

THE STUDENT BAR ASSOCIATION
THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

THE BYLAWS

**AS LAST MODIFIED BY THE SENATE ON
NOVEMBER THIRTIETH
TWO THOUSAND AND TEN**

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LEVEL 100 – GENERAL PROVISIONS

Bylaw 101 – Effect of These Bylaws

- (a) In the event that any provision within these Bylaws conflicts with the Student Bar Association Constitution, the provisions in the Constitution shall govern. Furthermore, except as otherwise limited by the University Guide to Student Rights and Responsibilities, the University Policy on Equal Opportunity, the Student Bar Association Constitution, and these Bylaws, the enumeration of responsibilities in these Bylaws 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 the Student Bar Association.
- (b) These Bylaws shall take effect upon ratification by two-thirds (2/3) of the Senate.
- (c) These Bylaws shall be distributed to all new Senate members by the Chief of Staff within two weeks of taking office. These Bylaws shall also be available to the students of The George Washington University Law School through the Student Bar Association website.
- (d) Violations of the written provisions or the spirit of these Bylaws shall be sufficient grounds for disciplinary action to be taken against the violating members according to the provisions of Level 1100 of these Bylaws.

Bylaw 102 – Procedures to Amend

- (a) Bills amending the SBA Bylaws must either be submitted to the Executive Vice President at least one week prior to the Senate meeting in which they are to be introduced or pass with a two-thirds (2/3) majority vote of the Senate.
- (b) Germane amendments to a bill amending the SBA Bylaw's do not require advanced submission or a supermajority vote.

Bylaw 103 – Definitions

- (a) The term "Constitution" refers to the Student Bar Association Constitution.
- (b) The term "students" refers to all registered part-time and full-time students of The George Washington University Law School according the Records Office.
- (c) The term "Senate" refers to all voting members of the legislative branch of the Student Bar Association as defined by the Student Bar Association Constitution and specified in Bylaw 401.
- (d) The term "Senator" refers to a voting member of the Senate.
- (e) The term "officially recognized student organization" refers to any organization in compliance with Level 600 of these Bylaws, but excludes the several skills boards.

Bylaw 104 – Time Periods

- (a) The time period used within these Bylaws shall be calculated to exclude weekends, holidays, and those days that may fall within any of the following scheduled recesses of the University: Fall Break, Thanksgiving, Winter Break, Spring Break, and Summer Vacation.

Bylaw 105 – Nonparallel Structure

- (a) Non-parallel sentence structure in the phrasing of any of these Bylaws shall not be determinative of intent.

Bylaw 106 – Drafters

- (a) The original drafters of these Bylaws are Neil Chilson (J.D. 2007), Dionne Sethna (J.D. 2006), Amir Shaikh (J.D. 2006), Jonathan Willingham (J.D. 2006), and Jane Yanovsky (J.D. 2005).

LEVEL 200 – THE EXECUTIVE

Bylaw 201 – The Executive Officers

- (a) The Executive Officers of the Student Bar Association shall include the President, the Executive Vice President, the Vice President of Finance, the Chief of Staff, the Vice President of Outreach, and the Vice President of Programming, the Vice President of Student Affairs, and the Vice President of First Year Students.
- (b) The President shall nominate non-elected Executive Officers no later than three weeks after the Senate ratifies the Spring election results. After nomination by the President, candidates for Executive Officer positions shall be subject to confirmation by a majority of the Senate.
- (c) The power to create inferior executive committees and positions shall reside with each Executive Officer, subject to approval by the President. Such committees and positions shall be filled by the Committee Coordinator or the appropriate Executive Officer. The Executive Officer overseeing a particular committee or position shall have the power to remove any individual serving on such a committee or in such a position, for just cause.

Bylaw 202 – The President

- (a) The President shall be the Chief Executive Officer of the Student Bar Association and shall be elected, serve, and fulfill his duties in accordance with Article II of the Constitution.
- (b) The President shall preside over the meetings of the General Assembly.

Bylaw 203 – The Executive Vice President

- (a) The Executive Vice President shall be elected, serve, and fulfill his duties in accordance with Article I, § 2 of the Constitution.
- (b) The Executive Vice President shall:
 - (1) Facilitate the creation and administration of the various Senate Committees and appoint members of the Senate to these committees;
 - (2) Serve as the liaison between the Senate and the Executive Officers;
 - (3) Be responsible for posting proposed Senate legislation publicly on the SBA's official web page promptly after submission;
 - (4) Be responsible for publishing the status of all Senate legislation and the final text of all passed Senate legislation publicly on the SBA's official web page;
 - (5) Have the duties of appointing a Secretary to take the minutes for any Senate meeting, distributing the draft minutes to the Senate, ensuring that the Senate has an opportunity to approve of the minutes at its next meeting if another meeting is held before the end of a Senate's term, and ensure the prompt publication of draft and approved minutes of the Senate, redacted to exclude discussions made during executive session, on the SBA's official web page;
 - (6) Distributing or checking out materials to Senators to assist in their legislative duties and ensuring that each Senator returns checked-out materials at the end of the Senator's final term of office;
 - (7) Facilitating the training of Senators; and
 - (8) Serve as or assign someone to act as parliamentarian.

Bylaw 204 – The Vice President of Finance¹

- (a) The Vice President of Finance (VPF) shall be appointed by the President. The term of the VPF shall commence upon confirmation by the Student Bar Association Senate and end four weeks after the confirmation of a new VPF the following year. During this four-week period, the outgoing VPF shall train the new VPF and familiarize him with the various procedures necessary to effectively execute the responsibilities of the office.
- (b) The Vice President of Finance shall:
 - (1) Maintain all financial accounts and records of the Student Bar Association;
 - (2) Process all paperwork necessary for the prompt payment of the financial obligations of the Student
 - (a) Bar Association for which funds have been appropriated by the Senate;
 - (3) Disburse monies allocated by the Senate;
 - (4) Develop, maintain, and present reports on the finances of the Student Bar Association as directed by
 - (b) the President or the Finance Committee;
 - (5) Serve as a non-voting member of the Finance Committee, as described in Bylaw 906;
 - (6) Serve as a member of the Gavel Club, as described in Bylaw 605(a);
 - (7) Prepare all materials required for securing an allocation of funds from the Student Association;
 - (8) Assist Executive Officers in preparing a budget for their planned activities;
 - (9) Abide by and enforce all financial regulations promulgated by these Bylaws or by the Senate; and
 - (10) Execute other duties as assigned by the President or the Senate.
- (c) The Comptroller(s), should such a position exist, shall report to the Vice President of Finance.

Bylaw 205 – The Chief of Staff²

- (a) The Chief of Staff (COS) shall be appointed by the President. The term of the COS shall commence upon confirmation by the Student Bar Association Senate and end four weeks after the confirmation of a new COS the following year. During this four-week period, the outgoing COS shall train the new COS and familiarize him with the various procedures necessary to effectively execute the responsibilities of the office.
- (b) The Chief of Staff shall:
 - (1) Be responsible for any correspondence, memoranda, and materials necessary for the smooth function of the Student Bar Association;
 - (2) Solicit information on SBA Activities and events and publish them for public consumption
 - (3) Compile the official SBA Calendar
 - (4) Maintain and manage the office of the SBA
 - (5) Execute other duties as assigned by the President of the Senate

¹ When these Bylaws were enacted, this position was titled Treasurer. To conform to actual practices of the Executive Branch, and without making any substantive alterations to the responsibilities or functions of this position, all references within this document to the Student Bar Association Treasurer have been changed to the Vice President of Finance. This same semantic alteration was made in the Constitution.

² When these Bylaws were enacted, this position was titled Secretary. To conform to actual practices of the Executive Branch, and without making any substantive alterations to the responsibilities or functions of this position, all references within this document to the Student Bar Association Secretary have been changed to the Chief of Staff. This same semantic alteration was made in the Constitution.

- (d) The Committee Coordinator, Director of Morale, and the Director of Communications, should such positions exist, shall report to the Chief of Staff.

Bylaw 206 – The Vice President of Student Affairs

- (a) The Vice President of Student Affairs (VPSA) shall be appointed by the President. The term of the VPSA shall commence upon confirmation by the Student Bar Association Senate and end four weeks after the confirmation of a new VPSA the following year. During this four-week period, the outgoing VPSA shall train the new VPSA and familiarize him with the various procedures necessary to effectively execute the responsibilities of the office.
- (b) The VPSA shall:
 - (1) Build and maintain relationships and communications between students, groups, and interests within the law school
 - (2) Be responsible for providing services to the student body, including the sale of lockers, business cards, and other merchandise.
 - (3) Oversee the Gavel Club, or other such group charged with coordinating SBA Student Organizations
 - (4) Execute other duties as assigned by the President or the Senate.
- (c) The Academic Affairs Committee, Academic Support Committee, Minority Affairs Committee, Student Services Committee, and Gavel Club, should such positions and committees exist, shall report to the Vice President of Student Affairs.

Bylaw 207 – The Vice President of Outreach

- (a) The Vice President of Outreach (VPO) shall be appointed by the President. The term of the VPO shall commence upon confirmation by the Student Bar Association Senate and end four weeks after the confirmation of a new VPO the following year. During this four-week period, the outgoing VPO shall train the new VPO and familiarize him with the various procedures necessary to effectively execute the responsibilities of the office.
- (b) The Vice President of Outreach shall:
 - (1) Serve as a liaison between the Student Bar Association and the community beyond the law school.
 - (2) Promote contact between students and the alumni community;
 - (3) Promote American Bar Association membership among the student body; and
 - (4) Execute other duties as assigned by the President or the Senate.
- (c) The American Bar Association Student Representative, Alumni Relations Committee, Networking Committee, Pro Bono Committee, and Student Services Committee, should such positions and committees exist, shall report to the Vice President of Outreach.

