

CWSL STUDENT BAR ASSOCIATION BY-LAWS

APPROVED: September 2016

1. GENERAL

1.1. REPEAL OF ALL PREVIOUS SBA BY-LAWS:

1.1.1. All By-laws of the CWSL SBA previous to the time of the passage of these By-laws are hereby repealed, and are for all intents and purposes, void.

1.1.2. Upon adoption, these By-laws shall not be applied retroactively.

1.2. DEFINITIONS OF BY-LAWS TERMINOLOGY:

1.2.1. "Member" refers to any member of the Executive Board or Board of Representatives, including the President or Vice-President.

1.2.2. "Joint Board" refers to all elected and appointed members of the Student Bar Association (SBA) excluding individual members of SBA committees.

1.2.2.1. These members will include both the Executive Board (aka the Executive Cabinet in the SBA Constitution) and the Board of Representatives.

1.2.3. "Executive Board" includes the following SBA members: President, Vice President, Treasurer, Administrator, Director of Activities, ABA Representative, SDCBA Representative, FBA Representative, the Editor(s)-in-chief of the Commentary, Director of Intramurals, Alumni Representative(s), and Ombudsman.

1.2.4. "Board of Representatives" (BOR) includes the following SBA members: a minimum of four 3L representatives; four 2L representatives; one representative from each of the 1L sections, including one representative from the January trimester.

1.2.4.1. One member shall be elected by a majority of the BOR to serve as the Chairperson of BOR (Chair of BOR) for his/her full term.

1.2.5. "Ethics Branch" is comprised of the President, Vice President (VP) and the Chair of BOR.

1.2.5.1. The function of the Ethics Branch is judicial in nature.

1.2.5.2. In the event that the President, VP, or Chair of the BOR must disqualify him or herself, the Ombudsman will fill that spot.

1.2.6. "Quorum" refers to the number of members that must be present before a vote on any issue may be held.

1.2.6.1. This number shall be two-thirds (2/3) of the total Board membership.

1.2.6.2. This number shall be used for any meeting of the Executive Board, the BOR, or the Joint Board.

1.2.7. "Majority Vote" is required before any permanent resolution may be adopted.

1.2.7.1. "Permanent Resolutions" adopted by a majority of a quorum of the Joint Board shall have the effect of a By-

law.

1.2.7.2. These permanent resolutions remain in force until amended or replaced by a subsequent Board.

1.2.8. "Closed Session" refers to any meeting of the Executive Board, Joint Board, BOR, or Ethics Branch, that is not open to members of the student body. No minutes will be published pursuant to a closed session.

1.2.9. "Open Session" refers to all other SBA meetings that have not been so stipulated as a closed session. Such meetings are open to all members of the student body, and any minutes recorded will be published.

1.2.10. "Committee" refers to any SBA Ad-hoc Committees and Standing Committees.

1.2.10.1. SBA Ad-hoc Committees are created by the SBA President.

1.2.10.2. Standing Committees are those formed by the California Western School of Law (CWSL) Administration or Faculty.

1.2.11. "Widely-advertised" is a term used in reference to the posting requirement of any Executive Board vacancies.

1.2.11.1. Upon resignation or removal of an Executive Board member, the President or Administrator, shall execute the mandate of this section by placing the notices of vacancies in the CWSL student e-mail calendar, the SBA Bulletin Board, and at least one (1) other conspicuous locations on the 2nd **or** 3rd floors of 225 Cedar Street building.

1.3. OPERATION OF BY-LAWS:

1.3.1. These By-laws shall take effect upon ratification by a majority vote of a quorum of the Joint Board.

1.3.2. In the event that any provision within these By-laws conflicts with the SBA Constitution, the provisions in the latter shall govern.

1.3.3. Both the Executive Board and BOR shall be governed by these By-laws.

1.3.4. In the event that any provision within these By-laws conflicts with any provision with Robert's Rules of Order, Newly Revised, the provisions in these By-Laws shall govern. [See Appendix A for specific Robert's Rules of Order applicable to the Joint Board.]

1.4. CHANGES TO BY-LAWS:

1.4.1. Any proposed changes or additions to these By-laws must be submitted to the Joint Board.

1.4.1.1. If the sponsor(s) of the proposal is (are) not a member(s) of the SBA, the Joint Board shall work with the sponsor(s) to ensure that the form of the proposed changes or additions generally conform with the general structure of these By-laws.

1.4.1.2. The President and the Joint Board shall further work with the sponsor(s) to ensure that the content of any proposed By-law is carefully tailored to meet the proposed objective, and does not conflict with any provision(s) of the SBA Constitution.

1.4.1.3. Should the purpose of the change or addition be to purposely conflict with any existing part of these By-laws, the President shall prepare a **written** report for the Joint Board explaining the impact of the proposed changes insofar as their effect on the existing structure of the SBA and its governing instruments.

1.4.1.4. If the sponsor(s) of the proposal is (are) a member(s) of the SBA, such proposed changes or additions should first be presented to the SBA President, VP, and Chair of the BOR. Together with the sponsor(s), these three members will ensure that a draft proposal generally conforms with the general structure of these By-laws prior to presenting it to the Joint Board for a vote.

1.4.2. After the Joint Board completes its review of the proposed By-law or By-law modification, the final draft, along with the report of the VP if necessary, shall be circulated to the members of the Joint Board for their review at least forty-eight (48) hours prior to the meeting (exclusive of weekend days) at which the proposed By-law or By-law modification is to be voted upon.

1.4.3. It is the duty of the SBA Administrator to update these By-laws as they are altered by an act of the Joint Board and circulate the updated versions to all members of the Joint Board.

1.4.3.1. It is the duty of the Administrator to see to it that every member of the Joint Board receives the most recent version of these by-laws at the beginning of each new term of office.

1.4.4. It is the duty of the Joint Board to review these By-laws annually to ensure proper codification or repeals to the By-laws.

1.5. RESERVATION OF JOINT BOARD RIGHTS AND POWER:

1.5.1. The Joint Board of the SBA is empowered by the SBA Constitution to exercise all powers necessary and proper for efficient and constitutional student government at CWSL. Furthermore, except as otherwise limited by CWSL, the SBA Constitution, and these By-laws, the enumeration of responsibilities in these By-laws shall not be construed as a restraint on the exercise of such powers as may be necessary and proper to effectuate the efficient and constitutional governing of CWSL.

2. DUTIES OF THE PRESIDENT

2.1. The executive power of the SBA shall be vested in the Executive Board of the SBA. The Chief Executive Officer of the Board is the President of the SBA. S/he shall be elected each year at the general election by the membership of the student body in accordance with the provisions set forth in the CWSL SBA Constitution.

2.2. A candidate for President must intend to remain a member of the SBA for his/her full term of office.

2.2.1. Those members of the Executive Board shall hold office from the time of verification of the election results until

the next election which shall not exceed three (3) trimesters in length or one year. This term, along with that of the Joint Board, shall commence in accordance with the provisions of Article II, section 2.4.2 of the SBA Constitution.

- 2.3.** As chief executive officer of the SBA, the President shall:
- 2.3.1.** Prepare the agenda for, and act as the moderator for each meeting of the Joint Board and Executive Board unless otherwise provided for by these By-laws or Robert's Rules of Order, Newly Revised if these By-laws do not address a particular point of procedure.
 - 2.3.1.1.** The President may delegate the power to moderate a meeting to the VP, the Chair of the BOR, or any other designated proxy as may be deemed necessary.
 - 2.3.1.2.** A delegated SBA member will serve as the moderator only for the meeting to which s/he has been chosen to moderate.
 - 2.3.2.** Be responsible for the prompt and orderly execution of all resolutions and legislation adopted by the Joint Board.
 - 2.3.3.** Report to the Joint Board and recommend certain actions for their consideration to effectuate the goals of the SBA.
 - 2.3.4.** Appoint permanent and temporary committee members, with the consent of a majority vote of a quorum of BOR, unless otherwise provided by these by-laws.
 - 2.3.4.1.** The President, in his/her sole discretion, is also responsible for the appointment of students, in good standing, to serve in positions reserved by the CWSL Standing Committees.
 - 2.3.4.2.** The President has the power to remove any appointed committee member, with the advice and consent of the Joint Board. This includes, but is not specifically limited to, members of the SBA Ad-hoc Committees and CWSL Standing Committees.
 - 2.3.4.3.** Such power to remove these appointed committee members must be in specific compliance with both the spirit and letter of the text of the SBA Constitution.
 - 2.3.5.** Represent the SBA to the law school administration, CWSL, the American Bar Association, and the community at large. The President may, with the advice and consent of a majority of the quorum of the Joint Board, provide for additional or substitute representatives as may be necessary.
 - 2.3.6.** Nominate persons to fill vacancies in offices, with the advice and consent of a majority of the BOR, unless otherwise provided by the SBA Constitution or these By-laws.
 - 2.3.7.** Attend the monthly Deans' Meeting, along with the VP, Treasurer, Chairperson of the Board, and Vice-Chairperson of the Board, and provide members of the Joint Board with a summary report of the meeting at the next Joint Board meeting.
 - 2.3.8.** Attend the monthly Faculty Meeting and provide members of the Joint Board with a summary report of the meeting at the next Joint Board meeting.
 - 2.3.9.** Serve as a member of the Ethics Branch.

