

NEW ENGLAND LAW | BOSTON STUDENT BAR ASSOCIATION



CONSTITUTION

Preamble

We, the students of New England School of Law, to promote the ideals of the American legal tradition and to advance the welfare and objectives of the student body, do ordain and establish this Constitution for the New England School of Law Student Bar Association.

Article I – Authority

Section 1 This Constitution shall supersede any other previously existing system of governance or governing document at New England School of Law.

Section 2 The Student Bar Association shall derive its authority from New England School of Law students in general election.

Section 3 All By-Laws, acts, and other actions shall be consistent with this Constitution.

Article II – Purpose

Section 4 The purpose of this organization shall include but not be limited to the following:

- a. The Student Bar Association shall maintain an effective, centralized and elected student government that shall be, at all times, responsible to the entire student body.
- b. The Student Bar Association shall make recommendations to the administration consistent with increasing student satisfaction and shall bring forth such resolutions and participate in all cooperative undertakings as may be necessary to promote the welfare of the student body and of the Law School as a whole.
- c. The Student Bar Association shall regulate, in accordance with provisions set forth in this Constitution, all aspects of student welfare not delegated to the administration of the Law School, including the supervision and advisorship of all clubs and organizations seeking or maintaining formal recognition.
- d. The Student Bar Association shall regulate all proceeds of the Student Activity Fee, which shall be the Student Bar Association Treasury, and allocate funds as necessary for the purpose related to student needs and interests.

Article III – Composition of the Government

Section 1 The Student Bar Association shall be composed of a Legislative and an Executive branch. All elected and appointed officers of the Student Bar Association shall be consistent with this Constitution.

Article IV – Membership

Section 1 Every registered student at New England School of Law shall be a Member of the Student Bar Association.

Section 2 No student at the New England School of Law shall be denied Membership to the Student Bar Association, the equal opportunity to hold office, or the right to participate in any Student Bar Association-sponsored activity on the basis of race, color, religion, creed, national or ethnic origin, sex, age, handicap or disability, or sexual orientation.

Article V – The Executive Board

Section 1 All Executive Authority of the Student Bar Association shall be vested in an Executive Board consisting of a President, Vice President - Day Division, Vice President – Evening Division, Treasurer, and American Bar Association Delegate, all of whom shall vote in the General Assembly.

Section 2 The President shall:

- a. Be the chief executive officer of the Student Bar Association;
- b. Be the primary representative of the student body to the administration of the Law School and the Board of Trustees;
- c. Chair all meetings of the General Assembly and the Executive Board;
- d. Appoint all committee chairpersons subject to the consent of the Executive Board;
- e. Serve as an ex-officio Member of all standing committees;
- f. Issue executive orders on all matters not before the General Assembly with the consent of the Executive Board;
- g. Share power of signature with the Treasurer in all matters of finance; and
- h. Only vote in the General Assembly in the event of a tie.

Section 3 The Vice Presidents shall assist the President in his or her duties and perform other duties as proscribed in the By-laws.

Section 4 The Treasurer shall have primary power of signature in all matters of finance as provided for in the By-Laws.

Article VI – The Board of Representatives

- Section 1* All voting powers of the SBA shall be vested solely in the General Assembly, consisting of an Executive Board and a Board of Representatives.
- Section 2* The Board of Representatives shall consist of two representatives for each Section. They shall represent the interests of their respective electors, as well as the student body, and shall have a vote on all matters before the General Assembly.
- Section 3* The Board of Representatives shall have sole authority to bring forth articles of impeachment against any Member of the General Assembly.
- Section 4* Representatives shall be entitled to propose and debate such resolutions as may be necessary to promote the welfare of the student body and the Student Bar Association.
- Section 5* Any representative shall have the authority to call into question the Constitutionality of any Executive Order issued by the President, subject to debate and vote by the Board of Representatives.

Article VII – SBA Committees

- Section 1* All committees not herein created shall be established and disbanded by resolution or by Executive Order.
- Section 2* All committee chairpersons shall be appointed by the President on written application, subject to the confirmation of the Executive Board.

Article VIII – Budget Committee

- Section 1* The Budget Committee shall consist of the Treasurer, President, Day and Evening Division Vice-Presidents, and two students appointed from each Division by the Treasurer.
- Section 2* The Budget Committee shall meet at the beginning of the Fall term to budget the allocation of Treasury funds for the academic year to recognized organizations and committees, and shall propose such budget for approval by the General Assembly. The Budget Committee shall also meet at the beginning of the Spring term to reevaluate the budget and, if necessary, shall propose a revised Spring budget for approval by the General Assembly.
- Section 3* The Treasurer shall be Chairperson of the Budget Committee, shall have no vote except to break a tie, and shall have discretion over minor supplemental funding requests as defined in the By-laws.
- Section 4* The Budget Committee shall have authority over all major supplemental funding requests and final appellate discretion over all minor requests, as defined in the By-laws.

Section 5 The General Assembly shall have sole authority to ratify the budget.

Article IX – Organizations

Section 1 All student organizations and their Members shall conduct themselves in accordance with the Student Handbook and the Student Bar Association By-Laws.

