



## **The Constitution of the University of Baltimore School of Law Student Bar Association**

### **Preamble**

*We, the students of The University of Baltimore School of Law, do establish this Constitution for our Student Bar Association to represent the entirety of the Law School community in furthering our education, advocating our concerns, and do require that the duties and offices here assigned be fulfilled according to the highest ethical standard.*

### **Article I: Purpose and Supremacy**

#### **§ 1. Supremacy**

The General Assembly shall hold this Constitution as supreme rule for the Student Bar Association (SBA) and shall not establish any operating procedures inconsistent with this Constitution.

#### **§ 2. Purpose**

The purposes of the Student Bar Association are to:

- 1) Be the official representative of all law students to the law school and to the University of Baltimore community;
- 2) Further academic achievement;

- 3) Coordinate student activities and organizations;
- 4) Encourage student participation;
- 5) Promote school events;
- 6) Promote professional responsibility; and
- 7) Improve the quality of student life.

## **Article II: Membership**

### **§ 1. Membership**

All currently enrolled students at the University of Baltimore School of Law shall be members of the SBA.

### **§ 2. General Assembly Composition**

- A. The SBA General Assembly shall include an Executive Branch, which shall consist of an Executive Board and Executive Cabinet (Cabinet). The SBA General Assembly shall include a Legislative Branch, which shall consist of a House of Representatives (House).
- B. The SBA General Assembly shall be comprised of the following positions:
  1. President
  2. Vice President
  3. Treasurer
  4. Secretary
  5. Chief of Staff
  6. Student Activities Director
  7. Bar Association Director
  8. Programming Director
  9. Diversity Director
  10. Public Relations Director
  11. Alumni Relations Director
  12. Wellness Director
  13. Community Service Director
  14. Academic Director
  15. Two Evening Representatives
  16. Two 3L Representatives
  17. Two 2L Representatives
  18. A Representative for each 1L Contracts Section (Day and Evening)
  19. LL.M. Representative
- C. Qualifications for the General Assembly:
  1. Must be a current SBA member who will be returning to the school in the upcoming fall semester in a program that constitutes them as an SBA member.
  2. Candidates must be in good academic standing with a cumulative grade point average of at least 2.0.

3. Candidates must confirm their commitment for an entire academic year.
- D. All positions are held until the Transitional Meeting, unless otherwise specified by this Constitution. All positions begin at the Transitional Meeting, unless otherwise specified by this Constitution.

### **§ 3. General Assembly Structure**

- A. Executive Board
  1. The Executive Board is the leadership of the SBA, and encompasses the following positions:
    - a. President
    - b. Vice President
    - c. Treasurer
    - d. Secretary
  2. Any member of the Executive Board of the SBA shall not serve on any other Executive Board of any Student Organization at the University of Baltimore School of Law. This includes, but is not limited to, serving as President, Vice President, Treasurer or Secretary of any student organization.
    - a. This provision shall begin during the elections in spring 2021.
- B. Executive Cabinet
  1. The Executive Cabinet shall be appointed by the President, subject to approval by the Executive Board. The Executive Cabinet shall enact the SBA's objectives under the leadership of the Executive Board; those positions encompass:
    - a. Chief of Staff
    - b. Student Activities Director
    - c. Bar Association Director
    - d. Programming Director
    - e. Diversity Director
    - f. Public Relations Director
    - g. Alumni Relations Director
    - h. Wellness Director
    - i. Community Service Director
    - j. Academic Director
  2. The Directors shall, with the help of the SBA Advisor, select relevant representative positions to help achieve their position duties. These Directors shall chair their respective committees where applicable.
  3. If there is a vacancy for a cabinet position, applications for the position must remain open. During the vacancy, the President shall delegate the responsibilities of the vacant position to a member of the General Assembly.
  4. The President shall preside over the Executive Board and the Executive Cabinet.
- C. House of Representatives

1. The House of Representatives represents specific interests within the Law School and ensure inclusion, representation, and participation within the SBA; those positions encompass:
  - a. Two Evening Representatives
  - b. Two 3L Representatives
  - c. Two 2L Representatives
  - d. A Representative for each 1L Contracts Section (Day and Evening)
  - e. LL.M. Representatives
2. The Vice President shall preside over the House of Representatives.
3. The House of Representatives shall appoint one member of Article II, § 3(C), as the Speaker of the House.

