malfeasance, or nonfeasance, and may be grounds for removal.
  - (2) At the commencement of each Executive Board Meeting, attendance shall be taken, and any absences shall be noted at the conclusion of the meeting in the Minutes of the Meeting. There shall be a notation and announcement if the reason for the absence is known.
  - (3) Four (4) unexcused absences shall result in a documented warning by the President of the Student Bar Association, or in the President’s absence, by the Vice President.

- (4) Five (5) unexcused absences may result in a motion by any Officer of the Executive Board for the Officer in Question to be impeached as stated in Article 5, Section 5, of the Constitution of the Student Bar Association.

Any absence may be appealed to the Executive Board within two meetings after the absence.

- (a) At this time, the Executive Board may take into account any extenuating circumstances, as well as the reasoning of the President for the determination.
- (b) A majority of the Executive Board shall determine if an absence is excusable, and the Officer in Question shall not cast a vote.

(B) Office Hours –

- (1) The holding of regularly scheduled office hours is mandatory. Failure to attend regularly scheduled office hours may be used for Article V, Section 5, impeachment proceedings. A representative is not considered absent from an office hour if another representative serves in his/her place.
- (2) Extreme failure to attend regularly scheduled office hours may also be viewed as dereliction of duty under Article V, Section 4, of the Constitution.

(C) Vacancies shall be filled as stated by the Constitution.

#### SECTION 4 – Proxies

- (1) A representative whose absence is excused may give his/her proxy to another representative.
- (2) Proxies must be given to the Secretary, or his/her designee, in writing or by e-mail prior to the vote.
- (3) There are no Summer proxies.

### **ARTICLE II – ELECTION CODE**

#### SECTION 1

Purpose –

This “Election Code” is hereby enacted in accordance with Article VI of the Student Bar Association (“SBA”) Constitution, to ensure fairness, expediency, and finality. The Election Code shall be placed within and become a part of the SBA Bylaws, in accordance with Article IV, Section 3, of the Student Bar Association Constitution.

#### SECTION 2

Timing of Election –

- (A) There shall be an election in the Fall to elect the SBA 1L Representatives. The Fall Election should take place no later than October 31 of Fall Semester classes.
- (B) There shall be an election in April to elect the SBA President, Vice President, Secretary, Treasurer, 2L and 3L Day and Evening Representatives.<sup>7</sup>
- (C) The polls shall remain open from 8 a.m. to 7 p.m.

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<sup>7</sup> Amended by Amendment II, Section 3

### SECTION 3

#### Determination of Winner –

- (A) No candidate may run for or hold more than one position on the SBA Executive Board at the same time.
- (B) In order for a candidate for President, Vice President, Secretary, Treasurer, Day or Evening Representatives to win a position, he/she must receive more votes than any other candidates running for the same office.
- (C) The Chair of the Election Committee shall appoint three non-candidates, who are disinterested members of the Executive Board, to count the ballots.
- (D) The ballots shall be counted in private, and the results must be certified by report to the Secretary.
- (E) After the results have been certified, and no challenges remain, the results will be released to the candidates and the students as a whole.

### SECTION 4

#### Election Campaign Rules –

- (A) The SBA Elections Committee has broad power to interpret the rules of this Section, subject to the veto of a majority of the SBA Executive Board.
- (B) “Campaign materials” include, but are not limited to the following: posters, signs, or Web postings.
- (C) Materials that are not defined as “campaigning,” and are not subject to these policies, are: personal e-mails, e-mails using aliases, and materials placed in mail folders.
- (D) Campaign materials may be no larger than an 8 ½- by 11- inch piece of paper.
- (E) Any campaign materials must comply with College of Law posting policies.
- (F) No campaigning or campaign material is permitted the day of the Election. It is the responsibility of the candidate to remove any posted campaign materials the day following the election.
- (G) E-mail is a permitted form of campaigning, so long as it complies with current College of Law standards.
- (H) The candidate or the candidate’s supporters may not hand out candy, food, drinks, or other campaign incentive to students during the course of the election. Nothing with even remote value may be given in the course of campaigning.
- (I) Candidates are responsible for the conduct and actions of their supporters regarding the rules in this Section.
- (J) Handouts, stickers, or any other campaign items may not be passed out within the library or during class (though before and after class are acceptable times). Oral requests for votes may not be made in the library or during class.
- (K) Candidates may not:
  - Use classroom boards for any purpose;
  - Make speeches in any classroom before, during, or after class;
  - Campaign from the SBA office or use SBA resources;
  - Exceed \$100 in campaign expenditures;
  - Remove or deface any other candidate’s materials;
  - Campaign within 20 feet of the ballot box.
- (L) A candidate may not use or post any campaign materials until after he/she has filed for candidacy with the SBA.