Article X – Meetings

Section 1 The Student Bar Association shall meet in regular sessions during the academic year to be determined by the Executive Board, as well as any special meetings convened by the President.

Section 2 All meetings shall be conducted in accordance with an adopted version of parliamentary procedure.

Section 3 Any resolution to be placed on the agenda of a meeting of the General Assembly shall be submitted to the President no later than five (5) days prior to a meeting of the General Assembly. Otherwise such a resolution may only be heard where:

- a. The president consents to amend the agenda due to extenuating circumstances.
- b. A motion to consider the Resolution is made before the General Assembly, and carries by a two-thirds (2/3) vote.

Section 4 No business shall be conducted in the absence of quorum, herein defined as two-thirds (2/3) of the voting members of the General Assembly presently serving.

- a. A vote to rescind an executive order shall require the two-thirds majority vote of the General Assembly.
- b. Nothing in this section shall apply to Article XV of the Constitution.
- c. Any voting standards not described herein shall be regulated pursuant to the bylaws.

Section 5 In the absence or inability of the President to serve as chair, the order of ascension shall be: Vice President- Day Division OR Vice President- Evening Division to be decided by a coin toss and subsequently alternated, and Treasurer.

Article XI – Elections

Section 1 All Officers of the Student Bar Association shall be elected pursuant to the By-laws. They shall serve a term of office beginning the day after the last day of classes of the preceding semester and ending the last day of classes of the term for which they were elected.

Section 2 All Officers of the Student Bar Association shall be elected by the following constituencies:

- a. The President, Treasurer, and American Bar association representative shall be elected by the body of non-graduating Members;
- b. The Vice Presidents shall be elected by the body of non-graduating Members of their respective Divisions;

- c. First Year Representatives shall be elected by the Members of their respective Class Sections; and
- d. All other Representatives shall be elected by the Members of the Class and Division that position will serve, but may only take office to a position for the Class and Division in which they are enrolled in the subsequent academic year

Section 3 Any returning Member in good standing may seek any office of which he or she would otherwise be a constituent.

Section 4 The election of all first year representatives shall take place no later than the third week of the academic year for which they were elected. All other officers shall be elected no later than the third week of April of the previous academic year.

Section 5 All elected or appointed Members, prior to taking office, shall take the following Oath or Affirmation: "I, (state name), do solemnly swear that I will faithfully execute the office of (appropriate office) and will, to the best of my ability, preserve, protect, and promote the ideals and Constitution of the New England School of Law Student Bar Association.

Article XII – Vacancies

Section 1 Should the Presidency fall vacant and both Vice Presidents seek to ascend, a meeting of the General Assembly shall be held within one (1) week, at which a special order to appoint a new President shall be called. Each Vice President shall nominate a registrar, who together shall administer a secret ballot to the Board of Representatives and certify the vote, with the Treasurer voting in the event of a tie. The Vice President receiving a majority vote shall assume the Presidency.

Section 2 Any other Executive Board vacancies shall be filled by special election of and by the General Assembly within two subsequent meetings.

Section 3 If a Representatives seat should fall vacant, the remaining Representatives of that seat's constituency shall nominate to the President three (3) Members of that constituency, from among whom the President shall appoint a Member to assume the seat. If there are no representatives within that constituency to make a nomination, the president will appoint representatives with the consent of the majority of the executive board.

Article XIII – Impeachment

Section 1 Any elected officer of the Student Bar Association is subject to impeachment for failure to perform the functions of his/her office or execute assigned responsibilities, for gross neglect of duty, for failure to comply with rules and policies outlined in the Student Handbook, or for violation of the principles of the Student Bar Association, its By-Laws and the provisions of this Constitution.

Section 2 Articles of impeachment shall only be issued upon a two-thirds (2/3) vote of the General Assembly.

Section 3 If articles of impeachment are issued upon a Representative of the General Assembly, the President shall convene and preside over a special impeachment hearing, with the Board of Representatives empanelled as jury.

Section 4 If articles of impeachment are issued upon an Executive Officer of the Student Bar Association, the Board of Representatives, by majority vote, shall elect a moderator from within the Board of Representatives, who shall convene and preside over a special impeachment hearing, with all remaining Members of the Board of Representatives empanelled as jury.

Section 5 A three-quarters (3/4) vote of guilty by the jury on any article of impeachment shall effectuate the removal of the accused from office.

Article XIV – By-Laws

Section 1 The General Assembly may enact such By-Laws as it deems necessary and proper to promote the purposes of the Constitution.

Article XV – Amendments

Section 1 Amendments and revisions to this constitution may be proposed by resolution before a three-fourths (3/4) quorum of the General Assembly, subject to ratification by two-thirds (2/3) of those voting at two (2) meetings of the General Assembly which shall be at least six (6) days apart within the same academic year and shall have immediate effect upon such ratification.

Section 2 The amendment or revision of this Constitution may be initiated by referendum, on a petition signed by not less than twenty percent of the student body, at which time the President shall call to order a Constitutional Convention to review the included proposals.