#### **§ 4. Position Duties**

- A. President: The President shall serve as the official spokesperson for the SBA. The President shall oversee the day-to-day operations of the SBA. The President shall call to order and preside over Executive Branch Meetings. The President, or their designee, shall preside over General Assembly Meetings. The President shall appoint Executive Cabinet Members with the approval of the Executive Board. The President shall advise and oversee all Executive Branch matters and activities. The President serves on all committees within the SBA. The President must communicate with the SBA's Primary Advisor on a regular basis during the academic year to discuss the concerns of the SBA. The President will only vote in the event of a tie.
- B. Vice President: The Vice President shall assume the duties of the President in the event of the President's absence, incapacity or leave from office. The Vice President shall call and preside over all meetings of the House of Representatives. The Vice President shall determine and distribute the agenda before all House meetings. The Vice President shall establish and supervise the work of all standing committees. The Vice President shall act as the liaison between the House of Representatives and the Executive Branch.
- C. Treasurer: The Treasurer shall budget the internal financial accounts of the SBA. The Treasurer must maintain records of all financial transactions. The Treasurer shall make certain all financial transactions taken on behalf of the SBA comply with relevant federal, state, and local regulations, as well as the University of Baltimore and the Office of Academic Affairs. The Treasurer must pay SBA approved debts and financial obligations from the funds designated by the SBA for those purposes. The Treasurer shall serve as Chair of the Finance Committee. The Treasurer shall prepare and provide monthly finance reports, due the first Friday of each month, to the Executive Board. The Treasurer shall coordinate the creation of the SBA budget in accordance with Article V, § 1. The Treasurer shall present the budget to the House of Representatives in accordance with Article V, § 2.
- D. Secretary: The Secretary shall record the proceedings of each Executive Cabinet and General Assembly meeting and make them readily available to the student body. The Secretary shall record the proceedings of each Executive Board meeting at the request of the President. The Secretary shall maintain an attendance sheet for each Executive Branch

and General Assembly meeting. The Secretary shall ensure that all students, committees, and SBA officers and representatives have access to copies of the Constitution.

- E. Chief of Staff: The Chief of Staff shall work hand in hand with the President to help manage the appointed Directors in the Executive Cabinet. The Chief of Staff shall serve as Chair of the Elections Commission and select the members of said Elections Commission. The Chief of Staff shall oversee all SBA elections. The Chief of Staff will make themselves available to assist with any additional duties requested upon by the President. The Chief of Staff shall also serve as Parliamentarian for the General Assembly and the Executive Cabinet, and be proficient in Robert's Rules of Order. A cheat sheet may be found at the following: <http://dphi.web.unc.edu/files/2016/10/cheat-sheet.pdf>
- F. Student Activities Director: The Student Activities Director shall collaborate with the various student organizations within the University Baltimore School of Law to promote, facilitate and organize events hosted by said student organizations. The Director shall work with the Student Affairs Coordinator in furtherance to facilitate the success of the events hosted by the Student Organizations. The Director shall not serve on any Executive Board of any Student Organization at the University of Baltimore School of Law. The Director shall maintain a roster of organizations and their executive boards.
- G. Bar Association Director: The Bar Association Director shall select representatives to represent the various local Bar Associations. The Director shall hold meetings to collect information from these representatives and share them with the SBA.
- H. American Bar Association Director/Representative: The ABA Director/Representative shall work to inform students of what the ABA does and connect students with the ABA. The Director/Representative shall attend ABA conferences and represent the law school in the ABA Law Student Division and promote our interests on a national level.
- I. Programming Director: The Programming Director shall oversee the planning and promoting of SBA Hallmark events and sponsored events, particularly BarBowl and Barristers' Ball. The Director shall hold regular planning meetings in the fall and spring semesters to plan and execute events.
- J. Diversity Director: The Director shall, in conjunction with the Diversity Council, organize initiatives in furtherance of promoting diversity, inclusion and equity within the School of Law.
- K. Public Relations Director: The Public Relations Director shall promote and raise awareness of various SBA initiatives by maintaining social media outlets, designing posters, flyers, banners, as well as any other marketing and advertising materials. The Director shall work with the Director of Communications to amend the current advertising policies within the law school.
- L. Alumni Relations Director: The Alumni Relations Director shall maintain and update alumni contact information in an alumni database and work towards allowing these alumni

to network with SBA members. The Director shall conduct regular correspondence with alumni to inform and encourage participation within the Law School. The Director shall work with the Director of Alumni Relations to maintain and update alumni contact information in an alumni database.