(M) All campaign items must state the name of the individual running and the office sought.

(N) Candidates shall submit detailed summaries of campaign expenditures to the Election Committee within 24 hours after the close of an election. Failure to do so will be grounds for disqualification.

(O) A determination of a violation by the Executive Board, or a designated committee, shall bar a candidate from running for any SBA position for two semesters (the semester in which the violation occurs and the following semester).

#### SECTION 5

Petition of Candidacy –

In order to be eligible to run for an SBA Office, a candidate must successfully complete a “Petition of Candidacy” form, be an enrolled student, and not be on academic probation. This form shall be provided by the Student Bar Association and shall include:

(A) The name of the candidate,

(B) The office sought,

(C) And a signed affidavit that the candidate meets all requirements deemed necessary by the Elections Committee and the FAMU College of Law. The candidate must be in good academic standing.

#### SECTION 6

Election Ballot –

The Election Ballot shall clearly indicate what SBA Office(s) is (are) being voted upon, immediately followed by an alphabetical listing of all the candidates who are running for that office. Write-in candidates are not eligible under Section 5 of this Article.

#### SECTION 7

SBA Elections Committee –

(A) There shall be an SBA Elections Committee, which shall be chaired by a member of the SBA Executive Board who is not a candidate for office.

(B) This Committee of students shall meet in a public place where any student can reasonably participate in the proceedings.

(C) The Committee shall concern itself with the administration and fairness of all SBA elections. Its activities shall include, but not be limited to:

(1) Creation and dissemination of the Petition of Candidacy;

(2) Dissemination of general campaign information to the candidates and the Student Body;

(3) Organizing the polls to be attended by at least one SBA election committee member at all times, and ensuring the ballot box remains locked; and

(4) Running a campaigning forum provided for the candidates by SBA.

- (D) The Committee also shall be in charge of running the “Candidate’s Forum,” as described in Article VI (2) (B) of the SBA Constitution.
- (E) The Committee shall set the time when campaigning may begin for an election. This information, as well as all pertinent election rules and procedures, must be communicated to all interested persons at a “Candidates’ Meeting.” The Candidates’ Meeting should be held no later than one week before the election.

#### SECTION 8

##### Challenges to Election Results –

- (A) Any candidate for office may file a written petition of complaint, contesting the election, with the chair of the Judiciary Committee.
- (B) A petition must be filed within 24 hours of the closing of the election polls (by 7 p.m. the day after the Election), to be considered timely.
- (C) A petition of complaint must include the petitioner’s name, the office sought, the alleged violation, and the relief sought.
- (D) Upon the filing of a timely petition, the Judiciary Committee shall hold a hearing within 3 calendar days to decide the merits of the complaint.
- (E) All three (3) members of the Judiciary Committee must be present at the hearing.
- (F) While Florida State “Sunshine Laws” require such hearings to be open to the public, only interested parties shall be allowed to address the Judiciary Committee while reviewing a challenge. However, interested parties are not required to be present, and they may submit a written statement to the Committee before the hearing.
- (G) The Judiciary Committee shall only rule on the merits of the complaint.
- (H) Relief is limited to that found in Section 10 of this Election Code.

