



CONSTITUTION OF THE STUDENT BAR ASSOCIATION OF PENN STATE LAW



Preamble

We, the students of Penn State Law, to foster a more responsive, inclusive, and cohesive law school environment, promote communication, cooperation, and understanding between the students, faculty administration, alumni, law school community, and the numerous bar associations, do hereby ordain and establish this Constitution for the Student Bar Association of Penn State Law.

Article I: Name and Membership

Section 1

The official name of this organization shall be the Student Bar Association of Penn State Law [hereinafter “SBA”].

Section 2

SBA members shall be entitled to vote in all elections and referenda of the SBA except as otherwise provided in this Constitution.

Article II: Governing Bodies

Section 1

The SBA shall be governed by a Board composed of a President, a Vice President, a Secretary, a Treasurer, a Director of Student Organizations, an SBA Ambassador, an LLM Senator, all duly elected Class Representatives, all duly elected LLM Representatives, and all duly elected Justices.

Section 2

The SBA shall have an Executive Council composed of a President, a Vice President, a Secretary, a Treasurer, a Director of Student Organizations, an SBA Ambassador, and an LLM Senator.

The Executive Council shall meet no less than once per academic semester and shall have the power to establish, maintain, and dissolve ad hoc committees with the advice and consent of the Board; produce a schedule of events for the fall and spring semesters; and resolve any emergency situations.

Section 3

All members of the Board shall be voting members with the exception of the President, who shall have the power to vote only in the event of a tie.

All decisions of the Board shall be by majority vote of present Board members unless otherwise provided for herein.

Section 4

This Board shall have the power to promulgate policies and exercise all powers that are necessary for the execution of this Constitution.

The Board shall have the power to enact bylaws not inconsistent with this Constitution.

The Board shall be the final interpreter of this Constitution and any laws and policies promulgated thereunder.

Article III: Committees

Section 1

The Board shall have the power to establish and maintain standing committees.

The Executive Council shall have the power, with the advice and consent of the Board, to establish ad hoc committees which shall expire at the end of the SBA administrative year.

Section 2

The President shall have the power to appoint, with the advice and consent of the Board, the chairperson and committee members of all standing and ad hoc committees.

Section 3

All duly constituted committees shall be responsible to the Board and shall regularly report their activities to the Board.

Section 4

The President shall have the power to, upon the request of a Faculty Committee, appoint an SBA member to a faculty committee under a provisional status until that member is approved by the Board.

Section 5

The Board shall at all times possess the power to reprimand or reassign SBA committee chairpersons and members upon a majority vote of the Board.

Section 6

The Board shall have the power to enact bylaws to affect the provisions of this Article.

Article IV: Student Groups and Organizations

Section 1

The Board shall have exclusive power to charter student groups and organizations and to revoke or suspend such charter.

Section 2

The Board shall have the exclusive power to require any student group or organization chartered by the SBA to change its rules or practices to conform to the mandates of the SBA or Penn State Law.

Section 3

No student group or organization may receive funding through the SBA unless the Board has chartered that student group or organization.

Article V: Meetings

Section 1

All action by the Board shall occur at a general meeting or duly convened special meetings.

“Special meeting” shall mean any meeting other than a general meeting.

Section 2

The Board shall meet a minimum of four (4) times per semester.

Section 3

Notice shall be given to all SBA members at least five (5) school days prior to any regular meeting and within a reasonable time prior to any special meeting.

Section 4

All meetings of the Board require a quorum consisting of a majority of the membership of the Board. If a quorum is not available within a reasonable time, the meeting shall be postponed until such time as the President directs.

Section 5

The Secretary or their designee shall keep a record of each proceeding pursuant to their assigned duties.

Section 6

No Board member may vote by proxy unless the Executive Council, by a majority vote, permits the submission of a written proxy on a specific resolution.

Section 7

Meetings of the Board shall be open to all students, and all students shall be permitted to speak to any issue before the Board.

Section 8

The Board shall have the power to enact bylaws to affect the provisions of this Article.

Article VI: Elections

Section 1

General elections for members of the Board shall be administered by the Election Committee which shall be Chaired by the Vice President and composed of at least four (4) additional members not voting in that election.