- M. Wellness Director: The Wellness Director shall oversee, plan, and promote mindfulness and mental health wellbeing amongst students through programming. The Director shall devise programs around recognized mental health awareness days (e.g., October 10<sup>th</sup> “World Mental Health Day,” “Mental Illness Awareness Week,” “ABA Mental Health Day for Law Schools,” etc.). The Director shall coordinate with administration to ensure ABA Mental Health report recommendations are implemented.
- N. Community Service Director: The Community Service Director shall foster partnerships between the SBA and local community service opportunities to provide a diverse selection of community service opportunities for the members of the SBA. The Director shall work with the Law Career Development Office to coordinate “Alternative Spring Break” and other community service opportunities.
- O. Academic Director: The Academic Director shall promote academic and career growth in the student body through collaborative programs. The Academic Director shall organize a spring time student panel discussion for 1L and 1E students focusing on: internships/externships, Law Journal, Moot Court, and Trial Team opportunities. The Director shall serve as a liaison between the SBA and the Law Career Development Office to increase accessibility to career and networking opportunities.
- P. Evening Representative: The Evening Representatives shall represent and vote on behalf of members in their respective evening sections. These members must also serve on at least one (1) standing committee.
- Q. 3L Representative: The 3L Representatives shall represent and vote on behalf of members in the 3L class. These members must also serve on at least one (1) standing committee.
- R. 2L Representative: The 2L Representatives shall represent and vote on behalf of members in the 2L class. These members must also serve on at least one (1) standing committee.
- S. 1L Representative: The 1L Representatives shall represent and vote on behalf of members in the 1L class. There shall be three 1L day representatives and one evening representative, one for each section. These members must also serve on at least one (1) standing committee.
- T. LL.M. Representative: The LL.M. Representative shall represent and vote on behalf of members in the LL.M. division. These members must also serve on at least one (1) standing committee.
- U. Speaker of the House: The Speaker of the House shall record the minutes of each House of Representatives meeting. The Speaker shall preside over the meetings of the House should

the Vice President be absent. The Speaker shall also serve as Parliamentarian of the House of Representatives, and be proficient in Robert's Rules of Order. A cheat sheet may be found at the following: <http://dphi.web.unc.edu/files/2016/10/cheat-sheet.pdf>

## § 5. Committees

- A. The President shall appoint, with the advice and consent of the Executive Board, chairpersons of all committees of the Student Bar Association, unless otherwise specified by this constitution. Committee members shall be appointed by the Executive Board.
- B. The Standing Committees of the Student Bar Association will be as follows. Ad hoc committees may be formed and dissolved as needed by the Executive Board in accordance with the process in Article 2 Sec. 5, A, above.
  1. Standing Committees
    - a. Student Life Committee: The Student Life Committee shall serve as a vehicle by which students may register complaints and receive information on existing complaint procedures. The committee shall communicate with students and student organization leaders to obtain information concerning student life within the law school and maintain the confidentiality of such communications. The committee shall discuss and propose resolutions and actions to the SBA and, subsequently, the administration, that will ameliorate the quality of student life and remedy student life issues. The committee shall keep a record such concerns. The Student Life Committee shall be chaired by a member of the House.
    - b. Curriculum Committee: The Curriculum Committee shall attend curriculum hearings. The committee shall conduct continuing evaluations of the law school curriculum. The committee shall evaluate proposed courses as requested by the dean and/or faculty. The committee shall recommend standards with respect to the quality of instruction and kind of instructional programs offered, while accounting for course requirements and bar tested subjects. The committee shall assist administration in preparation of publications describing the law school courses and curriculum. The Curriculum Committee shall be chaired by a member of the House.
    - c. Programming Committee: The Programming Committee shall assist in planning Hallmark Events by visiting venues, obtaining quotes, and securing vendor contracts. The committee shall provide help on administrative matters as these events approach. The Programming Committee shall be chaired by the Programming Director.
    - d. Community Service Committee: The Community Service Committee shall plan Alternative Spring Break alongside the LCDO (which consists of community service opportunities during spring break). The committee shall work with local outreach centers to plan community service events throughout the semester. The Community Service Committee shall be chaired by the Community Service Director.
    - e. Wellness Committee: The Wellness Committee shall assist in planning events and initiatives that pursue and promote health and wellness for the students. The Wellness Committee shall be chaired by the Wellness Director.

## **§ 6. Voting Rights**

The Executive Board shall have the power to vote on the Executive Cabinet appointments. The Legislative Branch shall vote on all other matters presented before the General Assembly.

## **Article III: Events**

### **§ 1. Hallmark Events**

The following events must be held each academic year, barring any uncontrollable circumstances, as traditions rooted in the Law School and the SBA:

1. BarBowl
2. Barristers' Ball

### **§ 2. Event Schedule**

Prior to the beginning of each semester, the Executive Board, along with the Programming Director shall create a schedule of events for that semester and submit it for approval by the SBA Primary Advisor.

## **Article IV: Meetings**

### **§ 1. Frequency and Agenda**

The President and Vice President shall convene meetings, at the time most convenient for the General Assembly, not less than four times every semester.