Bylaw 208 – The Vice President of Programming

- (a) The Vice President of Programming (VPP) shall be appointed by the President. The term of the VPP shall commence upon confirmation by the Student Bar Association Senate and end four weeks after the confirmation of a new VPP the following year. During this four-week period, the outgoing VPP shall train the new VPP and familiarize him with the various procedures necessary to effectively execute the responsibilities of the office.
- (b) The Vice President of Programming shall:

- (1) Coordinate and organize social and charitable events sponsored by the Student Bar Association;
 - (2) Work with the law school administration to ensure that events comply with all necessary standards, protocol, and procedures of the Law School;
 - (3) Assist recognized student organizations with planning and implementing events and services; and
 - (4) Execute other duties as assigned by the President or the Senate.
- (d) The Athletics Committee, Commencement Committee, Community Service Committee, Program Board, and Senior Programs Committee, should such committees exist, shall report to the Vice President of Programming.

Bylaw 209 – The Vice President of First Year Students

- (a) The Vice President of First Year Students (VPFYS) shall be appointed by the President. The term of the VPFYS shall commence upon confirmation by the Student Bar Association and end four weeks after the confirmation of a new VPFYS the following year. During this four-week period, the outgoing VPFYS shall train the new VPFYS and familiarize the new officeholder with the various procedures necessary to effectively execute the responsibilities of the office.
- (b) The Vice President of First Year Students shall:
 - (1) Be responsible for the planning and implementation of SBA Orientation Programs;
 - (2) Serve as a conduit between the first year class and the SBA;
 - (3) Execute other duties as assigned by the President of the Senate.
- (c) The Mentoring Committee, Orientation Committee, and the Director of Elections, should such positions exist, shall report to the Vice President of First Year Students.

LEVEL 300 – THE JUDICIARY

Bylaw 301 – Nomination, Appointment, & Removal

- (a) The Supreme Court shall be organized according to Article III, § 1 of the Constitution.
- (b) Any vacancy on the Supreme Court shall be publicized to the members of the Student Bar Association, who shall be encouraged to apply for the available Judge position.
- (c) The President of the Student Bar Association shall nominate Judges from among the applicants, and the Senate shall approve the Judges so nominated.
- (d) The term of a member of the Supreme Court shall commence immediately upon confirmation by a majority vote of the voting members of the Senate, and shall not end until that member graduates or withdraws from the Law School, resigns, dies, or is removed by a two-thirds vote of the Senate. Any removal proceeding shall be consistent with Article III, § 4 of the Constitution.

Bylaw 302 – Chief Judge

- (a) When a vacancy occurs in the position of Chief Judge, the President shall nominate a candidate either from sitting members of the Court or from external applicants. The Senate shall confirm any such nomination by a majority vote. If a sitting Judge is elevated to the position of Chief Judge, the seat being vacated shall be filled in accordance with Bylaw 301.
- (b) The term of the Chief Judge of the Supreme Court shall commence upon confirmation by the Senate and shall end whenever that member graduates or withdraws from the Law School, resigns, dies, or is removed by a two-thirds vote of the Senate. Any removal proceeding shall be consistent with Article III, § 4 of the Constitution.
- (c) The Chief Judge shall preside over the Supreme Court, in accordance with Article III, § 2 of the Constitution. This authority shall not be construed to give more weight to the opinion or vote of the
 - (a) Chief Judge.

Bylaw 303 – Functions of the Judiciary

- (a) A majority vote of the current membership of the Supreme Court shall be required to resolve disputes and controversies brought before it.
- (b) Jurisdiction and remedies are limited to the terms of Article III, § 3 of the Constitution.

Bylaw 304 – Recusal

- (a) A Judge of the Supreme Court shall recuse himself from participating in any decision regarding a matter in which the Judge has a personal bias, or a matter pertaining to a student organization of which the Judge is an executive officer.
- (b) Should any party to a claim that is before the Supreme Court express concern that one of the judges is not fit to hear his claim:
 - (1) The party shall present the concerns in writing to the Judge in question via a request for recusal.
 - (2) The request for recusal must be submitted prior to any formal Supreme Court proceedings relating to the case in controversy.
 - (3) Should the Judge refuse to recuse himself, the party shall present the concerns in writing to the whole Court via a request for recusal.

- (i) The Supreme Court shall vote by secret ballot to determine whether the Judge in question shall be barred from participating in the case at hand, based on whether the Judge in question has a substantial reason to be biased with regard to the facts of or parties to the case at hand.
- (ii) A majority vote of the Supreme Court will prevent a judge from participating in the case.

LEVEL 400 – THE LEGISLATIVE

Bylaw 401 – Membership of the Senate

(a) Members

- (1) All elected Senators are members of the Senate. They shall be apportioned as follows pursuant to Article I, § 2, Clauses 3:
 - (i) The post juris-doctorate division shall have one senator;
 - (ii) The 4L part time division shall have one senator;
 - (iii) The 3L full time division shall have five senators;
 - (iv) The 3L part time division shall have one senator;
 - (v) The 2L full time division shall have five senators;
 - (vi) The 2L part time division shall have one senator;
 - (vii) The 1L full time division shall have five senators, each 1L section will receive one senator;
 - (viii) The 1L part time division shall have one senator.
- (2) Pursuant to Article 1, § 2, Clause 1, the following shall also be elected members of the Senate:
 - (i) The Full-Time juris doctorate division shall have one at-large division senator;
 - (ii) The Part-Time juris doctorate division shall have one at-large division senator.

(b) Officers

- (1) The officers of the Senate shall be the Executive Vice President, the Vice President of Finance, and the Chief of Staff.
- (2) Officers shall have no vote in the Senate, unless when serving as the presiding officer in accordance with Article I, § 2, clause 2 of the Constitution.
- (3) Officers of the Senate shall not be considered members of the Senate.

Bylaw 402 – Constituencies

- (a) The constituency of the First-Year Senators shall include all students enrolled in the Juris Doctor program that are within their respective first-year sections.
- (b) The constituencies of the Second-, Third-, and Fourth-Year Senators are students enrolled in the Juris Doctor program that are within their respective classes.
- (c) The constituency of the Division Senators shall include all students enrolled in their respective division.
- (d) The constituency of the Post-Juris Doctorate Senator shall include all students enrolled in the Master of Laws and Doctor of Juridical Science programs.

Bylaw 403 – Duties and Responsibilities of Senators

- (a) Attend and participate in all regularly scheduled Student Bar Association meetings, and if unable to do so, inform the Chief of Staff of his prospective absence.
- (b) Report and gather feedback on the activities of the Student Bar Association that affect or may potentially affect his constituency.
- (c) Serve on at least one standing Senate committee.
- (d) Vote on all bills, resolutions, Bylaws, or Constitutional Amendments in person or by proxy, or abstain from such votes, except as in accordance with Bylaw 408.

- (e) Perform such special duties as may be delegated to him in accordance with the provisions of these Bylaws or by vote of the Senate.

Bylaw 404 – Committees of the Senate

- (a) There shall be committees of the Senate created and administered by the Executive Vice President. These committees shall include:
 - (1) Academic Policy Committee
 - (2) Charter Committee
 - (3) Facilities & Student Life Committee
 - (4) Finance Committee
 - (5) Student Wellness and Programming Committee
 - (6) Technology Committee
- (b) The Student Wellness and Programming Committee shall:
 - (1) Actively promote a culture of mental wellness at the Law School by creating programs (lectures, presentations, trainings, activities, social gatherings, etc.) designed to foster mental wellness among the Law School's student body;
 - (2) Meet with the mental health professional assigned to the Law School within the first month after the fall election for the purpose of establishing a working relationship and sharing ideas pertaining to wellness programming.
 - (3) Work closely with the mental health professional assigned to the Law School throughout each semester for guidance and ideas regarding wellness programming;
 - (4) Meet with the First-Year Senators at least one time per semester (within the first month following their election in the fall and within the first month of the second semester) to brainstorm possible intra- or inter-section wellness programming to be planned by the First-Year Senators;
 - (5) Work closely with the First-Year Senators throughout the semester regarding continued intra- or inter-section wellness programming to be planned by the First-Year Senators;
 - (6) Meet with the Dean of Students at least one time per semester and work with the Dean of Students as needed regarding wellness programming at the Law School; and
 - (7) Work with the Vice President of Programming as needed regarding wellness programming at the Law School.

Bylaw 405 – Vacancies Among the Senators

- (a) Any vacancies shall be filled in accordance with Article I, § 2, clause 5 of the Constitution.