- 2.3.10. Perform those other duties as may be specified in these By-laws or by an act of the SBA Joint Board so vesting responsibility in the President.
- 2.4. All powers not expressly delegated to the President, or impliedly flowing as necessary and proper to effectuate these enumerated powers are hereby reserved to the SBA Joint Board, and the entities created by it in these By-laws or otherwise.
- 3. Duties of the Vice President (VP)**
- 3.1. The candidate for VP shall be elected each year at the general election by the membership of the student body in accordance with the provisions set forth in the CWSL SBA Constitution. S/he must intend to remain a member of the SBA for his/her full term of office.
- 3.1.1. Those members of the Executive Board shall hold office from the time of verification of the election results until the next election which shall not exceed three (3) trimesters in length or one year. This term, along with that of the Joint Board, shall commence in accordance with the provisions of Article II, section 2.4.2 of the SBA Constitution.
- 3.2. The VP shall:
- 3.2.1. Assist the President in the execution of his/her duties and in the direction of the Executive Board.
- 3.2.2. Exercise the powers of the President in the event that the President is absent or unable to fulfill his/her duties.
- 3.2.3. Accede to the Presidency **role** upon the President's resignation or termination of membership in the SBA.
- 3.2.4. Execute the directives of the Joint Board as to the operation of all SBA Ad-hoc Committees and Standing Committees.
- 3.2.5. May sit as ex-officio member of all SBA Ad-hoc Committees.
- 3.2.6. Be responsible for making sure that students sitting on Standing Committees forward a copy of meeting agendas to the Executive Board, if made available by the faculty committee members of the respective Standing Committees.
- 3.2.7. Chair those other Committees as may be specified by other provisions of the Constitution or these By-laws.
- 3.2.8. Attend the monthly Dean's Meeting, along with the President, Treasurer, Chairperson of the Board, and Vice-Chairperson of the Board.
- 3.3. The VP is responsible for organizing and conducting all elections of the SBA. These responsibilities include, but are not limited to:
- 3.3.1. publicizing all elections, referenda, and recall votes;
- 3.3.2. distributing petitions to potential candidates and certifying that petitions submitted by candidates are valid;
- 3.3.3. conducting elections;

- 4.5.4. The Chairperson and Vice-Chairperson of the Board of Representatives shall maintain their own binder.
- 4.5.4.1. Each Board Representative shall contribute at least one brief memo per trimester.
- 4.5.5. The Board of Representatives shall maintain one collective binder in addition to the Chairperson of the Board's binder.
- 4.6. The Administrator shall be elected pursuant to the guidelines in the SBA Constitution. The Administrator shall:
 - 4.6.1. Be responsible for keeping minutes of all meetings of the Executive Board and the Joint Board.
 - 4.6.1.1. S/he shall call roll at the start of each meeting and record attendance for purposes of determining quorum.
 - 4.6.2. Determine if a quorum of the voting board (either Executive or Joint) is present at the meetings in order to transact business.
 - 4.6.3. Make available minutes of the meetings to the SBA members and members of the Public who have an interest in viewing non-confidential proceedings of the SBA.
 - 4.6.3.1. Be responsible for maintaining and updating the Minutes and Agenda Folders on the SBA TWEN page, on the SBA Website, and a hard copy in a binder in Student and Diversity Services.
 - 4.6.4. Be responsible for any correspondence, memoranda, and/or materials necessary for the smooth functioning of the SBA.
 - 4.6.5. Be responsible for maintaining these By-laws and distributing the most recent version to each member of the SBA at the beginning of each new term of office.

- 4.6.6.** The Administrator may request another member, no less than twenty-four (24) hours before a scheduled meeting, to attend that meeting in his/her place if the meeting time and date conflicts with his/her schedule.
- 4.6.6.1.** notice of this substitution shall be given *in writing* to the President no less than one (1) hour before the scheduled meeting.
- 4.7.** The Treasurer shall be elected pursuant to the guidelines in the SBA Constitution.
- 4.7.1.** The Treasurer shall serve a term beginning upon the ratification of the Spring election and shall extend no less than four (4) weeks after the election of the new treasurer the following year.
- 4.7.1.1.** This term shall last March 1 through April 1 of the following year.
- 4.7.2.** During the first four (4) weeks of the new Treasurer's term of office, the outgoing Treasurer shall train the new Treasurer on the various procedures and protocols necessary to effectively carry out the office. The Treasurer shall:
- 4.7.3.** Be responsible for the proper maintenance of all financial accounts of the SBA and all the student organizations.
- 4.7.4.** Make all disbursements necessary for the prompt of the obligations of the SBA for which funds have been allocated by the BOR.
- 4.7.5.** Develop and maintain monthly Income and Expense Report (hereinafter "SBA Financial Report") or as otherwise deemed necessary by the President.
- 4.7.5.1.** The SBA Financial Report shall be made available to the President upon his/her request.
- 4.7.5.2.** The SBA Financial Report shall be given to the Chair of the BOR to be presented to the BOR at its monthly meeting.
- 4.7.6.** Serve as Chairperson of the Finance Committee, if the President so desires to create one, with full voting rights therein.
- 4.8.** The Commentary Editor(s)-in-chief (EIC) shall be elected pursuant to the guidelines in the SBA Constitution. The EIC shall:
- 4.8.1.** Be primarily responsible for the production of the Student Newspaper, The Commentary.
- 4.8.1.1.** the number of issues to be produced in a given trimester shall be determined by the EIC prior to the SBA Budget Hearing date.
- 4.8.1.2.** A report concerning the number of issues to be published shall be given to the President for budgetary purposes.
- 4.8.2.** May appoint, at his/her sole discretion, a "managing editor" to assist in the day-to-day tasks required for the efficient production of a high quality newspaper.
- 4.8.3.** Be responsible for publicizing major SBA events and activities, as well as events and issues that the EIC in

his/her discretion believes has an impact on the greater CWSL community.

- 4.9.** The Director of Activities shall be elected pursuant to the guidelines in the SBA Constitution. The Director of Activities shall:

4.9.1. Plan, organize, and coordinate with the President, VP, and Chair of the BOR, all SBA events and activities.

- 4.10.** The American Bar Association Representative (ABA Rep) shall be elected pursuant to the guidelines in the SBA Constitution. The ABA Rep shall:

4.10.1. Be the SBA and CWSL Representative to the ABA Law Student Division and must represent CWSL at all ABA events and activities to which CWSL is invited and for which the BOR allocates funds.

4.10.1.1. The BOR shall work with the ABA Rep to ensure that s/he has enough funding to represent CWSL SBA at the Annual ABA meeting.

4.10.1.2. Prior to attending the ABA conference familiarize themselves with important pending issues and brief the SBA President on any matters that s/he will be voting on during the conference.

4.10.1.3. Stay informed on all current matters in the Law School Division of the ABA and provide updates at every SBA general meeting.

4.10.1.4. Provide a post report of the ABA conference that shall include a summary of any and all events attended during the conference.

4.10.2. Work with the Executive Board on discussing ways in which the ABA's Student Division can assist in the fostering of an educational legal environment for CWSL students.

4.10.3. Provide a report to the President and, if necessary as deemed by the President, to the Executive Board whatever information s/he deems could be helpful in the governance of CWSL.

4.10.4. Provide an update at the next possible SBA meeting of any pending matters that require SBA President or ABA Representative votes.