Election Committee members may not be candidates for office. In the event that the Vice President is a candidate for office, the President shall appoint a Board member to serve as Co-Chair.

Section 2

The Election Committee shall have the power to set the date for all elections.

Section 3

Students graduating within one academic year shall not vote in general elections for the Board.

Section 4

Elections for 1L and LLM Class Board members shall be held as early as possible, but no later than five (5) weeks after the start of the academic year.

Section 5

2L and 3L Board members elected in the Spring semester shall serve for a one (1) year term beginning on the date of the first SBA meeting chaired by the newly elected SBA President and ending on the first SBA meeting chaired by the newly elected SBA president the following academic year.

1L Board members elected in the Fall semester shall serve for a term beginning immediately upon election ending on the first SBA meeting chaired by the newly elected SBA president during the same academic year.

LLM Board members elected in the Fall semester shall serve for a term beginning on the day of their election and ending on the last day of same academic year.

Candidates for all Board positions, fully aware of the voluntary, non-compensatory nature of SBA positions, shall nominate themselves.

Section 6

The Board shall have the power to enact bylaws to affect the provisions of this Article.

Article VII: Vacancy and Removal

Section 1

In the event of a vacancy in the office of the President, the Vice President shall assume all privileges, duties, and responsibilities of the President.

Section 2

The Board shall have the sole power of removal.

Section 3

The basis for removal shall be the substantial violation of any provision of this Constitution or the neglect or refusal to perform their official responsibilities and duties.

Section 4

Appointees serve at the discretion of the President and are also subject to removal by the Board.

Section 5

Judgment in cases of removal shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the SBA.

Judgment in cases of removal shall in no way preclude the ability of said person to be found liable and subject to charge, hearing, judgment, and punishment, pursuant to the rules and regulations of Penn State Law.

Section 6

Any Board member may be removed upon motion of an officer or representative, second of another Board member, and a three-fourths (3/4) majority of the entire Board.

Any member subject to a motion for removal shall not be entitled to vote on that motion and they shall not be counted when determining the requisite number of votes for the passage of said motion.

In the event that 1L or LLM Board members have not yet been elected, the removal vote shall not occur until these Board members have been elected and given appropriate time for review.

Section 7

The President, with the consent of a majority of the Board, shall fill vacancies on the Board unless otherwise provided for in this Constitution.

Section 8

Due process requirements of notice, opportunity to hear the charges against the member, and opportunity to answer those charges and to obtain witnesses to testify on the member's behalf before the Board, shall be guaranteed to any member charged with a violation of this Constitution. However, failure or refusal of an officer to attend a hearing or to participate therein does not bar removal.

Section 9

Interpretation of this Article shall be the sole right of the Board.

The Board shall have the power to enact bylaws to affect the provisions of this Article.

Article VIII: Amendment and Revision

Section 1

Any SBA member may submit a petition to the Board at a general meeting and that petition shall be considered a proposal upon a finding by the Board that said petition possesses the sufficient and authentic signatures of twenty (20) percent of all SBA members.

Section 2

The proposed amendment or revision shall then be subject to a two-thirds (2/3) majority vote by the whole Board.

Section 3

Upon approval by the Board, a vote shall be held during school hours within thirty (30) calendar days after the Board has approved and promulgated the proposed amendment or revision. At least one-half (1/2) of the entire SBA membership shall vote. The amendment or revision shall be approved if it receives a two-thirds (2/3) majority of the votes cast.

Section 4

The Board shall have the power to enact bylaws to affect the provisions of this Article.

Article IX: Ratification

Upon ratification by a two-thirds (2/3) majority of those SBA members voting, this Constitution shall be effective immediately.

Article X: Nondiscrimination Policy

The Student Bar Association is committed to fostering an educational community that is inclusive and empowering for all students at Penn State Law. Accordingly, this organization does not tolerate discrimination or harassment. All members of the Student Bar Association shall follow the nondiscrimination policy of the Pennsylvania State University. Direct all inquiries regarding the nondiscrimination policy the Associate Dean for Diversity and Inclusion and/or Affirmative Action Office and/or Affirmative Action Office.