Bylaw 406 – Meetings of the Senate

- (a) The Executive Vice President shall establish a calendar of regular meetings at the beginning of each semester and circulate it to members of the Senate. The calendar of meetings shall conform with Article I, § 3, clause 7 of the Constitution. Special meetings of the Senate may be called by any two Executive Officers, by a majority of the Supreme Court, or by two-fifths (2/5) of the Senators, in accordance with Article I, § 5, clause 5 of the Constitution. No Senate meeting not regularly scheduled can be held without at least 72 hours notice to all the Senators;

- (b) Meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised, or in accordance with such rules as the Senate may adopt from time to time by a two-thirds (2/3) majority vote. Any Senator may check out copies of materials on parliamentary procedure from the SBA, if available, provided that the Senator promises to return such materials or pay the cost of replacing them at the end of the Senator's term. Only SBA copy of each on parliamentary procedure may be checked out by a given Senator at any time. The Executive Vice President shall maintain two copies of each work on parliamentary procedure in reserve for use in preparation for and during meetings of the Senate.
- (c) All meetings shall require a quorum to be present in accordance with the Article I, § 4 of the Constitution. Should such quorum not be available for any meeting, actions taken by participants in such a meeting shall be subject to review by the Senate at the next meeting having a quorum. A "quorum" means a majority of the filled Senate positions.
- (d) The Chair of all meetings shall be the Executive Vice-President. In his absence, the line of succession shall follow that enumerated in Article I, § 2, clause 2 of the Constitution.
- (e) The Senate may call a Closed Session by a two-thirds (2/3) majority vote, in accordance with Article I, § 4, clause 4 of the Constitution. The proceedings of such a Closed Session are to be recorded by the Chief of Staff, but are confidential and shall not be discussed with any parties not present or who are not otherwise authorized by Senatorial fiat. Attendance at such sessions shall be open to all Senators, officers of the Senate, and any other persons the Senate shall so designate by a two-thirds (2/3) majority vote.
- (f) The Chief of Staff shall issue a warning to any Senator who has missed two or more meetings in any semester. A further absence beyond the warning shall constitute an impeachable offense.

Bylaw 407 – Voting

- (a) Voting in Senate meetings, and meetings of standing Senate Committees shall be by a method of one vote per Senator.
- (b) In all Student Bar Association Senate meetings, the presiding officer shall only vote in accordance with Article I, § 2, clause 2 of the Constitution.
- (c) Voice voting shall be employed unless a member of the Senate calls for division by hand or by roll call.

Bylaw 408 – Conflicts of Interest in Voting

- (a) No Senator may vote on issues directly affecting a student organization of which he is an executive officer. This provision shall not apply to any votes taken on the general Student Bar association budget.
- (b) Whenever a Senator believes, or has reason to believe, that there is a conflict of interest between his Student Bar Association duties and any other duty, obligation, responsibility, or interest, such Senator shall recuse himself from voting on any issues so implicated at his discretion.
- (c) Whenever a Senator or a member of the Student Bar Association alleges a possible conflict of interest on the part of a Senator, the allegor must demonstrate that conflict to the extent that the Senate deems it necessary to vote on the matter. A majority vote is necessary to require the recusal of the conflicted Senator.

Bylaw 409 – Proxy Voting

- (a) When a Senator cannot be present for a vote, he may direct another Senator to vote in his stead.
- (b) In no event shall a proxy vote be cast other than in the form of a signed writing, presented to the Executive Vice President prior to the vote.
- (c) Senators voting by proxy are not counted toward the quorum requirement found in Article I, § 4, clause 1 of the Constitution.

Bylaw 410 – Legislation

- (a) The Senate may consider legislation at its meetings. All legislation considered by the Senate must be in writing.
- (b) Unless otherwise specified, a majority vote of the Senators who are present at the time of the vote shall be sufficient to pass legislation.
- (c) A resolution may be sponsored by any member of the Student Bar Association and may be introduced at the meeting at which it will be considered.
- (d) A bill may be sponsored by any member of the Senate or any Executive Officer. Bills must be submitted to the Executive Vice President and the Chief of Staff prior to the meeting at which it will be considered. Bills involving the expenditure of funds must also be submitted to the Vice President of Finance prior to the meeting at which it will be considered.
- (e) The Senate may decide to vote on ad hoc funding requests from Student Bar Association officers, student organization, or members of the student body. Such requests must first be presented to the Finance Committee of the Senate, in accordance with the committee's procedures for ad hoc funding requests. The Finance Committee will then present the request and its recommendation to the entire Senate for ratification. The Chief of Staff and Vice President of Finance shall keep a permanent record of all such special funding requests and their final disposition by the Senate.
- (f) All provisions that regulate, but that are not codified in the SBA Constitution or the SBA Bylaws, become non-binding recommendations at the end of the term of the Senate that passed the provisions.

Bylaw 411 – Veto by the President

- (a) The President shall have the right, pursuant to Article I, § 6, clause 1 of the Constitution, to veto any substantive action of the Senate, other than censures and impeachments, up to twenty-four (24) hours before the next regularly scheduled meeting of the Senate.
- (b) To exercise the veto power, the President must communicate his intention to do so within twenty-four (24) hours of the next regularly scheduled meeting of the Senate. The President's veto message must be in writing, and must state the President's specific objections to the Senate's act. This veto message must be delivered to the Executive Officers, the Senators, and the Supreme Court.
- (c) Should the President wish to veto an act of the Senate at the Senate's last meeting of the semester, the President must exercise the veto power before the conclusion of the meeting.
- (d) The Senators may override a presidential veto at any meeting of the Senate that occurs within twenty-one days of the said veto should they achieve the requisite two-thirds (2/3) vote.

LEVEL 500 – THE GENERAL ASSEMBLY

Bylaw 501 – Membership

- (a) The General Assembly shall comprise all members of the Executive, Legislative, and Judicial branches.

Bylaw 502 – Meetings

- (a) The General Assembly shall meet prior to each Senate meeting, unless otherwise indicated by the President. These meetings shall afford the opportunity for the various governmental departments to provide updates to one another, the Executive Officers, and the Senate.
- (b) The President shall preside over meetings of the General Assembly in accordance with Bylaw 202(b).
- (c) Meetings of the General Assembly shall be open to the student body, unless when the business is such that the President deems it necessary that a meeting to be closed to students not otherwise members of the legislative, executive, or judicial branches of this government.

LEVEL 600 – STUDENT ORGANIZATIONS

Bylaw 601 – Recognition of Student Organizations

- (a) The provisions of any Bylaw notwithstanding, no student organization shall be recognized without a determination by the Senate that the organization has sufficient student interest.
- (b) Pursuant to Article I, § 8 of the Constitution, recognition of student organizations shall be the sole province of the Senate of the Student Bar Association and such recognition shall continue only at its pleasure.
- (c) An organization requesting recognized status must first contact the Charter Committee with a draft of its proposed constitution or for assistance in preparing a constitution. The Charter Committee will then review the draft constitution and make recommendations. Once the student organization's constitution meets the criteria established by the Charter Committee, the organization shall be submitted to the Senate for official recognition. The Senate shall hold recognition votes during the second Senate meeting in October, the first meeting in January, and during the first Senate meeting in March. The Senate may schedule additional recognition votes in extraordinary circumstances. Additional recognition votes must be scheduled at least one (1) week in advance. At these meetings, only a majority vote is required to effect official recognition of a student organization. When recognition votes are not scheduled, official recognition requires a unanimous vote. Whenever a recognition vote is held, the Senate President shall ask if any George Washington University Law School students, faculty, or administrators object to the creation of the student group. In the event that an objection is raised, the Senate shall postpone the recognition vote to another date so that an investigation can be performed and a mediator shall be appointed to attempt to resolve the dispute. Should the mediator be unable to resolve the dispute in a reasonable time, the Senate may decide the dispute.
- (d) Once the Senate officially recognizes a student group, that group shall enter a probationary period, as described in Bylaw 907(b).
- (e) The Charter Committee's criteria for student organization constitutions shall be limited to constitutional, grammatical, formal, and practical standards. Consideration of the validity of the purpose of the organization shall be the sole province of the Senate.

Bylaw 602 – Requirements for Student Organizations

- (a) All recognized student organizations shall:
 - (1) Be continuously available for additional membership, activities, and participation by all members of the law school community;
 - (2) Openly and widely publicize organizational meetings and all other activities that they sponsor;
 - (3) Submit, to the Charter Committee for approval, a copy of an organizational constitution that complies with this Bylaw;
 - (4) Submit any revisions of an organizational constitution to the Charter Committee for approval before any such revisions are set to take effect;
 - (5) Keep on file for their own reference and for the reference of their members a copy of their constitution, together with any applicable by-laws;
 - (6) Place a copy of their organizational constitution in the Student Bar Association office;
 - (7) Participate fully in the activities of the Gavel Club, as described in Bylaw 605;

- (8) Notify the Student Bar Association Chief of Staff as early as possible, but in all events, no later than one week after any election of organizational officers. The notification shall include the name of each individual elected and the position to which he was elected; and
 - (9) Conduct all activities in a manner consistent with the provisions and spirit of the University Policy on Equal Opportunity, the University Guide to Student Rights and Responsibilities, the organization's own constitution, and the Constitution and Bylaws of the Student Bar Association.
- (b) Failure to comply with any portion of this Bylaw will be cause for the Senate to impose by a majority vote, whatever sanctions it deems appropriate, including, but not limited to, censure, impoundment and reclamation of an organization's funds, loss of eligibility for student activities funding, and/or suspension of privileges. The Senate may employ official withdrawal of recognition by a two-thirds (2/3) vote, in accordance with Bylaw 604(d).
- (c) Notice shall be given to all affected organizations when punitive action may be taken by the Senate of the Student Bar Association.