4.11. The San Diego County Bar Association (SDCBA) Rep shall be elected pursuant to the guidelines in the SBA Constitution. The SDCBA Rep. shall:

4.11.1. Be the liaison between the SBA and the SDCBA

4.11.2. Make all attempts to acquaint themselves with the current SDCBA President and/or Directors.

4.11.3. Inform SBA of all major SDCBA events that may benefit the student body.

4.11.4. Provide an update at every SBA General Meeting of any major events or issues pending at the SDCBA that may be important to the student body.

4.12. The Federal Bar Association (FBA) Rep shall be elected pursuant to the guidelines in the SBA Constitution. The FBA Rep. Shall:

- 4.12.1. Be the liaison between the SBA and the FBA
- 4.12.2. Make all attempts to acquaint themselves with the current FBA President and/or Directors of the San Diego Division.
- 4.12.3. Inform SBA of all major FBA events that may benefit the student body.
- 4.12.4. Provide an update at every SBA General Meeting of any major events or issues pending at the FBA that may be important to the student body.
- 4.13. The Ombudsman shall be elected pursuant to the guidelines in the SBA Constitution. The Ombudsman shall:
 - 4.13.1. Be the neutral third party between the SBA and the student body.
 - 4.13.2. Provide feedback to the SBA and Dean of student Affairs on student matters.
 - 4.13.3. Serve on the Ethics Committee (EC) in the instance that a member of the EC must remove themselves from a matter.
 - 4.13.4. Shall familiarize themselves with basic mediation principles as provided by Student and Diversity Services.
- 4.14. All Executive Board members shall be required to write one (1) article per term in office in the Commentary
- 4.15. The Public Relations Chair(s) (PR) shall be appointed by the President and approved by the Board of Representatives. President may appoint up to three (3) PR Chairs.
 - 4.15.1. The PR shall:
 - 4.15.1.1. Create any promotional materials as needed by members of the SBA
 - 4.15.1.2. Promote any events or activities hosted by SBA via electronic and/or printed materials
- 4.16. Community Outreach Director(s) (CO) shall be appointed by the President and approved by the Board of Representatives. President may appoint up to three (3) CO Directors.
 - 4.16.1. Community Outreach Directors shall:
 - 4.16.1.1. Work in conjunction with the President to organize different philanthropic events that will be joined by the other student organizations or individual students
 - 4.16.1.2. Establish objective criteria that can be used to determine whether a student organization has fulfilled their philanthropic obligation when engaging in a predetermined SBA philanthropic event.
 - 4.16.1.3. Find areas and opportunities for SBA to volunteer in the community.
- 5. DUTIES OF THE BOARD OF REPRESENTATIVES (BOR)**
 - 5.1. The BOR shall be comprised of no more than four (4) 3L students, no more than four (4) 2L students, and no more than one (1) 1L student from each section of the first year class, including the Spring trimester 1L class.
 - 5.2. Any member of the BOR that is a member of the executive board of another student organization (specifically President, VP, Secretary, or Treasurer) shall abstain from voting on the budget allocation associated with that student organization.
 - 5.3. The BOR serves as the legislative branch of the SBA. The BOR has the power to:
 - 5.3.1. Approve Presidential appointments;

- 5.3.2.** Approve the Budgets presented to it by all the student organizations, including the SBA.
- 5.4.** The Budgeting process is the primary function of the BOR; however, as members of the Joint Board, the BOR members are required to assist the SBA in any way deemed necessary by the President, VP, or the Chair of BOR.

- 5.4.1.** The BOR shall hold a Budget Hearing, at which all members of the BOR may seek clarifications from student organization officers in reference to their individual Budget requests. Student Organization may opt out of attending the Budget Hearing but the BOR still has authority to require that a Student Organization send representatives to the Budget Hearing.
- 5.4.2.** The BOR shall debate the issues surrounding the budget requests prior to casting their votes to either accept or deny each individual Budget request. This portion of the Budget Hearing shall be closed session.
- 5.4.2.1.** Budget requests are approved by a simple majority vote.
- 5.4.2.2.** Any and all official action taken by the BOR, shall be considered the action of the entire BOR, and not solely of one member.
- 5.4.3.** The Chair of the Board shall distribute a qualitative memorandum to each student organization along with the finalized Budget explaining the factors that went into deciding that trimester's budget. The memorandum will be written to give insight into the BOR's allocation process without breaking confidentiality.
- 5.5.** All BOR members shall strive to volunteer a minimum of four (4) hours per month.
- 5.5.1.** The four (4) minimum volunteer hours shall be used for: tabling, class announcements, drafting content for publication in the Commentary, responding to student questions/emails, and actively attending and volunteering at SBA events, and student organization events.
- 5.5.2.** Volunteer hours shall be tracked by affirmation of their completion by each member of the board.
- 5.6.** Nothing in these By-laws shall be construed to limit or restrict the power of the SBA, pursuant to the SBA Constitution, to expand any BOR member's duties.
- 5.7.** The BOR shall meet as deemed necessary by the Chair of BOR.
- 5.7.1.** At the first BOR meeting in the spring trimester, the BOR shall elect one (1) person from among the SBA Representatives, to serve as the Chairperson of BOR.
- 5.7.1.1.** The terms of this position shall commence immediately after said vote and shall continue until the term of the entire SBA Administration has expired.
- 5.7.1.2.** The Chair of BOR shall record only the minutes of any open session of the BOR. In particular, only the minutes from the student organization request portion of the Budget Hearing shall be recorded.
- 5.8.** The BOR operates as a separate entity from the SBA Executive Board. In order that the SBA functions smoothly and efficiently, however, it is important that the BOR work in conjunction with the Executive Board, making the Joint Board a cohesive unit.
- 5.8.1.** Each member of the BOR is required to participate in SBA philanthropic activities or other SBA school-wide events, as determined by the Director of Activities and the President.

- 5.9. The Duties of the Chairperson of the Board of Representatives (Chair of BOR) shall be:
- 5.9.1. To prepare the agenda for, and act as the moderator for each meeting of the BOR unless otherwise provided by for by these By-laws or Robert's Rules of Order, Newly Revised (See Appendix A) if these By-laws do not address a particular point of procedure.
- 5.9.1.1. The Chair of BOR may delegate the power to moderate a meeting to any BOR member as may be deemed necessary.
- 5.9.1.2. A delegated BOR member will serve as the moderator only for the meeting which s/he has been chosen to moderate.
- 5.9.2. To send out group e-mails to the BOR, as necessary. The purpose of these e-mails will be to submit allocation and re-allocation request to BOR members for voting, as well update BOR members on SBA activities and events. These emails may also be sent as needed to vote, electronically, on matters before the BOR.
- 5.9.3. To schedule and moderate a Budget Informational Meeting no later than four (4) weeks of the beginning of each trimester. All Student Organizations' Presidents and Treasurers **are required to attend this meeting**, at which the Chair of BOR sets forth and explains the guidelines for the budgeting process for the trimester.
- 5.9.3.1. The Chair of BOR is responsible for preparing and presenting all the necessary information for the student organizations at this meeting (see Appendices B-F).
- 5.9.4. To prepare all of the student organization budgets to be dispersed to the BOR members for their review, no later than twenty-four (24) hours prior to the Budget Hearing.
- 5.9.4.1. This preparation includes providing a copy of each budget request from each student organization to each BOR member.
- 5.10. The Chair of the BOR shall appoint a Vice-Chair of the BOR
- 5.10.1. The Vice-Chair appointment must be approved by a simple majority vote of the BOR.
- 5.10.2. If so elected, the duties of the Vice-Chair shall be:
- 5.10.2.1. To record the minutes of all open sessions of BOR meetings.
- 5.10.2.1.1. These minutes shall be typed and posted in the SBA office, SBA TWEN page, SBA Website, or a hardcopy in the SBA binder in Student and Diversity Services for public viewing.
- 5.10.2.2. To update and maintain the BOR Minutes File at the library reserve desk, with all minutes from open sessions, for the inspection by the student body.
- 5.10.2.3. To assist in other duties deemed necessary by the Chair of the BOR.
- 5.10.2.4. To step in as Chair of the Board in the event the current Chair of the Board is unable to fulfill his or her duties for any reason.

5.10.2.4.1. The BOR has the discretion to appoint a new Vice-Chair.

5.11. The duties of the 2L and 3L Representatives shall be:

5.11.1. To serve as guides and leaders to the 1L Representatives, helping them to understand the policies and procedures of the BOR.

5.11.2. To be the liaison with their respective student body class members and the SBA, by answering student questions and bringing student issues and concerns to the SBA for review and consideration.