#### SECTION 9

##### Recounts –

- (A) Following a successful complaint, the Judiciary Committee shall perform a recount of the votes.
- (B) All members of the Judiciary Committee shall be present at the recount. The parties to the complaint and the candidates to the Office in Question also can attend.

#### SECTION 10

##### Sanctions –

- (A) The Judiciary Committee deliberations and the decision of the Judiciary Committee must be open to the public.
- (B) The Judiciary Committee may choose the appropriate sanction. Sanctions are listed by increasing severity:
  - (1) Perform a recount of the votes in accordance with Article 2, Section 9, of these Bylaws.
  - (2) Private reprimand: A reprimand in front of the Judiciary Committee and other attendees, a letter of apology, and explanation to the complainant that is copied to the Judiciary Committee.
  - (3) Public reprimand: A letter of apology and explanation to the complainant that is copied to the Judiciary Committee; a mass e-mail public reprimand sent to all members and to the Dean of Student Affairs.

- (4) Invalidation: Resulting in a new election involving all qualified candidates.
- (5) Disqualification: The candidate is disqualified from the election-in-question.

### **ARTICLE III – FINANCES**

#### **SECTION 1**

- (1) All expenditures of SBA funds, including, but not limited to, SBA membership dues shall be voted and passed upon by a majority of the Executive Board.
- (2) The Board will agree and vote on a budget. The budget should fairly reflect the commitments and expenditures anticipated by the Organization.
- (3) The Board may amend the budget and reallocate the funds by properly made motion, discussion, and majority vote.
- (4) The Executive Board may request the payment of dues for the school year to carry out the needs of the Organization.

#### **SECTION 2**

- (1) The Treasurer will provide reports to the Board, which convey the status of the budget.
- (2) A binder will be kept in the SBA office as a matter of public record and be available for any member's review.
- (3) At the end of every semester, there will be an independent audit of the finances.

### **ARTICLE IV – UNIVERSITY POLICIES**

#### **SECTION 1**

##### **Anti-Hazing –**

- (1) No member in this Organization shall engage in any form of hazing activities for the purpose of admission to or affiliation with this Organization.
- (2) The term hazing shall include, but not be limited to, any brutality of a physical nature, such as striking in any manner, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquor, beer, or other substances, or other forced physical activities that would adversely affect the health or safety of the individual; any activity that would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct that would be demeaning or results in extreme embarrassment or any other forced activity that could adversely affect the mental health or dignity of the individual. The term hazing, as defined in Rule 6C3-2.012 (10)(h) of the Florida Administrative Code, shall be read in a manner consistent with the definition herein.
- (3) Any member of the SBA who is found guilty of hazing either on-campus or off-campus shall be immediately dismissed from the SBA and will be subject to appropriate sanctions by the University and the laws of the state of Florida.

#### **SECTION 2**

##### **Non-discrimination –**

The Student Bar Association does not discriminate on the basis of age, color, race, national or ethnic origin, disability, or sex in the administration of any of its policies, activities, or programs.

### SECTION 3

Supremacy of University Rules and Regulations –

Any part(s) of this Constitution and the Bylaws that is (are) contrary, inconsistent or not in compliance with a rule, regulation, or policy of Florida A & M University shall be superseded by the University rule, regulation, and policy. If any part of this Constitution or the Bylaws is invalid, all parts that are severable from the invalid part shall remain in effect.

### SECTION 4

Freedom of Disassociation and Adherence to Code of Conduct –

All members are free to leave and disassociate themselves without fear of retribution or harassment. Members of this Organization shall adhere to the Student Code of Conduct and other laws, rules, and regulations governing Florida A & M University and its College of Law students.

## **ARTICLE V – Ratification and Adoption**

### SECTION 1

- (1) The Student Bar Association hereby adopts this language into our Bylaws on March 24, 2003, effective immediately, and covering the 2003-2004 academic school year and all future academic school years.