Bylaw 603 – Required Format for Student Organization Constitutions

- (a) All constitutions must:
- (1) Be typed, with the name of the student organization atop the first page, and with all subsequent pages numbered;
 - (2) Begin with a preamble that clearly states the goals and purposes of the organization; and
 - (3) Comply with the provisions and spirit of the University Policy on Equal Opportunity, the University Guide to Student Rights and Responsibilities, and the Constitution and Bylaws.
- (b) Student organization constitutions should be set up in the following format:
- (1) Preamble
 - (2) Article I - Composition of Organization
 - (3) Officers
 - (i) Elections
 - (ii) Terms of Office
 - (iii) Committees (if any)
 - (iv) Definition of Membership
 - (4) Article II - Duties of Office
 - (i) Beginning Section 1, list each officer, describing their duties, qualifications for election.
 - (ii) List each committee mentioned in Article I, describing their duties and responsibilities.
 - (5) Article III - Removal from Office
 - (i) Section 1 - Processes for removal of officers.
 - (ii) Section 2 - Terms for filling of vacant offices.
 - (6) Article IV - Meetings.
 - (i) Describe the basic rules for calling and running meetings.
 - (7) Article V - Terms for Amendments.
 - (i) Delineate all terms that are needed to effectuate any changes in the constitution or of the bylaws.

- (ii) All changes of constitutions are contingent upon approval by the Student Bar Association.
 - (8) Article VI – A provision outlining a fundraising plan.
 - (9) After Article VI, constitutions may include any provisions deemed necessary for the proper governing of the organization.
- (c) Subject to approval of the Senate, and notwithstanding section (b) of this bylaw, the Charter Committee may amend or modify the requirements for student organization constitutions as necessary.
- (d) All constitutions must state that they are to be construed in compliance with the provisions and spirit of the University Policy on Equal Opportunity, the University Guide to Student Rights and Responsibilities, and the Constitution and Bylaws.
- (e) A potential student group may use a constitution required by a reputable national or international organization that the proposed student group would be affiliated with. Such constitutions do not have to comply with SBA Bylaw 603(a)-(d). However, when a potential student group submits a mandatory constitution, the potential student group must also submit a memorandum of understanding certifying that the mandatory constitution does not conflict with and will be construed in compliance with the provisions and spirit of the University Policy on Equal Opportunity, the University Guide to Student Rights and Responsibilities, and the Constitution and the Bylaws. Such memorandum of understanding must explicitly state why the mandatory constitution complies with these policies and fill in any substantive gaps. For the purposes of SBA rules and procedures, the mandatory constitution and the memorandum of understanding together are to be treated as the student group's constitution.

Bylaw 604 – Termination of Student Organization Recognition

- (a) Should any recognized student organization remain inactive for a period of two semesters, that organization shall, by operation of this Bylaw, automatically have its status as a recognized student organization terminated, along with all the rights and privileges accorded thereto. If any organization disputes that it was inactive during the prescribed period, the Senate shall resolve the issue by a simple majority vote, after hearing from both representatives of the student organization in question, and the Charter Committee.
- (b) For purposes of this Bylaw, the term “inactive” means that an organization has done no programming, or has no officers, or has no organized membership.
- (c) Once an organization loses its status as a recognized student organization, students wishing to revive the organization must apply for recognition in the same manner as prescribed for new student organizations under these bylaws. Once recognized, such groups must also comply with the probationary period prescribed in Bylaw 907(b) to reestablish eligibility for annual funding.
- (d) The Senate may withdraw recognition of any student organization by a two-thirds (2/3) vote of the Senate.

Bylaw 605 – The Gavel Club

- (a) The Gavel Club shall comprise the Director of the Gavel Club, the Vice President of Finance, the Minority Affairs Committee Director (if such a committee should exist), and the President (or his designee) and Treasurer from each officially recognized student organization.

- (b) The Director of the Gavel Club shall have the power to convene a meeting of the Gavel Club with seventy-two hours notice. All official meetings of the Gavel Club shall be chaired by the Director of the Gavel Club.
- (c) All members of the Gavel Club shall have voting rights within the Gavel Club.
- (d) All student organizations are expected to send at least one representative to each regularly scheduled meeting of the Gavel Club. The Senate, including the Finance Committee, may consider a group's failure to do so when considering that group's funding. The Director of the Gavel Club shall, at the conclusion of each academic year, submit a report to the Finance Committee detailing the attendance record of each group, to be used in the Fall budgeting process.
- (e) The Student Bar Association President or his designee may promulgate any rules and regulations it feels necessary for the successful operation of the Gavel Club.
- (f) The Gavel Club shall create and maintain the Master Calendar, a centralized system for publicizing events. The Gavel Club shall form a sub-committee to ascertain whether student groups are recording their events on the Master Calendar. This sub-committee shall maintain regularly updated reports on whether and to what extent each student group is using or failing to use the Master Calendar. It shall provide such reports to the Senate Finance Committee for every student group that seeks ad-hoc or regular funding.
- (g) Fundraiser Conflicts
 - (1) Conflict Resolution Process
 - (A) Each organization may submit a detailed explanation of its proposed annual fundraiser required by Bylaw 907 to the Master Calendar within two weeks of the beginning of the academic year.
 - (B) The Director of the Gavel Club shall distribute a completed, compiled list of the proposed fundraisers to each organization's president within three days of receiving said fundraisers pursuant to subsection (A).
 - (C) If an organization does not submit a fundraiser under subsection (A) said organization may not hold a conflicting fundraiser and may not seek redress under subsection (F). Upon receiving late notice of a fundraiser, the Director of the Gavel Club shall notify all organizations of the fundraiser unless the fundraiser is a bake sale.
 - (D) If an organization (i) believes there is a conflict between its fundraiser and that of another organization, and (ii) the organization wishes to prevent the conflict, the president must submit a complaint to the Director of the Gavel Club and the president of the other organization within three (3) business days of being sent the information about the fundraiser. For the purposes of this section, a conflicting fundraiser is one that is substantially similar in kind to another fundraiser. Whether fundraisers are substantially similar depends on a consideration of factors, including, type of item, design, and the date(s) the item is offered.
 - (E) The organizations with conflicting fundraisers shall work alone or with the Director of the Gavel Club to eliminate the conflicts, taking into consideration the organizations' past fundraisers, mission, the interests of the student body, and any other interests the Gavel Club finds. Significant weight should be placed on the interests of the student body.
 - (F) In the event the conflicting organizations cannot agree to eliminate the conflict, the Gavel Club shall have the authority to prohibit an organization from holding a specific fundraiser by a majority of the votes cast, not

- (G) This subsection shall not apply to fundraisers that are bake sales.
- (2) An organization may appeal the decision of the Gavel Club to the SBA Supreme Court. The decision of the Gavel Club will not be disturbed on appeal, absent a clear showing of an abuse of the Gavel Club's discretion.
 - (3) In allocating funding to student organizations, the SBA may consider whether such organization has complied with an arrangement under 605(g)(1)(E), 605(g)(1)(F), or 605(g)(2).

Bylaw 606 – The Charter Committee

- (a) The Charter Committee of the Senate shall create, maintain, and make accessible materials to aid students in forming a student group.
- (b) The Charter Committee shall
 - (1) create and maintain records regarding Student Group and Provisional Student Group status, including dates of recognition; and
 - (2) retain copies of recognized constitutions.
- (c) All information maintained by the Charter Committee is public and shall be made available to any current student or administrator.
- (d) The Charter Committee may investigate suspected violations of SBA rules and submit investigative reports to the Senate.
- (e) It is against SBA policy for any group to advertise itself in any way that suggests it is a student group affiliated with the George Washington University Law School until its materials have been approved by the Charter Committee.

LEVEL 700 – EXTERNAL REPRESENTATIVES

Bylaw 701 – Representative to Law School and University Committees

- (a) The Committee Coordinator shall announce and publicize to the student body any vacancies arising in Law School Faculty-Student Committees and University Committees. Interested students shall submit applications to the Committee Coordinator. The Committee Coordinator shall select students to fill such vacancies in a manner that he prescribes.
- (b) The Committee Coordinator shall serve as the primary liaison between the Student Bar Association and members of these committees.
- (c) Members of these committees are required to regularly attend committee meetings, prepare for committee meetings, and seek out student opinion on issues being discussed in committee.
- (d) Chairs of these committees are expected to regularly report committee happenings to the Senate through the Committee Coordinator.

Bylaw 702 – Student Association Senators

- (a) Pursuant to the Constitution of The George Washington University Student Association, the Law School is entitled to elect an apportioned number of law students as Senators in the Student Association Senate. Law students may also run for Graduate-at-Large Senate seats.
- (b) Any law students elected as Student Association Senators or Graduate-at-Large Senators shall be considered members of the General Assembly. As such, they are required to attend and participate in General Assembly meetings.

Bylaw 703 – The SBA Faculty Tenure and Promotion Committee

- (a) This section governs any SBA sponsored committee that provides written evaluations of professors (“the Committee”).
- (b) For purposes of this section, faculty liaison shall refer to a member of the faculty who has been duly designated as the faculty point of contact for the Committee.
- (c) The Committee must comprise at least three (3) full-time students, two (2) evening students, and one (1) post-Juris Doctorate student.
- (d) The Committee must meet to discuss any written evaluation of any professor, regardless of the purpose for providing the evaluation. Each member of the Committee must be given at least seventy-two (72) hours notice of such meetings. The Committee may combine discussions of multiple professors into a single meeting.
- (e) At least two (2) members of the Committee must perform substantially independent investigations for each professor evaluated.
- (f) Written evaluations must be distributed to every member of the Committee at least twenty-four (24) hours before submission to the faculty or to the faculty liaison.
- (g) If any member believes that a written evaluation does not adequately express that member's views, that member may amend the evaluation with an additional analysis of 300 words or less. Such amendments may be attributed to the individual member instead of the Committee as a whole. Such amendments shall be included as part of the final submitted evaluation unless the faculty liaison objects in writing to the amendment.
- (h) Within twenty-one (21) days of submitting a written evaluation to the faculty or the appropriate faculty representative, the Committee must submit the evaluation to the Senate. If any amendments to the evaluation were objected to by the faculty liaison, those

amendments, along with the written objection, must be submitted to the Senate along with the evaluation.