5.11.3. To make announcements in all classes that comprise upper-level students about any upcoming activities or events of the SBA, or SBA events.

5.11.4. To staff SBA events including special events, mixers, and information tabling.

5.11.5. To meet their four (4) hour monthly volunteer requirement.

5.12. The duties of the 1L Representatives shall be:

5.12.1. To be the liaison with their respective student body class members and the SBA, by answering student questions and bringing student issues and concerns to the SBA for review and consideration.

5.12.2. To make announcements in all classes for their individual sections about any upcoming activities or events of the SBA.

5.12.3. To staff SBA events including special events, mixers, and information tabling.

5.12.4. To meet their four (4) hour monthly volunteer requirement.

6. CODE OF ETHICS FOR SBA MEMBERS

6.1. Abstaining from Voting:

6.1.1. Voting members of the Joint Board shall not participate in votes particular to any student organizations in which they are officers.

6.1.2. Following a future attorney's duty to be professionally responsible, a voting member must abstain from voting on matters in which there could be substantial and actual conflict of interest.

6.2. Attendance:

6.2.1. Attendance at meetings of the SBA shall be considered mandatory for all members with reasonable allowances made for absences.

6.2.2. A member seeing an excused absence must submit a written request to the President, no later than twenty-four (24) hours before scheduled Executive Board or Joint Board meeting.

6.2.3. The President shall announce any excused absences either prior to or immediately after the Administrator calls roll.

6.2.3.1. If it is a BOR meeting, the Chair of BOR, shall announce any excused absences either prior to or immediately after roll is called.

6.3. Violations of the By-laws:

6.3.1. Violations of the provisions or the spirit of these By-laws shall be sufficient ground for disciplinary actions to be taken against the member in violation.

6.3.1.1. Violations include, but are not limited to: three (3) unexcused absences of any meetings during a member's term.

6.3.1.2. Any member deemed in violation of (a)(I) of this By-law or of conduct unbecoming of an SBA member will be asked to step down from his/her position by the President and VP with the advice and consent of a majority of the Joint Board.

6.3.2. Any member deemed in violation has the absolute right to appeal the decision of the Joint Board.

6.3.2.1. First-level appeals but be made to the Ethics Branch in writing and during a Special Closed Meeting requesting reversal of the disciplinary action upon a showing of good cause.

6.3.2.2. Second-level appeals may be made before the Dean of Student Affairs in writing and during a scheduled closed meeting with the Dean. The President and Chair of BOR may attend this meeting.

7. GUIDELINES FOR THE ETHICS BRANCH

7.1. The judicial power of the SBA shall be vested in the Ethics Branch (EB) of the Joint Board. The EB shall be the final SBA authority on all matters pertaining to the interpretation of the governing instruments of the SBA.

7.1.1. Any appeals of the decisions of the EB may be made to the Dean of Student Affairs.

7.2. Membership and Duties:

7.2.1. The EB is composed of three (3) members including: the President, VP, and the Chair of BOR.

7.2.2. The Chair of BOR will act as an Administrator for the EB.

7.2.3. Where either of the above-listed SBA members is personally involved in the controversy or dispute, that person(s) must excuse him/herself from the EB. The Ombudsman shall replace the excused party(ies), and shall serve on the EB until the resolution of that particular dispute.

7.3. Term of Office:

7.3.1. The term of office for each EB member is that term of office served in his/her elected capacity as President, VP, and Chair of BOR.

7.4. Confidentiality:

7.4.1. Any issue in front of the EB that is of a confidential nature must be protected by each member for the EB and must not be shared with any other SBA members or the student body until such time the EB has rendered an opinion on the matter.

7.5. Neutrality:

7.5.1. Any member of the EB who maintains a personal bias on an issue or person before the EB, shall disqualify him/herself from deliberating and passing judgment on that issue or person should it be brought before the EB for review.

7.5.2. Any member of the EB shall disqualify him/herself on matters pertaining to student organizations of which s/he is an officer.

8. PROTOCOLS CONCERNING THE EXERCISE OF THE VETO POWER AND VETO OVERRIDES

8.1. Time allotment for Exercise of Presidential Veto:

8.1.1. The President shall have the right, pursuant to the Constitution, to veto any substantive action of the SBA BOR, other than censures and impeachments, up to and including the day before the next scheduled meeting of the SBA is called to order.

8.1.2. Should the Act of the BOR in question have been passed at the last meeting of the trimester, the President must veto the Act before the adjournment of the said meeting, since the BOR would otherwise not have the ability to override the presidential veto for what may be an unacceptable period of time.

8.1.3. When the President exercises his/her Constitutional authority to veto an Act of the BOR, s/he shall notify the BOR of said veto within a reasonable time, but in no instance shall said notification be less than twenty-four (24) hours in advance of the time that the next scheduled meeting of the BOR is scheduled. Said notification of veto must be accomplished by writing, specifically stating the President's objections to the Act as passed by the BOR. Said writing shall be posted on the SBA bulletin boards and in the SBA Office and by distribution of memorandum to the members of the Executive Board and the BOR in their mailboxes.

8.2. Time Allotment for Override of a Presidential Veto:

8.2.1. The voting members of the BOR may override a presidential veto at any meeting of the BOR that occurs within twenty-one (21) days of said veto should they achieve the requisite majority vote.

9. RULES & REGULATIONS PERTAINING TO MEETINGS

9.1. Calling a Meeting:

9.1.1. A meeting of the Joint Board of CWSL may be called by the President or VP.

9.1.2. When calling a meeting the President or VP will provide a forty-eight (48) hour notice prior to a meeting that is not "regularly scheduled."

9.1.3. Within four (4) weeks of the start of a new trimester, the SBA will create a calendar of the dates of the "regularly scheduled" meetings for the remainder of that trimester.

9.1.3.1. During the first "regularly scheduled" trimester meeting, a calendar of the dates shall be set for the remainder of that trimester.

9.1.4. The President, or his/her designate, may cancel a meeting with twenty-four (24) hours notice if s/he determines that there is not enough business to warrant the conducting of an SBA meeting or quorum to vote.

9.2. Conducting a Meeting:

9.2.1. All meetings shall be conducted in accordance with the forms set forth in Robert's Rules of Order, Newly Revised (see Appendix A).

10. COMMITTEES

10.1. Chairpersons of any SBA Ad-hoc or Standing Committee shall present a report to the President. This report may be oral or written as directed by the President.

10.1.1. Reports should be provided no later than one (1) week after the meeting was held.

10.2. Nothing in this section shall be construed as preventing any person from serving on more than one Ad-hoc or Standing committee unless otherwise expressly stated.

10.3. Standing Committees are those that have been formed by the CWSL Administration in order to deal with various student and faculty issues. On most of these committees, there are one or more positions available to CWSL students.

10.3.1. The President shall appoint members of the student body to these committees as provided in these By-laws.

10.3.2. Students on Standing Committees are responsible for participating fully as members in accord with the faculty by-laws and representing student interest.

10.4. Terms of Office:

10.4.1. Ad-hoc Committee appointees' terms of office shall last the full term of the SBA administration that has created that committee.

10.4.2. Standing Committee appointees' terms of office shall last the full term of the SBA administration that appointed them.

11. REGULATIONS CONCERNING THE REMOVAL OF AN SBA MEMBER FROM OFFICE:

11.1. Initiating Disciplinary Procedures:

11.1.1. Pursuant to Article II, section 2.7 of the SBA Constitution, any member of the SBA Joint Board may institute disciplinary proceeding against another member by filing written charges against the individual with the Ethics Branch.

11.1.2. The bases for instituting such proceedings include, but are not limited to, an individual's dereliction in duties, his/her violation of the legal and/or ethical standards imposed by CWSL, misfeasance, nonfeasance, and malfeasance.

11.2. Procedures Governing Disciplinary Hearings:

11.2.1. After a written charge has been submitted to the Ethics Branch, it is the responsibility of the Ethics Branch to seek further information to determine whether impeachment and/or removal or other measures are warranted.

11.2.2. Such fact-finding should be conducted in closed sessions with the results of the findings to be held confidentially.

11.2.2.1. Questioning of the individual charged and the member bringing the charges should occur separately.

11.2.2.2. All individuals involved may bring forth witnesses to make statements, where reasonable and necessary.

11.2.3. If, after the investigation, the Ethics Branch determines that the facts are favorable for the individual in question, the Ethics Branch shall prepare a report dismissing the action against the SBA member.