**The Florida A & M Student Bar Association  
AMENDMENTS**

**AMENDMENT I**

**REPEALED BY EXECUTIVE BOARD,  
April 1, 2006**

**AMENDMENT II**

**1. Time of Elections, FAMU SBA Const. art. VI, § 2(A)(1):**

All officers shall be elected by the end of the Spring semester as directed by the Elections Committee, and shall assume office at the end of the Spring semester.

**2. Procedures for Elections, FAMU SBA Const. art. VI, § 2(B):**

(B) Procedures –

As determined by Elections Committee and in accordance with Bylaws.

**3. Time of Elections, FAMU SBA Bylaws art. II, § 2(B):**

There shall be an election in the Spring to elect the SBA President, Vice President, Secretary, Treasurer, 2L and 3L Day and Evening Representatives.

**RATIFIED BY EXECUTIVE BOARD,  
MARCH 9, 2004**

**AMENDMENT III**

**Judiciary Committee, FAMU SBA Const. art. VI, § 3:**

There shall be a Judiciary Committee, which shall ensure the fairness, expediency, and finality of SBA elections. It shall consist of three members chaired by the SBA Vice President. The President, with the approval of the Executive Board, shall appoint the other two members. Appointees shall not serve concurrently as a member of the Executive Board, or Chair an SBA committee, unless otherwise mandated by this Constitution. If any member of the Judiciary Committee has declared himself/herself to be a candidate for office as described in Article V, Section 1, of this Constitution, he/she must resign from the Judiciary Committee. In the event that one or more of the Judiciary Committee members cannot serve for any reason, the vacancy shall be temporarily filled in accordance with Article V, Section 3, of this Constitution. This temporary appointment may be made permanent by a majority vote of the Executive Board.

**RATIFIED BY EXECUTIVE BOARD,  
FEBRUARY 9, 2005**



**AMENDMENT IV**

**REPEALED BY EXECUTIVE BOARD,  
April 1, 2006**

**AMENDMENT V**

**FAMU SBA Const. art. V:**

**SECTION 5**

Oath of Office –

(A) Before any person, elected or appointed, assumes office, an oath shall be administered by the Chair of the Judiciary, or by a proper designate.

(B) The oath shall be administered as follows:

I (name) do solemnly swear (or affirm), that I will faithfully execute the office of (title of office) of the Student Bar Association of Florida A&M University College of Law, and will to the best of my ability, preserve, protect, and uphold its Constitution and Bylaws.

**RATIFIED BY EXECUTIVE BOARD,  
FEBRUARY 9, 2005**

**AMENDMENT VI**

**1. Repeal of Amendment I:**

The first article of amendment to the Florida A&M Student Bar Association is hereby repealed.

**2. Election of First-Year Representatives, FAMU SBA Const. art. VI, § 2(A)(2):**

The Representatives of the first-year class shall be elected from members of the first-year class in the Fall semester of each year.

**3. Repeal of Amendment IV:**

The fourth article of amendment to the Florida A&M Student Bar Association is hereby repealed.

**4. Officers, FAMU SBA Const. art. V, § 1:**

The officers of the Association shall be:

- (A) President
- (B) Vice President
- (C) Secretary
- (D) Treasurer

**AMENDMENT VI (continued)**

- (E) First-Year day representative(s)
- (F) First-Year evening representative(s)
- (G) Second-Year day representative(s)
- (H) Second-Year evening representative(s)
- (I) Third-Year day representatives(s)
- (J) Third-Year evening representative(s)
- (K) Fourth-Year evening representative(s)
- (L) One ABA Law Student Division representative

Number of Representatives

Class representatives shall be apportioned according to the number of class sections established at the beginning of their respective first academic year.

Parliamentary Procedure

General Executive Board meetings shall be conducted under Robert's Rules of Procedure. If a meeting becomes deadlocked, the President may declare a five-minute recess. When the meeting continues, the President shall have control of the floor.

**5. Effective Date**

The sections contained herein shall take effect retroactive to October 5, 2005, upon ratification of the Executive Board.

**RATIFIED BY EXECUTIVE BOARD,  
APRIL 1, 2006**