- (i) To protect the privacy of evaluated faculty members:
 - (1) Evaluations distributed to the Senate must clearly be marked “PRIVATE INFORMATION FOR LIMITED DISTRIBUTION ONLY”
 - (2) Evaluation distribution must be limited to SBA senators and officers, all of whom must comply with all applicable policies, procedures, and laws protecting the privacy of faculty members with regards to their evaluations.
 - (3) If any evaluations are distributed or discussed at a Senate meeting, the presiding officer must announce that the SBA treats faculty evaluations as private, that public dissemination of information in them without the consent of the evaluated professor violates SBA policy, that the Senate may take action against anyone who publicly distributes or knowingly enables public distribution of the such information, and that such distribution may violate additional policies, procedures, and laws, which may result in civil or even criminal liability. To illustrate more clearly, the presiding officer may also provide appurtenant examples of sanctionable behavior, such as blogging evaluation quotations or publishing them in Nota Bene.
 - (4) The Senate is encouraged to use non-public means of collecting feedback regarding individual evaluations (e.g., written surveys which are sent to the Committee). If the substance of any particular evaluation is to be discussed at a Senate meeting, the Senate should go into executive session.

LEVEL 800 – ELECTIONS

Bylaw 801 – Scope of this Level

- (a) The provisions of this Bylaw apply to the elections of the Student Bar Association.
- (b) The Elections Committee shall administer all Student Bar Association elections.

Bylaw 802 – Promulgation of Election Rules

- (a) The Elections Committee may promulgate and enforce any rules that supplement, but do not violate these Bylaws, and are deemed necessary for running a successful election.
- (b) The Elections Committee members must be nominated by the Executive and confirmed by a majority of the Senate.
- (c) The decision of the Elections Committee may be appealed to the Supreme Court and shall be reviewed under an abuse of discretion standard.

Bylaw 803 – Publication of the Election Schedule

- (a) The Elections Committee shall publish a schedule of events no later than two weeks in advance of the determined date of any election.

Bylaw 804 – Mandatory Meeting for Prospective Candidates

- (a) A Candidates Meeting shall be held within two weeks of the scheduled date of the election, the exact date to be set by the Elections Committee. The purpose of the meeting is to inform and explain to the candidates the rules and regulations which relate to elections, as set out by these Bylaws or promulgated by the Elections Committee. At this meeting, the Elections Committee shall distribute a complete set of rules to all candidates in writing.
- (b) All persons wishing to run for an elected position must attend the Candidates Meeting in person or by proxy in order to have his name placed on an official ballot in an election.
- (c) Each candidate shall complete and sign a Candidate Registration Form by a date determined by the Elections Committee.
- (d) No student may conduct any type of campaigning prior to the filing deadline described in Bylaw 804(c). Rules for campaigning shall be determined by the Elections Committee and explained to the candidates at the Mandatory Candidates Meeting, as provided for in this Section.

Bylaw 805 – Ballots and Voting Procedures

- (a) Candidates' names will appear on the ballot in alphabetical order.
- (b) All ballots shall include the name of each candidate that is entitled to have his name on the ballot due to full compliance with all election bylaws. All ballots shall also include a space for a write-in candidate for each office open for election.
- (c) Neutral notices of the election shall be posted throughout the Law School. These notices shall include the hours during which the polls shall be open and the location at which balloting will take place.
- (d) Balloting for school-wide elections shall take place at a convenient time for day and evening students as determined by the Elections Committee. Each student who is properly identified as a current student by the Records Office shall receive an opportunity to vote.

- (e) The Elections Committee shall designate one of its members and any necessary GW staff members to view election results before the polls close.

Bylaw 806 – Provisional and Paper Ballots

- (a) The Elections Committee shall be available to assist students who encounter any problems while voting. Provisional paper ballots should be made available for students who cannot properly access the voting system. Provisional ballots will only be counted upon confirmation that the student who cast the ballot is a current student who did not vote through the online voting system.
- (b) The Elections Committee may employ student volunteers to serve as poll workers during the voting. Poll workers may not campaign for any candidate while on duty. No candidate may be a poll worker.
- (c) After completing the ballot, the voter shall place it into the ballot box. Once a student has received a ballot from the Elections Committee, no member of the Elections Committee shall handle or touch the ballot until after the close of the polls. Ballots which do not conform to the rules or instructions promulgated by the Elections Committee may be disqualified at the Elections Committee's discretion.
- (d) Under no circumstances shall a ballot be permitted to be removed from the immediate vicinity of the ballot box. If this occurs, the ballot will be deemed invalid.

Bylaw 807 – Counting Ballots

- (a) After the polls are closed by the Elections Committee, the Committee shall tabulate the results.
- (b) All candidates are entitled to send a personal representative to observe the counting of paper and provisional ballots for their own races, so long as the personal representative is in possession of a writing signed by the candidate authorizing the individual to act as the candidate's personal representative. Under no circumstances shall these personal representatives be allowed to actually participate in the counting of ballots. No person, other than members of the Elections Committee and those individuals that qualify as personal representatives under this subsection shall be permitted to observe the counting.
- (c) The Elections Committee shall retain the ballots after counting is completed until after the Senate ratifies the elections as per Bylaw 815.
- (d) The Elections Committee shall announce the unofficial results of the elections as soon as practicable after the tabulation of the results. This announcement shall state that the results are still subject to confirmation by the Senate.

Bylaw 808 – Run-off Elections

- (a) For all elections other than Second and Third Year Senators, and President and Executive Vice President, a candidate receiving a plurality of the votes for any office shall be elected provided that he receives a minimum of 40% of the votes cast. In the event no candidate receives 40% of the votes cast, the Elections Committee shall hold a run-off election. The run-off election shall be held the next day, or within a reasonable period of time, between the two candidates receiving the highest number of votes. The anticipated date of a run-off election shall be announced at the time of the candidates meeting.

- (b) For Second and Third Year Senators, a run-off shall only be held in the case of a tie between two or more candidates vying for the final Senate seat.
- (c) For President or Executive Vice President, a run-off shall be held between the top two candidates if no candidate receives above 50% of the votes cast in the regular election.

Bylaw 809 – Violations of Election Rules

- (a) Violations of the provisions of these election Bylaws and any regulations set forth by the Elections Committee shall be sufficient grounds for disqualification of a candidate and/or invalidation of the elections in which the disqualified candidates received a majority of the votes cast.
- (b) Candidates for the new elections shall be those who were not disqualified in the original election, as well as any otherwise eligible write-in candidates.
- (c) The Elections Committee and the Executive Officers shall enforce all Bylaws and regulations pertaining to the elections. The Elections Committee may, on its own initiative, bring a formal complaint against a candidate for violations of election rules.
- (d) Formal complaints of violations of the election rules, whether initiated by the Elections Committee, by an individual candidate, or a concerned member of the Law School student body, shall be in writing and shall set forth the information upon which the writer believes the accused candidate has committed some prohibited act, and must specify the election rule(s) believed to be implicated. Formal complaints about actions by a candidate during the campaign must be filed as soon as possible but no later than forty-eight (48) hours after the aggrieved party learns of the alleged violation.
- (e) Hearings
 - (1) The Elections Committee shall hold a hearing within a reasonable amount of time after the filing of an official complaint with the Committee.
 - (2) The Elections Committee's hearing on a filed complaint is a formal hearing in which the members of the Elections Committee serve as the trier of fact and as the examiner. The Committee may call any witnesses it believes to have relevant information. The accused candidates shall be permitted to make an opening and closing statement, call his own witnesses, and cross-examine all witnesses, including the accuser. The hearing shall be conducted by liberally applying general principles of evidence with the exception that hearsay is admissible, all with the aim of accomplishing substantial fairness.
 - (3) The Elections Committee shall find the accused not guilty of an offense unless the Committee finds there are facts to establish the accused candidate's guilt by a preponderance of the evidence.
 - (4) The Elections Committee shall notify the involved parties of its decision within a reasonable amount of time. The Elections Committee may also notify any other persons that the Committee deems should know of its decision.
- (f) The Elections Committee may fashion any remedy it finds appropriate in its discretion that serves the aim of reversing, to the extent possible, the harm actually caused by a violation as determined in a formal hearing. Remedies may include, but are not limited to, private or public reprimands, public apology by the wrongdoer, prohibition or loss of certain written campaigning rights, disqualification of a candidate for office and removal of the candidate's name from the ballot, nullification of an election, and/or refusal to certify election results.
- (g) Any person may file a challenge against a decision the Elections Committee by serving a written notice and challenge upon the Elections Committee, with a copy furnished to the

Supreme Court, if he reasonably believes the Committee to have [1] failed to enforce the Elections Bylaws in such a manner as to substantially impair or harm an individual's campaign, [2] violated these Bylaws intentionally, or [3] erred in counting. The Supreme Court shall conduct a hearing, similar to the hearing provided for in Bylaw 809(e), to determine the validity of the claim. The Supreme Court shall review the decisions of the Elections Committee under an abuse of discretion standard.