11.2.4. If, after the investigation, the Ethics Branch finds substance to the allegations charged against the SBA member, it shall prepare a report outlining its investigation and provide the report to the Joint Board.

11.2.5. After the Joint Board receives the report from the Ethics Branch, it shall review the report, and if the individual charged so chooses to make a statement, the Joint Board must hear the person, but under no circumstances ask questions of this individual, and then either:

11.2.5.1. take no further action on the matter, or

11.2.5.2. give notice to the Dean of Student Affairs to determine and enforce the necessary disciplinary action to be taken against the SBA member.

11.2.6. The Ethics Board and Joint Board shall develop the hearing and decision process as they see fit, provided that their actions reflect the intent and spirit of these By-laws and the SBA Constitution.

11.2.7. Should a proceeding be instituted against a member of the Ethics Board, that member shall not participate in the investigation as a member on the Ethics Board.

11.2.7.1. The member of the Ethics Board shall be replaced by the Ombudsman for the proceeding instituted against the member.

12. STUDENT ORGANIZATIONS

12.1. Recognition of Student Organizations

12.1.1. The BOR may only recognize a Student Organization when the BOR is satisfied that the organization seeking recognition maintains **a legal purpose and/or will effectively address current student needs and desires at CWSL.**

12.2. Regulations Governing Recognized Student Organizations. All recognized student organizations must: (See Appendices B-F)

12.2.1. be continuously available for additional membership, activities, and participation by all members of the CWSL community.

12.2.2. openly and widely publicize organizational meetings and all other activities they sponsor.

12.2.3. perform one philanthropic event per trimester in which the organization is requesting funds from the SBA (see Appendices B, C, and D)

12.3. Recognition of New Student Organizations. In order for the SBA to recognize a new Student Organization, the Student Organization must:

12.3.1. **submit a letter of intent** to begin the organization to BOR and the Dean of Student Affairs.

12.3.2. if approved by the Dean of Student Affairs[SBA], then **submit a request for funds** to the BOR.

12.3.2.1. The first allocation is subject to a determination made by the BOR.

- 12.4.** Recognition of Previously Inactive Organizations. In order for the SBA to recognize a Student Organization that has been previously **inactive for two (2) consecutive trimesters** (not counting the Summer trimester), the Student Organization must:
- 12.4.1.** **submit a letter of intent** to reactivate the organization to the Chair of BOR and the VP.
- 12.4.2.** This letter shall include:
- 12.4.2.1.** Names of President and Vice President, Treasurer, and
- 12.4.2.2.** A copy of the Student Organization's constitution.
- 12.4.3.** First allocation maximum is subject to a determination made by the BOR.
- 12.4.4.** This first meeting must be **attended by ten (10) people** not including the President, Vice President, or Treasurer. A sign-in sheet is required and must thereafter be provided to the Chair of BOR as evidence of sufficient attendance.
- 12.5.** Requirements of Organizations' Constitutions. All Constitutions must:
- 12.5.1.** be typed, with the name of the organization atop the first page. All subsequent pages must be numbered;
- 12.5.2.** begin with a preamble that clearly states the goals and purposes of the organization;
- 12.5.3.** comply with the California Western School of Law policy on Equal Opportunity, the SBA Constitution, and these By-laws.
- 12.6.** Form of Organizations' Constitution:
- Preamble
 - Article I – Composition of Organization
 - § 1 – Officers, President and Vice President, or equivalent thereof
 - § 2 – Elections
 - § 3 – Terms of Office
 - § 4 – Committees (if any)
 - § 5 – Definition of Membership
 - Article II – Duties of Office
 - Begin with the highest-ranking officer, and continue down, describing their duties, including qualifications or election.
 - Then list all committees, describing their duties in order listed in § 4 of Article 1.
 - Article III – Removal from Office
 - § 1 – Process for Removal of Officers
 - § 2 – Terms for Filling Vacancies
 - Article IV – Meetings
 - Describe the basic rules for calling and running meetings.
 - Article V – Terms for Amendments
 - List the requirements necessary to make changes to the constitution.

- o Note that any and all changes must comply with these By-laws.
- Article VI and Higher
 - o Organizations may then include any further Articles necessary and proper for governing their organization, provide that such terms do not conflict with California Western School of Law policy on Equal Opportunity, the SBA Constitution, and these By-laws.

12.7. Organization Budget Allocation

12.7.1. In order to receive SBA funding, each organization shall have a formal transitional meeting between the organization's outgoing board and incoming board. The meeting shall be memorialized in minutes, or by submitting Appendix B of the SBA Bylaws, whichever is preferred by the SBA Chair of the Board. Either meeting minutes or Appendix B will be submitted to the Chair of the Board to show that each student organization Executive Board member knows his or her responsibilities to the organization and that each Executive Board member will comply with SBA rules and regulation.

12.7.2. Every organization is responsible for spending seventy-five percent (75%) of their allocated budget each trimester.

12.7.3. Should an organization not spend seventy-five percent (75%) of their budget allocation, they will be penalized as follows:

12.7.3.1. Upon the first trimester an organization does not meet their spending requirements, the organization will receive a warning from the BOR.

12.7.3.2. Upon the second trimester an organization does not meet their spending requirements, the organization will be placed on probation and notified by the BOR of the probation. Probation merely informs the BOR and the organization that the BOR will critically examine any budget requests before approval.

12.7.3.3. Upon the third trimester an organization does not meet their spending requirements, the organization will not be eligible for funding for one (1) trimester. The funding lost will apply to the trimester following the organization's third violation.

12.8. Organizations' Rights to Hearing:

12.8.1. Notice shall be given within twenty-four (24) hours in written or electronic form to all parties affected when punitive action may be taken by the BOR against a recognized student organization.

12.8.2. The express purpose of this notice requirement is to allow the parties involved an opportunity to defend themselves before punitive action is taken.

12.9. Withdrawal of Recognition:

12.9(a) After a proper hearing has provided by these By-laws, should the SBA decide to withdraw recognition

of a student organization, such vote must pass by a two-thirds (2/3) majority vote of the BOR.

13. SBA Carry-over Funds

13.1. The carry-over fund is the savings account of the SBA and is made up of moneys not used during the academic year which carry-over to the following year's SBA.

13.2. Use of these funds is restricted to pre-approved expenditures and activities, which benefit the campus as a whole.

14. ELECTIONS

14.1. Candidacy Procedures

14.1.1. Persons wishing to run for any voting office on the SBA Joint Board must attend a **mandatory** candidates meeting to have his/her name placed on an official ballot in an election run by the current VP.

14.1.2. Where feasible, such information shall be submitted to The Commentary.

14.1.3. The candidates meeting shall be held within two weeks of the scheduled date of the election, the exact date to be set by the VP.

14.1.4. The VP shall meet to inform and explain to the candidates the rules and regulations which relate to elections as set out by these By-laws.

14.1.5. Each candidate must sign a Candidate Acknowledgment Form, by which the candidate agrees to abide by all election rules and regulations, and shall agree to indemnify and hold harmless the VP and members of the SBA.

14.1.6. The Candidate Acknowledgment Form must be signed by the candidate, and submitted with:

14.1.6.1. a petition signed by twenty-five (25) members of the candidate's constituency;

14.1.6.2. a Letter of Candidacy; and

14.1.6.3. a current photograph of the candidate.

14.1.7. These above listed items must be submitted to the VP within three (3) to five (5) business days of the initial candidate meeting.

14.1.8. Candidates must be given at least three (3) but no more than five (5) days to collect the requisite material

14.2. Candidate's Forum/Debate

14.2.1. Candidates for the office of President may participate in a candidate's forum during which the candidates shall have an opportunity to present their platforms and constituents shall have an opportunity to pose questions to these candidates.

14.2.2. If Presidential Candidates wish to have a debate they must, in writing, inform the VP.

14.2.2.1. The VP shall be responsible for organizing and executing the candidates forum/debate.

14.2.2.2. In the event that the VP cannot organize and execute the forum/debate the SBA President should be responsible.

14.2.2.3. If both the VP and SBA President are unable to organize and execute the forum/debate the Ombudsman shall be responsible.

14.2.3. If being held, the forum will be held on an appropriate day after election petitions are due, but in no even shall it take place less than two (2) days prior to the elections.

14.2.4. Procedure for Candidate's Forum:

14.2.4.1. Each candidate will submit three questions for which s/he would like to pose to his/her opponent.

14.2.4.2. The moderator, the current SBA president, shall pose to each candidate one (1) of the opposing candidate's questions. That candidate will then have three (3) minutes to answer the question. The same question will then be posed to every other candidate present at the Forum, and is also given (3) minutes to answer the question.