Bylaw 810 – Write-in Candidates

- (a) Write-in candidates must follow the same guidelines as the other candidates in terms of campaigning and any other rules set forth by the Elections Committee. Candidates who fail to follow the letter and/or spirit of any and all election rules and regulations shall be disqualified by the Elections Committee.
- (b) Write-in candidates have the same rights of appeal as other candidates.

Bylaw 811 – Candidates Forum

- (a) Presidential and Executive Vice-Presidential candidates in the Spring Election may be required to participate in a Candidates Forum organized by the Elections Committee during which the candidates shall have an opportunity to present their platforms and constituents shall have an opportunity to pose questions to the candidates. All other candidates involved in the Spring Election are also welcome to attend and participate in the Candidates Forum.
- (b) The Candidates Forum will be held on an appropriate date as determined by the Elections Committee, but in no event less than two (2) days before the election.

Bylaw 812 – Graduating Voters

- (a) Each third-year full-time student or fourth-year part-time student shall be afforded a full vote in the Spring Election. Each of these voters shall vote only for President, Vice-President, Full-Time Division At-Large Senator (if a full-time student) or Part-Time Division At-Large Senator (if a part-time student).

Bylaw 813 – Publicity Requirements for Fall Elections

- (a) The Elections Committee shall publish the names of each registered candidates no less than seven days prior to the election.
- (b) The Elections Committee shall publish the names of each registered Post Juris Doctorate (LLM) candidate no less than seven days prior to the election.
- (c) The Elections Committee shall seek to encourage and facilitate a candidate's forum for all candidates.

Bylaw 814 – Balloting Procedures for Fall Elections

- (a) Voting by ballot distributed in a First-Year section class may be substituted for the voting method described in Bylaw 805, subject to the following requirements:
 - (1) In-class voting shall take place shortly before, during, or shortly after a regularly scheduled class period.

- (2) No less than three days before the election, the Elections Committee shall post the class, date, and time of in-class elections for each First-Year section. The Elections Committee shall also announce in each First-Year section the scheduled voting time for that section. Voting must take place during the class announced. The Elections Committee shall also post and announce the date and time that a run-off election will be held should it be necessary.
 - (3) In-class balloting shall be conducted with no fewer than two election officers present. An “election officer” is a member of the Elections Committee or another non-First-Year student designated as an election officer by the Elections Committee.
 - (4) One ballot shall be distributed directly to and collected directly from each student.
 - (5) Ballots shall be numbered consecutively. Following the balloting the election officers shall check the number of collected ballots against the number of students present.
 - (6) No balloting will be permitted outside the prescribed voting time.
- (b) Voting for Post Juris Doctorate candidates shall take place in a manner specified by the Elections Committee.

Bylaw 815 – Certification and Ratification of Elections

- (a) For all elections, the Elections Committee shall submit a full report to the Senate. The report shall contain the full numerical tabulation of election results and detail all violations handled by the Elections Committee. It shall furthermore certify the integrity of any electronic procedure employed; that for paper and provisional ballots each ballot box was in valid physical condition when opened by the Committee; that each ballot was counted; and that the winner of each office has received the greatest number of votes cast for that office.
- (b) Candidates may appeal the validity of the report of the Elections Committee to the Supreme Court via the method discussed in Bylaw 802(c).
- (c) The certification report of the Elections Committee must be confirmed by the Senate without amendment to effectuate a ratification of the elections. Failure of a particular candidate to win an election is not a valid ground for the Senate to fail to ratify an election. The Senate may only fail to ratify an election if there is a bona-fide dispute as to the validity of a contested election.

LEVEL 900 – FINANCIAL PROVISIONS

Bylaw 901 – General Provisions

- (a) Within these Bylaws, the term “allocate” shall refer to the ability to designate how money shall be spent. The term “authorize” shall refer to the ability to actually release money from University accounts via signature and communication to the University finance offices.
- (b) Except as otherwise provided in Bylaw 908, the Senate shall have the sole authority to allocate Student Bar Association funds.
- (c) Except as otherwise provided in Bylaw 902(b) & (c), the Vice President of Finance shall have the sole authority to authorize the disbursement of funds from the Student Bar Association accounts, as well as the accounts of all officially recognized student groups. Disbursement shall include the expenditure of or reimbursement from funds.

Bylaw 902 – Authorization of Disbursements

- (a) As provided in Bylaw 901(c), the Vice President of Finance shall have the sole authority to authorize the disbursement of funds from the Student Bar Association accounts, as well as the accounts of all officially recognized student groups.
- (b) The Vice President of Finance shall not authorize disbursements to himself. If money is to be disbursed to the VPF, the President shall authorize such a transaction.
- (c) In the event that the Vice President of Finance is unavailable, or at the direction of the VPF, the Comptroller(s) shall have the authority to authorize the disbursement of money from Student Bar Association and student organization accounts. In the event that both the VPF and the Comptroller(s) are unavailable, the authority to authorize disbursements shall pass first to the President, then to the Executive Vice President. Should the Comptroller authorize the disbursement of funds in violation of this Bylaw, he will have committed a violation of these Bylaws and provide just cause for his dismissal. Should the President or Executive Vice President authorize the disbursement of funds in violation of this Bylaw, they will have committed a violation of this Bylaw, subject to the disciplinary proceedings described in Level 1100 of these Bylaws.
- (d) When any officer other than the Vice President of Finance authorizes the disbursement of funds in accordance with Bylaw 902(c), that officer shall report the action to the VPF as soon as possible. Failure to do so is a violation subject to the disciplinary proceedings described in Level 1100 of these Bylaws.
- (e) The Vice President of Finance shall process only those requests for disbursement made on the proper forms and supported by proper documentation. The proper forms shall be designed and maintained by the VPF, and shall request all information that the VPF deems necessary to process the request. Proper documentation shall include, but is not limited to, original receipts and invoices.
- (f) Under no circumstances may student organization or Student Bar Association officers, other than the Vice President of Finance or his designee, request disbursement of funds directly from the University finance office. Violations of this bylaw may result in the forfeiture of budgeted funds. Repeated violations of this Bylaw by a student organization will result in the initiation of sanctions in accordance with Bylaw 602(b).
- (g) Disbursements taking the form of reimbursements shall only be made to the individual who incurred the expense.
- (h) No disbursement shall be made that violates Federal, State, or local law, University rules and regulations, or the Student Bar Association Constitution and Bylaws.

Bylaw 903 – Deposits

- (a) All funds raised by either student organizations or the Student Bar Association, be they cash, check, or credit card authorizations, shall be deposited with the Vice President of Finance or Comptroller(s) within seventy-two hours of their receipt.
- (b) All student organizations and Student Bar Association officers responsible for fundraising events are highly encouraged to inform the Vice President of Finance of upcoming events to make arrangements for the timely deposit of funds raised.
- (c) Funds may be deposited directly with the University finance office only if the Vice President of Finance and Comptroller(s) are not available. Immediate notification of the VPF via e-mail is required if this emergency exception is invoked.

Bylaw 904 – Accounts

- (a) All accounts, including those held by both the Student Bar Association and the several student groups, are subject to the rules and regulations established by the University and the Law School.
- (b) Student Bar Association Accounts
 - (1) For purposes of these Bylaws, and in accordance with greater University policy, the Student Bar Association shall have access to three accounts: the C Fund, the R Fund, and the Student Association Allocation.
 - (2) The C Fund refers to the money allocated to the Student Bar Association from the Dean at the beginning of each year. In accordance with University policy, any money not disbursed from the C Fund by July 1st of a given year is reclaimed by the Deans. No deposits may be made into this fund.
 - (3) The R Fund refers to the rollover account held by the Student Bar Association. All money raised by the Student Bar Association is deposited into this fund and is not subject to reclamation by the Deans.
 - (4) The Student Association Allocation refers to the money allocated to the Student Bar Association from the Student Association Senate during the annual budgeting process. In accordance with Student Association policy, any money not disbursed by the freeze date established annually by the Vice President of Financial Affairs is subject to reclamation by the Student Association.
- (c) Student Organization Accounts
 - (1) All officially recognized student organizations must maintain both a C Fund and R Fund account with the University finance offices. Access to these accounts may only be achieved via the Student Bar Association Vice President of Finance.
 - (2) The C Fund refers to the money allocated to a student organization by the Student Bar Association through the annual budgeting process outlined in Bylaw 909. The use of the C Fund is restricted to the provisions established by the Student Bar Association Senate outlined in Bylaw 910. Each year, the Vice President of Finance shall announce a freeze date for the C Fund at the end of the Spring Semester, after which all monies still in the C Fund shall be reclaimed by the Student Bar Association.
 - (3) The R Fund refers to the rollover account held by a student organization. All money raised by a student organization is deposited into this fund. The use of the R Fund is not restricted to the provisions established by the Student Bar Association Senate

outlined in Bylaw 910. The R Fund is not subject to reclamation during the annual freeze process; however, this provision shall not be construed to limit the authority of the Senate to impound and reclaim an organization's funds as outlined in Bylaw Level 600.

- (4) Officially recognized student organizations may not maintain a separate bank account not associated with the University finance office.

Bylaw 905 – Allocation of Funds

- (a) At the beginning of every academic year, the Student Bar Association Senate shall allocate funds from the Student Bar Association accounts to the Student Bar Association itself and the several student groups for use in that academic year. The allocation process for the several student groups is outlined in Bylaw 909.
- (b) The Finance Committee, as described in Bylaw 906, shall be charged with proposing a budget for the disbursement of the Student Bar Association C Fund to the several groups.
- (c) The Vice President of Finance shall be charged with proposing a budget for the disbursement of the Student Bar Association R Fund and Student Association Allocation.
- (d) In accordance with Bylaw 908(a), the Senate shall, at its discretion, allocate funds to the Organization Oversight Preparedness Supplement (OOPS) fund.
- (e) The Senate shall allocate \$1,000.00 to the Vice President of Finance as a discretionary fund to supplement the normal operation of the Student Bar Association.

Bylaw 906 – The Finance Committee

- (a) In accordance with Bylaw 404(b) there shall be a standing Finance Committee in the Senate to oversee the financial and budgeting activities of the Student Bar Association.
- (b) The Executive Vice President shall appoint members to this committee within the three week period following Senate ratification of the Spring- and Fall-election results. Appointees in each period shall be from among those elected or re-elected in that election. Whether to add additional committee members in the Fall shall be at the Executive Vice President's discretion.
- (c) The voting and non-voting members of the Finance Committee shall be as follows:
 - (1) The voting members of the Finance Committee shall be Senators appointed by the Executive Vice- President who has responsibility for committee assignments; and
 - (2) The Vice President of Finance and Comptroller(s) will serve as non-voting members of the Finance Committee.
- (d) The term of each voting member will run concurrently with their elected term and the term of nonvoting members shall run concurrently with their appointments.
- (e) The Finance Committee shall:
 - (1) Review all budget requests submitted to the Student Bar Association by eligible student organizations;
 - (2) Propose a budget for disbursement of funds to the various eligible student organizations;
 - (3) Hear all requests for ad hoc funding requests made by members of the student body and recommend to the Senate whether the Senate should approve;
 - (4) Make recommendations to the Senate on possible financial sanctions for violations of the financial Bylaws and regulations of the Student Bar Association;
 - (5) Initiate legislation related to the financial and budgeting activities of the Student Bar Association and student organizations;

- (6) Support legislative initiatives of other Senators and standing committees by proposing financing alternatives; and
- (7) Execute other duties as assigned by the Executive Vice-President or the Senate.
- (f) Chair of the Finance Committee
 - (1) After the annual committee assignment process, the voting members of the Finance Committee will elect a Chair of the Finance Committee from amongst themselves.
 - (2) The Chair of the Finance Committee shall:
 - (i) Oversee and manage the activities of the Finance Committee. This includes coordinating all requests for ad hoc funding;
 - (ii) Maintain a calendar of budget hearings and ad hoc funding hearings;
 - (iii) Assist the Vice President of Finance and President to prepare an executive budget for the Student Bar Association; and
 - (iv) In conjunction with the Vice President of Finance, regularly audit the financial records of the Student Bar Association and all activities funded by the Student Bar Association, and report immediately any improprieties to the Senate.
- (g) The Executive Vice President shall have the power to appoint additional Finance Committee members for the 2010-2011 academic year notwithstanding the three week requirement in 906(b).

Bylaw 907 – Funding Student Organizations

- (a) No organization shall be eligible for funding unless that organization is an officially recognized student organization.
- (b) Immediately upon official recognition of a student organization, that organization shall enter a probationary period. During such a period, a student organization shall not be eligible to receive an annual budget from the Senate. An organization entering its probationary period during the Fall semester, ends its probationary period on July 1st that follows. An organization entering its probationary period during the Spring semester, ends its probationary period on the January 1st that follows.
- (c) Upon completion of the probationary period, an organization shall be eligible to receive an annual budget unless the Senate determines that the organization has failed to satisfy the requirements of Level 600 of these Bylaws.
- (d) During its probationary period, a student organization may receive funding through the ad hoc process set forth in Bylaw 410(e) and from the OOPS fund, as set forth in Bylaw 908.
- (e) All officially recognized student organizations must open all financial and related records to inspection or audit upon the request of authorized University and Student Bar Association officials.
- (f) Every officially recognized student organization must hold at least one fundraising event or activity per academic year to maintain eligibility for funding. The anticipated revenue of such a fundraiser shall be considered in the budget allocation process.

Bylaw 908 – The Organizational Oversight Preparedness Supplement Fund

- (a) During the annual budgeting process, the Senate shall, at its discretion, allocate funds to the Senate Finance Committee for the Organizational Oversight Preparedness Supplement (OOPS) fund.

- (b) Money from this fund may be disbursed by the Finance Committee in extraordinary circumstances. A majority vote of the Finance Committee shall be required to allocate money from this fund. The Finance Committee shall report on any allocations from this fund at the subsequent Senate meeting.
- (c) The purpose of this fund is to finance unforeseen, immediate, and necessary expenses incurred by the Student Bar Association or the several student organizations where the Senate is unavailable to vote on the issue.
- (d) This is a declining balance fund and can only be replenished by subsequent legislation.

Bylaw 909 – Student Organization Annual Budget Process

- (a) A student organization is eligible to receive annual funding only if it has satisfied the requirements set forth in Level 600 of these Bylaws and Bylaw 907.
- (b) The Chair of the Finance Committee shall set a due date for annual budget proposals no later than the second Wednesday following the first day of classes for incoming 1Ls. The Vice President of Finance shall give all eligible student organizations written notice at least ten (10) days before such proposals are due. Failure to submit a budget proposal by the date and time indicated may result in ineligibility for funding.
- (c) The following requirements apply to the annual budget process:
 - (1) All annual budget proposals must attempt to make a bona-fide estimate of the costs the organization will incur for each event it has planned and revenue expected to be raised by the event (if applicable);
 - (2) Each proposed event must be accompanied by a succinct description of the event;
 - (3) Each budget proposal shall state the current number of members within the organization, and separately state the number of active members within the organization;
 - (4) Each budget proposal must specify any monies currently in an organization's R Fund and any monies that the group expects to receive from sources other than the Student Bar Association including monies received during the mandatory annual fundraiser;
 - (5) No more than five percent (5%) of an organization's proposed budget may be for miscellaneous expenses; and
 - (6) All annual budget proposals must be submitted on a budget request form to be distributed by the Vice President of Finance.
- (d) Upon receiving all recognized student organization annual budget proposals, the Finance Committee shall meet individually with member(s) of each organization, preferably with the President and Treasurer, for the purpose of discussing any budgetary issues or concerns deemed relevant by the Committee.
 - (1) The Finance Committee shall record a written explanation of the factors considered, including, but not limited to those contained in Section 909(e) of these Bylaws.
 - (2) The Finance Committee shall compile these explanations into a report that shall be submitted with the proposed budget to the Senate, in accordance with 906(e)(2).
- (e) The Finance Committee shall consider, but shall not be limited to the following criteria when making allocation recommendations:
 - (1) The effectiveness of the recognized student organization with respect to meeting the goal of the organization as expressed by the preamble to its constitution;
 - (2) The overall contribution the organization makes to the Law School community;

- (3) The number of law students registered as members of the recognized student organization;
 - (4) The actual number of persons that regularly participate in the activities of the recognized student organization;
 - (5) The way in which the recognized student organization has spent the money allocated to it during the current and prior academic years;
 - (6) A comparison of the organization's projected expenses with its budget request and actual expenses from the previous year;
 - (7) The recognized student organization's attempts at independent fundraising and the amount of R Fund money available to the student organization;
 - (8) The recognized student organization's compliance with all Level 600 Bylaws including Gavel Club attendance;
 - (9) The recognized student organization's compliance with the rules, deadlines, and regulations promulgated by the Finance Committee in accordance with Bylaw 909(g); and
 - (10) Other criteria as prescribed by the Senate.
- (f) The Finance Committee shall submit this report to the Senate for its approval in accordance with Bylaw 410. The Senate may debate and amend the proposed budget and the final budget shall be approved by a two-thirds (2/3) vote of the Senate.
 - (g) The Finance Committee shall be vested with the authority to create additional rules governing the allocation and budget process as it deems necessary and beneficial. Should the Finance Committee exercise its authority under this section, any and all rules must be distributed to the recognized student organizations before such rules can take effect. Nothing in the section shall be construed as preventing the Senate from exercising its plenary power with respect to student activity funds and the allocation of said funds in the budgetary process.
 - (1) The VP of Finance must distribute the budget guidelines written under this Bylaw and the Treasurer's Guide to all student groups at least 10 days before student organization budgets are due. The VP of Finance shall include in the budget guidelines any factors considered by members of the Finance Committee during the previous year's budget allocation process, as well as the factors enumerated in subsection 909(e) of the Bylaws. The voting members of the Finance Committee shall assist the VP of Finance in preparing the guidelines for distribution to student groups.
 - (h) Any decisions of or rules promulgated by the Finance Committee may be appealed to the Senate. Upon a challenge to any such decision or rule, the Senate shall either affirm or reverse the Finance Committee by a majority vote.

Bylaw 910 – Restrictions on the Use of Student Bar Association Allocated Funds

- (a) The restrictions detailed in this Bylaw apply to all Student Bar Association accounts, as well as all monies allocated by the Student Bar Association to a student organization, irrespective of the account.
- (b) All programs, activities, or services, whether partially or wholly funded by the Student Bar Association, must be open to and adequately advertised to the entire student body of the Law School. This provision does not apply to funds used by the Student Bar Association itself and for its own purposes.