14.2.4.3. The opponent who posed the question will have three (3) minutes to respond, and the candidate will have three (3) minutes to rebut.

14.2.4.4. This process shall continue until all questions (three (3) posed by each candidate) are asked, answered, and rebutted.

14.2.4.5. Then the moderator shall open the floor to constituents to ask questions of the candidates.

14.2.4.6. Each candidate shall have ninety (90) seconds to respond to constituents' questions.

14.2.4.7. The forum and procedure for the candidates may be altered if all candidates stipulate to an alternative set of written rules or procedures for the forum.

14.3. Campaign Regulations

14.3.1. Candidates will have the opportunity to campaign for a minimum of four (4) days.

14.3.2. Candidates may distribute campaign flyers, so long as the cost of producing the flyer is included in the maximum expenditure allowance provided for in these By-laws.

14.3.3. Additionally, no flyers may be attached by any manner, to any walls, doors, or windows of either the 225, 250, or 350 Cedar Street Buildings.

14.3.4. No candidate may spend more than one hundred dollars (\$100.00) on his/her campaign.

14.3.5. An itemized list of all campaign expenditures shall be handed in to the VP by 5:00 P.M., one (1) business day prior to the election. Note that zero expenditures must also be reported to the VP.

14.3.6. No campaign material may be within view of, or located within twenty-five (25) feet of the ballot box on the days of elections.

14.3.7. No candidate, or his/her agent, shall engage in campaigning on election days.

14.3.7.1. Campaigning shall mean any oral or written communication by the candidate, and his/her agent, to the constituents.

14.3.8. Campaigning or interference, defacing, destruction, etc., of any other candidate's campaign materials shall be construed as sufficient grounds for disqualification as determined by the VP.

14.3.9. The decision of the VP may be appealed to the BOR.

14.3.10. Any appeal made to the BOR must have a three-fourth (3/4) vote of those present and voting to overturn the decision of the VP.

14.3.11. It is prohibited for a candidate to:

14.3.11.1. knowingly or recklessly make, whether orally or

in writing, any false statement(s) concerning him/herself,
or any other candidate;
14.3.11.2. violate any CWSL regulation of the Honor Code;

14.3.11.3. violate any standard of ethical conduct as described in the American Bar Association Model code of Professional Responsibility; or

14.3.11.4. violate any other provision of these By-laws or the SBA Constitution.

14.4. Terms of Constituency

14.4.1. The word constituency is taken to mean members of the full-time and part-time CWSL student body enrolled in a degree program as determined by the Registrar.

14.4.1.1. An individual student is a constituent either as a member of a Representative's class and/or section, or as specified/limited by another section of these By-laws.

14.4.2. The constituency of a 1L Representative are the people within his/her section that otherwise meet the criteria stabled under section 14.4(a) this By-law.

14.4.3. The constituency of a 2L or 3L Representative are the people within the Representative's class year that otherwise meet the criteria stabled under section 13.4(a) this By-law.

14.4.4. The constituency of the Executive Board is taken to mean the entire full-time and part-time CWSL student body that otherwise meet the criteria stabled under section 13.4(a) this By-law.

14.4.5. For the purpose of a vote on a referendum, or a Constitutional Amendment put to the CWSL campus at election time, the term constituency will be taken to mean the total number of CWSL students participating in the election, with a minimum of one-fifth (1/5) of the law school population enrolled in a degree program, as determined by the Registrar, constituting a quorum for election.

14.5. Ballot and Voting Procedures

14.5.1. Candidates' names will appear on the ballot in alphabetical order.

14.5.2. All ballots shall be organized by the VP, and shall include the name of each candidate that is entitled to have his/her name on the ballot due to compliance with all election By-laws.

14.5.3. Non-partisan notices of the election shall be posted throughout the CWSL campus.

14.5.4. These notices shall include the hours during which the voting is open and the procedure for casting a vote.

14.5.5. The President and VP should be impartial, and should not provide information other than general ballot marking procedures on Election Day.

14.5.6. Voting for the law school-wide elections shall take place at a time and date in which the VP decides.

14.6. Ballot Counting

14.6.1. Voting will take place via e-mail through Student and Diversity Services.

14.6.2. After the polls are declared closed by the VP, the VP and one representative from the Dean of Student Affairs' Office shall conduct the official ballot counting.

14.6.3. The representative from the Dean of Student Affairs' Office shall retain the electronic ballots after counting is completed, until the time that the election is ratified.

14.6.4. The VP and the representative from the Dean of Student Affairs' Office shall announce the results of the election as soon as practicable after the completion of all counting.

14.6.5. Persons announced by the VP and the representative from the Dean of Student Affairs' Office, as winners shall be the apparent winners, unless a challenge is received by the VP or the BOR within forty eight(48) hours of the announcement of the winners.

14.7. Violation of the Election By-laws

14.7.1. It is within the discretion of the VP, to determine if violations of the provisions or spirit of these election regulations of the SBA shall be sufficient grounds for disqualification of a candidate and/or invalidation of the elections in which the disqualified candidate received a majority of the votes cast.

14.7.1.1. Violation of the spirit of these By-laws shall be construed to mean any act that is taken by the candidate that does not necessarily violate the letter of these By-laws, but is done in such a way as to avoid the consequences of doing so.

14.7.2. Candidates for the new elections shall be those who were not disqualified in the original election.

14.7.3. The VP shall be the arbitrator of all election proceedings. His/her decision may be appealed for a full vote of the BOR. The decision of the BOR may be appealed to the Dean of Student Affairs.

14.7.4. The VP and the BOR shall enforce all By-laws and regulations pertaining to the elections. Thus, the VP may, on his/her own initiative, bring a formal complaint against a candidate to the BOR.

14.7.5. Formal written complaints, whether initiated by the VP or any other member of the law school student body, shall set forth the information upon which the writer believes the accused candidate had committed some prohibited act, and must specify the rule(s) believed to be implicated. Formal complaints must be given to the VP, no later than 48 hours after the announcement of the apparent winners.

14.7.5.1. If the VP is the complainant, then the VP shall submit his/her formal complaint to the BOR.

14.7.5.2. The BOR shall hold a hearing within twenty-four (24) hours after the filing of an official complaint with the VP.

14.7.6. The BOR hearing on a complaint is a formal BOR closed session, in which members of the BOR serve as the trier of fact and as the examiner. The BOR may call witnesses they believe to have relevant information. The accused candidate shall be permitted to make an opening and closing statement, call his/her own witnesses, and cross-examine all witnesses. The hearing shall be conducted liberally applying general

principles of evidence with the exception that hearsay is admissible, all with the aim of accomplishing substantial fairness.

14.7.6.1. The BOR shall find the accused not guilty of an offense unless the BOR finds there are sufficient facts to establish the accused candidate's guilt by a preponderance of the evidence.

14.7.6.2. The BOR shall publish their decision within twenty-four (24) hours of the close of the hearing by e-mail, and by placing the decision in three conspicuous places within the Law School.

14.7.6.3. The BOR decision shall also be delivered to the Dean of Student Affairs for purposes of fashioning an adequate remedy.

14.7.7. All remedies are to be determined and carried out by the Dean of Student Affairs.

14.7.8. Any current student may file a challenge against the VP or BOR, by serving written challenge upon them, and a copy to the Dean of Student Affairs, if s/he reasonably believes the VP or BOR to have:

14.7.8.1. failed to enforce the Election By-laws in such a manner as to substantially impair or harm an individual's campaign;

14.7.8.2. violated these By-laws intentionally; or

14.7.8.3. erred in counting votes.

14.8. Post-election Transition and Assuming Office

14.8.1. The SBA Constitution, and these By-laws specifically spell out the process and procedures for how long officers must remain available to the incoming officers.

APPENDIX A

Robert's Rules of Order, Newly Revised

NOTE: This appendix is intended only to be a "quick reference" guide. Detailed information or questions should be answered by referring to the official Robert's Rules of Order, Newly Revised.

I. Introduction of Business:

1. All business shall be brought before the assembly by a motion of a member, or the presentation of a communication to the assembly.
2. Making a Motion – Before a member can make a motion s/he must be recognized by the meeting chair.
3. Recognition – When two (2) or more members seek recognition, the meeting chair decides who is recognized.
4. Opening a Subject for Discussion/Debate – Before a subject is open to debate it is necessary, first, that a motion be made by a member with the floor, that it be seconded and that the chair recognize and state the motion.

II. General Classification of Motions:

1. Principal/Main Question/Motion – This is the motion made to bring before the assembly, for its consideration, any particular subject.
2. Subsidiary/Secondary Motions – These are such as applied to other motions, for the purpose of appropriately disposing of them. They take precedence over a Principal Question can be acted upon. They yield to Privileged and Incidental questions and are as follows:
 - i. Lay on the Table
 - ii. The Previous Question
 - iii. Postpone to a Certain Day
 - iv. Commit, or Refer or Re-commit
 - v. Amend
 - vi. Postpone Indefinitely
3. Incidental Questions – Questions that arise out of other questions, and consequently, take precedence over, and are to be decided before, the questions which gave rise to them. They yield to a Privileged Question and cannot be amended. With the exception of an Appeal, they cannot be debated.
 - i. Appeal (or Questions of Order)
 - ii. Object to the Consideration of a Question
 - iii. The Reading of Papers
 - iv. Leave to Withdraw a Motion
 - v. Suspension of the Rules
 - vi. Point of Information – Clarification of some part of the information that is the subject of the debate or motion in progress.
4. Privileged Questions – Questions that take precedence over all other questions and are not debatable.

- i. Point of Order – A call for the chair to recognize that a member is out of order.
 - ii. Fix Time for Adjournment
 - iii. Adjourn
- 5. Miscellaneous Motions
 - i. Rescind
 - ii. Renewal
 - iii. Reconsider

III. Debate and Decorum:

- 1. Debate – when a motion is made and seconded, the chair shall state it before being debated. The chair will then recognize the proponent and generally the proponent shall speak first.
- 2. Decorum – In debate, a member must confine his/herself to the question before the assembly. If at any time the chair rises to state a point of order, or give information, or otherwise speak, within the chair's privilege, the member speaking must take his seat until the chair has been heard. When called to order, the member must sit down until the question of order is decided.
- 3. Closing Debate – Until a question has been put to a vote, debate can continue on the matter, *unless the allotted time has elapsed* (CWSL SBA Provision)

IV. Voting:

- 1. Required to Pass – All votes by the Board shall pass if the majority of voting members present, vote in the affirmative, unless a different voting majority is specified by the Constitution, these By-laws and/or Robert's Rules of Order.
- 2. Motions Requiring More than a Majority Vote –
 - i. Amend the Rules
 - ii. Suspend the Rules
 - iii. Make a Special Order
 - iv. Take up a Question out of its Proper Order
 - v. Object to the Consideration of a Question
 - vi. Extend the Limits of Debate
 - vii. Close/Limit Debate
 - viii. The Previous Question
- 3. Proxy Votes – When a voting member of the SBA cannot be present for a vote s/he may submit a written proxy notice, directed to the particular matter that is to be voted upon by the board.
 - i. All written proxy notices must be dated, specify the member of the board who is to hold the missing member's proxy vote and be signed by the absent voting member.
 - ii. A member holding a proxy vote can only exercise the proxy on the matter specified in the proxy notice.

V. Officers and the Minutes:

- 1. Chairperson/President – The presiding person whose duties are generally as follows:

- i. open the session at which time the assembly is to meet by call the members to order;
 - ii. announce the business before the assembly in the order in which it is to be acted upon;
 - iii. to state the questions and put to vote all questions which are regularly moved or necessarily arise in the course of proceedings and to announce the result of the vote;
 - iv. to restrain the members, when engaged in debate, within the rules of order;
 - v. to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal to the assembly by any two members) and to refer to the assembly when necessary a point of order or practice.
2. Minutes – The Administrator or Secretary shall take Record of the proceedings. Minutes shall be kept for all meetings. Except as provided by these By-laws, the Administrator shall make available to members of the Board and Student Boy copies of the minutes by placing a copy in a folder in the SBA office, available for public inspection. Additionally, the Administrator may post a copy on the SBA bulletin board, place a copy on reserve in the library. In the event the chair is unavailable at the time a meeting begins, the Administrator shall be the chair *pro tem* until such a time as a new chair is elected.
- i. If the Administrator is unable to perform his/her duties, the President shall appoint another member of the board to take minutes during the session the Administrator is unable to perform his/her duties.

VI. Amendments of Rules of Order; Order of Business

- 1. Amending the Rules of Order – These rules of order can be amended at any regular meeting of the assembly, by a two-thirds (2/3) vote, provided the amendment was submitted in writing at a previous meeting.
- 2. General Order is as Follows:
 - i. Reading of the minutes of the previous meeting (and their approval)
 - ii. Reports from Standing Committees
 - iii. Reports from Selected Committees
 - iv. Unfinished Business
 - v. New Business

APPENDIX B

Student Organization – Student Bar Association Contract (Trimester and Year)

Organization Name: _____

Budget Presentation:

- (1) I understand that a representative of our student organization will be given an opportunity to present the group’s trimester budget to the SBA Board of Representatives (Board) and answer its questions. Furthermore, I understand that if we miss our appointment to meet with the Board, we will jeopardize our group’s trimester budget. Further requests for trimester funding will be reviewed on a first come, first serve basis and only as funds become available

Initial Initial

Philanthropic Event:

- (2) I understand that a requirement for obtaining trimester funds is to perform a philanthropic event that helps the community in some respect. This event will either be a fundraiser for a charitable organization or the group’s participation in a local charitable event. I further understand that the SBA will not generally fund any such event. The purpose of this activity is to increase the community’s awareness and recognition of California Western and my organization. **I further understand that if my organization fails to submit a philanthropic memo, any and all allocated funds will not be dispersed.**

Initial Initial

Fundraisers for Organization and Funds:

- (3) I understand that the Board will not finance fundraisers. The Board, however, will be available to help my organization with a **loan** to begin the finance of a fundraiser. I further understand that all profits from the fundraiser, up to the amount of the SBA loan, will first be returned to the SBA, and any excess amounts thereof will then be profits of my organization. The Board is available for financial planning strategies and advice for the successful operation of the fundraiser.

Initial Initial

Failure of an Event to Occur:

- (4) I understand that once a scheduled, SBA-funded event does not occur, the Board will automatically reabsorb the funds allocated to the event and use them to fund other pending fund requests.

Initial Initial

Reallocation/Change Request:

- (5) I understand that "Reallocation/Change Requests" will only be accepted by the Board for events that will be postponed for legitimate reasons (e.g., speaker postponed). If such a Reallocation Request is necessary, I understand that it must be submitted to the Board before the event, or within one (1) week of the day that the event was scheduled to occur.

Initial Initial

- (6) I understand that if I submit a Reallocation Request for an event that does not occur after that scheduled time, the Board must review the event as a new allocation and allocate funds as available, after other pending allocations have been reviewed.

Initial Initial

Events Sponsored by SBA Funds:

- (7) I understand that all events supported by SBA funds must carry the sign "Sponsored by your SBA funds" and must be in a font size at least half that of the sponsoring club's name. Furthermore, I understand that any activity funded by the SBA must be open to **all** students of California Western, whether or not they are officially or unofficially a part of my organization and whether or not club dues have been paid by the student. Further, I understand that the event must be easily accessible to the student body (e.g., not at a student's home).

Initial Initial

Inactive Organizations:

- (8) If my group is to become inactive for one trimester, I authorize the SBA to use our group's organizational funds account to settle all debts with the SBA or other parties.

Initial Initial

- (9) If my group is to become inactive for one calendar year (three trimesters), I authorize the SBA to absorb any and all funds in our group's organizational funds account and incorporate any such funds into the SBA's general funds account to be used for all groups' funding purposes. The purpose of this rule is to prevent waste of unused resources.

Initial Initial

Initial Allocation Requests:

APPENDIX C

MEMORANDUM

To: Student Organizations
From: SBA – Board of Representatives
Date:
Re: SBA Budgeting & Allocation Policies; Check Request Procedures

The purpose of this memo is to update student organizations and their officers on the SBA budgeting and allocation process and current policies.