- (c) All programs, activities, or services, whether partially or wholly funded by the Student Bar Association, must be directed within and for the Law School community or the activity must substantially involve members of the Law School community.
- (d) No Student Bar Association monies may be allocated or disbursed for the direct or indirect efforts of the political campaigns of individuals, nor may any Student Bar Association monies be used in support of, or to intervene in, any campaign for public or campus office.
- (e) No organization may expend funds in a manner grossly inconsistent with its budget as submitted to the Finance Committee.
- (f) The Vice President of Finance may not authorize any budget overruns without the express approval of the Finance Committee.
- (g) As the University is a tax-exempt organization, all student organizations are strongly encouraged to minimize the cost of sales tax by making arrangements in advance and with vendors who recognize the University's sales tax exemption. The Vice President of Finance shall provide access to the University's taxpayer identification number upon request to all organizations eligible under Bylaw 907.

Bylaw 911 – Contracts

- (a) A copy of any contract with a vendor, either within the University or without, must be provided to the Vice President of Finance.
- (b) Any contract with an outside vendor must be reviewed by the Vice President of Finance prior to signing.
- (1) Failure to comply with the provisions of this Bylaw is a sanctionable violation. Any officer of the Student Bar Association that commits such a violation is subject to the disciplinary proceedings described in Level 1100 of these Bylaws. Any student organization that commits such a violation is subject to the initiation of sanctions in accordance with Bylaw 602(b).

Bylaw 912 – Budget Transparency

- (a) At the first Senate meeting following the Student Organization Annual Budget Process, the Vice President of Finance shall present a report to the Senate of the entire SBA budget. The report shall include the following items:
 - (1) the amount of money appropriated to each student group,
 - (2) the recommended guidelines used by the Finance Committee when deliberating along with the report required under Section 909(d)(2),
 - (3) a statement explaining and clarifying that:
 - (i) the published report does not include funds that come from any source other than SBA appropriation;
 - (ii) such alternative sources of funding include but are not limited to membership dues and fundraising;
 - (iii) groups have the right to keep these alternative sources of funding private; and
 - (iv) the Senate considers the availability of these alternative sources when making its final appropriation decisions.
 - (4) the total amount of money appropriated to the SBA by the Deans and the George Washington University Student Association,
 - (5) the current balance of the SBA's accounts,
 - (6) the Executive Branch's proposed annual budget, and
 - (7) an accurate financial statement from the preceding academic year.

- (b) The Vice President of Finance shall issue a reconciled financial statement of every student group's C Fund twice each year: the first reconciled financial statement shall be issued before the start of the second semester and the second reconciled financial statement shall be issued before graduation.
- (c) This Bylaw does not grant a new basis for appealing any decision made by the Senate during the Student Organization Annual Budget Process or during any subsequent funding request.
- (d) At the first Senate meeting of the Spring semester, the Vice President of Finance shall present a reconciled financial statement to the Senate that includes:
 - (1) An itemized list of all SBA executive expenditures up to the last day of the Fall semester, including the amount spent and the type of expenditure and
 - (2) The current balance contained in all SBA accounts.
- (e) Upon request current GW Law students may view the information requires to be disclosed by this bill at the discretion of the President of the SBA.

LEVEL 1000 – REFERENDA & INITIATIVES

Bylaw 1001 – Scope of this Level

- (a) The provisions of this Bylaw apply to the referenda and initiatives of the Student Bar Association.

Bylaw 1002 – Promulgation of Referenda & Initiative Rules

- (a) The Elections Committee may promulgate and enforce any rules that supplement, but do not violate these Bylaws, and are deemed necessary for running a successful referendum or initiative.

Bylaw 1003 – Right and Method of Petition for Referenda and Initiatives

- (a) The rights to referenda and initiatives shall be exercised in accordance with Article I, § 7 of the Constitution.

Bylaw 1004 – Ballots and Voting Procedure

- (a) Referenda and initiatives shall be placed on the ballot, paper or electronic, in the order in which their respective petitions were received by the Chief of Staff of the Student Bar Association.
- (b) Every referendum or initiative shall be described in full on the ballot unless such description would exceed 150 words in length; in which case a short summary of the issue shall appear on the ballot. Each polling site shall provide, for voter review, complete versions of every referendum or initiative appearing on the ballot.
- (c) The provisions of Bylaws 805 and 806 shall otherwise govern voting and balloting procedures for referenda and initiatives.

Bylaw 1005 – Ballot Counting

- (a) Ballot counting procedures shall follow the provisions of Bylaw 807 (a), (c), and (d)
- (b) For paper and provisional ballots, the parties responsible for collecting the petitions to place a referendum or initiative on a ballot may send a personal representative to observe the counting of ballots for any vote on which that referendum or initiative was considered. Under no circumstances shall these personal representatives be allowed to actually participate in the counting of ballots. No person, other than members of the Elections Committee and those individuals that qualify as personal representatives under this subsection shall be permitted to observe the counting.
- (c) Challenges to any aspect of the referendum or initiative shall be handled according to the provision of Bylaw 802(c).

Bylaw 1006 – Certification and Ratification of Referenda and Initiatives

- (a) For all elections, the Elections Committee shall submit a full report to the Senate. The report shall contain the full numerical tabulation of election results and detail all violations handled by the Elections Committee. It shall furthermore certify the integrity of any electronic procedure employed; that for paper and provisional ballots each ballot box was in valid

- (b) Petitioners may appeal the validity of the report of the Elections Committee to the Supreme Court via the method discussed in Bylaw 802(c).
- (c) The certification report of the Elections Committee must be confirmed by the Senate without amendment to effectuate a ratification of the referendum or initiative. Disagreement with the results of a referendum or initiative is not a valid ground for the Senate to fail to ratify the results of a referendum or initiative. The Senate may only fail to ratify a referendum or initiative if there is a bona-fide dispute as to the validity of a contested vote.

Bylaw 1007 – Ratification of Constitutional Amendments by Referendum

- (a) Pursuant to Article V of the Constitution, a Constitutional Amendments taking the form of a referendum must receive the approval of three-fourths (75%) of the student body.

LEVEL 1100 – DISCIPLINARY PROCEDURES

Bylaw 1101 – Impeachment of Senators, Executive Officers, and Judges

- (a) Pursuant to Article I, § 5 of the Constitution, Senators shall be impeached for malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors.
- (b) Pursuant to Article II, § 5 of the Constitution, Executive Officers shall be impeached for malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors.
- (c) Pursuant to Article III, § 4 of the Constitution, Judges shall be impeached for malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors.
- (d) Impeachment shall proceed as outlined in Article I, § 2, clauses 6, 7, and 8 of the Constitution.
- (e) Conviction in an impeachment proceeding shall result in removal from office.

Bylaw 1102 – Initiation of Impeachment

- (a) A party who believes that a Senator, Executive Officer, or Judge is guilty of malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors shall present a written complaint to the Executive Vice President. Such a complaint shall describe, in as much detail possible, the reasons supporting the claim.
- (b) If the complaint alleges malfeasance in office, corruption, dereliction of duty, or other high crimes and misdemeanors by the Executive Vice President, the complaint shall be presented in writing to either of the Division Senators.
- (c) The Executive Vice President (or the appropriate Division Senator) shall, within one week of receipt, submit the complaint to the Senate for its consideration in accordance with Article I, § 2, clause 6 of the Constitution. Notwithstanding the provisions of Bylaw 406(a), the individual receiving the complaint shall have the authority to call a special meeting of the Senate.
- (d) The Senate shall take a vote on whether or not to impeach. As per Article I, § 2, clause 6 of the Constitution, a majority of the elected Senators are required to institute an impeachment hearing.

Bylaw 1103 – Impeachment Hearings

- (a) Within two weeks of impeachment, the Senate shall conduct an impeachment hearing in accordance with Article I, § 2, clause 7 of the Constitution. The hearings shall be fact-finding in nature, rather than confrontational.
- (b) The complainant and accused shall each have the right to appear before the Senate and make a statement in support of their case.
- (c) They complainant and accused may each identify as many as three witnesses that shall be called. The Senate may summon any additional witnesses at its discretion. Witnesses may be added to the case at any point in the investigation; however, the Senate shall notify both the complainant and the accused of the names of all of the witnesses in the case.
- (d) The Senate shall have the authority to ask questions of the witnesses.
- (e) The complainant and the accused may only be present at the Senate's discretion. No persons other than the presiding officer and the elected members of the Senate are permitted to attend the hearings.

- (f) At the conclusion of the impeachment hearings, the Senate shall vote on the complaint. As per Article I, § 2, clauses 7 and 8 of the Constitution, two-thirds of the elected Senators are required to convict. The presiding officer shall produce a written decision summarizing the evidence presented to the Senate and outlining the reasons for the disposition. The decision shall not include the numerical tally of the votes, nor shall the names of the Senators be associated with the way in which they voted. The decision shall be released to the Law School community.
- (g) An individual Senator may disclose his vote; however, disclosure of how another Senator voted shall constitute malfeasance punishable by impeachment.

Bylaw 1104 – Inferior Executive Officials

- (a) In accordance with Bylaw 201(c), the Executive Officer overseeing a particular committee or position shall have the power to remove any individual serving on such a committee or in such a position, for just cause.
- (b) Any individual believing that his due process rights have been violated has a claim actionable in the Supreme Court.