- I. Budgeting Meeting
 - a. The SBA Board of Representatives holds a budget meeting at the beginning of every trimester where each organization presents its schedule of planned activities, accompanied by a budget. This sets the "Original Budget."
 - b. The Budget Meeting will take place on **[date]** in **[location]**. Time slots for organizations to discuss their budgets will begin at **[time]** that evening.
 - c. To sign up for one of these time slots, each organization's president and treasurer must attend the Budget Informational Meeting.
 - d. Each organization must have at least one (1) representative at the budget meeting, preferably someone who helped fill out the Allocation Forms.
 - e. Please remember that if an item is **tabled**, you are NOT guaranteed to receive ANY money. You should provide enough information for the Board to make its decision during the Budget Meeting. No funds are guaranteed to be left after the Budget Meeting.
- II. Initial Allocation Requests – Information and Restraints
 - a. Allocation Requests
 - i. All Allocation Requests submitted to be considered in the setting of the Original Budget are due by **[date and time]**. **No Exceptions.**
 - ii. One (1) copy of the Allocation Request form must be submitted to the Chair of the Board by the above mentioned date and time. Please remember to keep a copy for your own records.
 - iii. Allocation Requests may be submitted via email to the Chair of the Board.
 - b. Please remember that each organization is allowed and may include in its budget:
 - i. Up to One (1) Speaker Event per trimester
 1. If you submit more than one (1) speaker event, you will not get them all.
 2. The name(s) of the speaker(s) should be listed on the Allocation Request.

3. Honorariums are limited to one hundred dollars (\$100.00) per speaker event. If your organization chooses, this money can be used to purchase a gift for the speaker.
 4. No honorarium is given to a professor that teaches at CWSL.
- ii. Minimum of two (2) General Meetings per trimester.
 - iii. Office Supplies
 1. The SBA does not give funds for an organization's office supplies or marketing materials.
 - iv. Business Office Charges
 1. Business Office Charges will not be paid for by the SBA. Additionally, the SBA will not reimburse the CWSL Business Office for any student organization charges.
 2. Student organizations may use Business Office services but must pay for those services out of their own dues account.
 - v. Postage
 1. Requests for postage must be itemized separately with a detailed description of the requested amount.
 - vi. Photocopying & Printing
 1. Funds for photocopying and printing will be limited to twenty-five dollars (\$25.00) per trimester. The SBA wants to promote the use of existing posting areas and e-mail to deter stuffing mailboxes and to conserve our paper resources.
 - vii. Happy Hours & Mixers
 1. SBA and student funds shall not be used to purchase alcohol at any Happy Hour, Mixers, or other off-campus social event. **No exceptions.**
 - viii. Religious Activities
 1. The SBA will not allocate funds for any religious ceremony or event that promotes a belief in any religion, god, supreme being, deity, or prophet.

III. Completing Allocation Requests

- a. The Board of Representatives asks that all activities be described **in detail**, including a breakdown of costs explaining the amount requested. Allocation forms submitted without sufficient detail will be tabled and returned for more information before funds are approved.
 - i. "In detail" means to include, if applicable, : speaker name, speaker's title/position, the topic of the presentation, the location, date and time of the event, expected attendance, a breakdown of costs for food/drinks/entertainment, and how much your organization will contribute towards the event apart from SBA-allocated funds.

1. Please note: all organizations must contribute to all their events, unless there are special circumstances.
2. Specified dates should be set for each activity. Please remember that dates may always be changed. Plans to set up an event are **not sufficient**.
3. Typically, events are not approved when they are not specific as to either a date or a speaker. If your request is turned down for either of these reasons, you may re-submit the request to the Board of Representatives once you have included the missing information.
4. All events must be open to **all students** to be approved by the Board of Representatives.
5. All events must be advertised so that all students know about them. Organizations may use bulletin boards on the second and fourth floors, printed signs, banners, posters, the second-floor showcase (with special permission), the weekly calendar disseminated by Student and Diversity Services (may not appear in more than two (2) calendars prior to event), the SBA TWEN and Google calendars, e-mail, and on the TV outside of The Student Center in the 350 building.
6. Events may only be advertised two (2) months in advance of the date of the actual event.

IV. Subsequent Allocation Requests

- a. After the initial budget meeting, organizations may request SBA funding at later dates in the trimester as events or activities arise that were unforeseen at the time of the initial budget meeting.
- b. Subsequent requests (like initial requests) should be submitted on Allocation Forms and e-mailed to the Chair of the Board.
- c. The Board of Representatives will convene via e-mail to consider and vote on all submitted requests. E-mails will be sent out to each member on Mondays, so all requests must be received by 8:00 A.M. on Monday.
- d. **An oral promise of allocation from any individual member of the SBA is invalid.** The only valid, honored promise is one represented on the Allocation Request form, which includes the signatures of the SBA President and the Board of Representatives Chairperson.
- e. Misrepresentations on any Allocation Request form will deem the allocation void.

V. Reallocation/Changes

- a. If an approved event does not occur, already allocated funding **does not** automatically apply toward a new event. It **must be officially reallocated** by the organization to another event.
 - i. If the date of an approved event goes by, and the event did not occur for any reason, the organization

has **one (1) week**, to either provide an explanation and the future date of the same event. If nothing is received by the Treasurer or Board of Representatives within the week, the allocation is void, and the money will be placed back into the general budget for other allocations.

- b. Request for new events using previously allocated funds require that you fill out a Reallocation/Changes Form. Additionally, if there is a change in the way that the originally allocated funds are to be spent, then a Reallocation/Changes Form should also be submitted. These forms can be found on the SBA website (cwslsba.org).
 - c. Once the Reallocation/Changes Form is completed in detail, please submit them to the SBA Chair of the Board
- VI. Check Requests
- a. Once the Board of Representatives has approved an Allocation or Reallocation/Change, the organization is promised the amount approved.
 - b. Check requests/invoice forms **must** be submitted to the Treasurer's lockbox and the Treasurer must be notified via e-mail at least 14 business days before scheduled date of the event. Check request forms can be found on the SBA website.
 - c. If you turn in your request within two weeks of your event, there is **no guarantee** that you will receive a check for your event.
 - d. Make sure to describe the even in enough detail so the Treasurer will recognize the activity as approved event. You may want to refer to the name you gave the event on your Budget Request form.
 - e. Within sixty (60) days after the event, submit all receipts to the SBA Treasurer. You must reconcile receipts with the money you have been given before any further checks will be issued to your organization. **There are absolutely no exceptions.**
 - f. Attach a receipt to a written description of the event (including the organization's name) they are reconciling to assure records are accurate. Please try to keep a copy of the receipts for your own records as well. **Remember to place the check number on the receipt.**
 - g. For speaker events, the honorariums do not need a receipt (just explain on the form). However, please be sure to submit the name, address, and phone number of the speaker on the check request or submit along with receipts. Food and other costs for the speaker event will require receipts.
 - h. If this is a Check Request for a reallocation (i.e., not one you submitted at the original budget meeting), the Reallocation/Change form with the signatures of the SBA President and Board of Representatives Chairperson's signature must be attached.

- i. If your organization has spent less than the amount of the check given to you, please write a personal check or money order for the difference, payable to "CWSL - SBA." Make a copy of the check and submit both with your receipts.
 - j. If you want the funds to be taken out of your individual Dues Account, specify "Dues Account" on the upper right hand corner of the Check Request. If nothing is specified, the Treasurer will assume that you want the funds from the SBA budget that has been allocated to your organization.
 - k. Once the Check Request is completed and the proper receipts and Allocation/Reallocation forms are attached, place them in either the Treasurer's lockbox located in the SBA cubicle.
- VII. Individual Organization Dues Accounts
- a. All organizations may have individual Dues Accounts, similar to a checking account, through CWSL and the SBA.
 - b. The Dues Account may consist of your organization dues and other deposits.
 - c. To deposit money into this account, either turn checks in directly to the Business Office, **and** leave the SBA Treasurer a note specifying the name of your organization and the deposit amount. You may also turn the check into the Treasurer's mailbox in an envelope identifying your organization, and the Treasurer will submit it to the Business Office for you.
 - d. To withdraw money from this account, use a Check Request form and specify "Dues Account" on the upper right hand corner of it. **Receipts are required for Dues Account requests** in order to ensure the funds are being used properly.
 - e. With each new transaction, the Treasurer will give you a receipt and the new balance from the SBA records.
- VIII. In General
- a. All of the SBA's correspondence to the organization will be via email, the SBA website, or the SBA TWEN site.
 - i. **Please check the above frequently for any memos, notices, etc.**
 - ii. Please update officer contact information with the Dean of Student's office every trimester by the end of the first full week of classes to ensure e-mails are delivered correctly.
 - b. If you would like to contact any SBA officer, either email the SBA generally at SBA@law.cwsl.edu or each individual officer's SBA email address.