#### **A. General Assembly**

1. The President or their designee shall be responsible for creating the agenda for meetings of the General Assembly.
2. Meetings may not take place without the consent of the President.
3. Meetings of the General Assembly shall be the primary mode of communication, planning and dissemination of information for the SBA.
4. The President or designee shall provide a copy of the agenda to the General Assembly prior to the start of each meeting.
  - a. The copy may be transmitted by paper, email, or other means per the General Assembly's preference.
  - b. The Agenda shall include rough time limits for each order of business.

#### **B. Executive Cabinet Meetings**

1. Executive Cabinet meeting shall occur as deemed necessary by the President.

2. The President or their designee shall be responsible for creating the agenda for meetings of the Cabinet.
3. Meetings may not take place without the consent of the President.
4. The President or designee shall provide a copy of the agenda to the Cabinet prior to the start of each meeting.
  - a. The copy may be transmitted by paper, email, or other means per the Cabinet's preference.
  - b. The Agenda shall include rough time limits for each order of business.

**C. House Meetings**

1. Meetings of the House of Representatives shall occur as deemed necessary by the Vice President.
2. The Vice President or the Speaker of the House shall be responsible for the agenda for meetings of the House.
3. The Vice President or Speaker of the House shall provide a copy of the agenda to the House prior to the start of each meeting.
  - a. The copy may be transmitted by paper, email, or other means per the House's preference.
  - b. The Agenda shall include rough time limits for each order of business.
4. Quorum
  - a. A meeting shall not occur without at least five members of the House present.
  - b. Quorum is established when two-thirds of the voting members of the body are present.
  - c. Meetings may not take place without the consent of the Vice President.

**D. The Executive Board shall meet at least once a month. The Executive Board may further meet separately as determined by the President.**

**§ 2. Record/Minutes**

- A. A written record must be taken at all SBA meetings, and preserved by the SBA Secretary and Speaker of the House, respectively.
  1. The Secretary shall record minutes for General Assembly and Cabinet meetings.
  2. The Speaker of the House shall record minutes for House meetings.
- B. Summary reports of meetings shall be communicated by the House of Representatives to their respective sections within a reasonable time of each meeting. These reports shall also be made available on CampusGroups.

**§ 3. Attendance**

- A. SBA Officers are required to attend every SBA meeting for their respective body, unless excused for good cause.
  - B. Any SBA Officer that has more than three (3) unexcused absences in one semester shall be removed from their SBA position.
  - C. Excused Absences
    - 1. SBA Officers must email the Secretary or Speaker of the House to explain good cause for missing a meeting.
    - 2. Absences are only excused upon affirmation by the SBA President, Vice President, or by a designee for either.
    - 3. Absences may be excused retroactively.
    - 4. Absences deemed “unexcused” may be appealed to the SBA Primary Advisor.

## **§ 4. Primary Advisor’s Meeting**

The President shall invite the SBA Primary Advisor to at least one meeting every semester. During that meeting, the Primary Advisor is invited to provide an appraisal of the law school’s well-being, and answer questions posed by members of the General Assembly.

## **§ 5. Open Meetings**

All students in good standing currently enrolled in the University of Baltimore School of Law are members of the SBA and are welcome to attend and observe SBA meetings.

## **Article V: Budget**

### **§ 1. Budget Creation**

- A. The budget shall be created by the outgoing and incoming Finance Committees in accordance with the Office of Academic Affairs budget allocation guidelines.
- B. The Treasurer shall provide a budget at the beginning of the fall academic year to the House for approval, allocating sufficient funds for the SBA to host the Hallmark events for that semester.

### **§ 2. Budget Presentations**

The Treasurer shall present the budget to the House at the beginning and end of each semester, and before and after Barristers’ Ball.

### **§ 3. Finance Committee**

- A. The Finance Committee shall be made up of the SBA President, the Student Activities Director, and the Treasurer who shall serve as chair.
- B. The Finance Committee must approve all SBA expenditures from the internal and external accounts exceeding one thousand dollars (\$1,000) in accordance with the SBA's approved budget.
- C. The Finance Committee shall hear any and all reallocation requests and amendments to the approved budget so that they may then present these items to the House of Representatives for approval.

## **Article VI: Elections**

### **§ 1. Elections Commission**

- A. The Elections Commission shall proctor all SBA elections.
  - 1. Members:
    - a. The Chief of Staff shall serve as the chair of the Election Commission.
    - b. The Elections Commission shall include the SBA Primary Advisor.
    - c. Members of the Elections Commission shall be selected by the Chief of Staff:
      - i. One being selected from the SBA's House of Representatives; and
      - ii. One being selected from the Executive Cabinet.
      - iii. One being selected from the full SBA general student body.
      - iv. Those intending to petition for candidacy in the upcoming SBA election may not be selected as members of the Elections Commission.
- B. The purpose and duty of the Elections Commission is to host elections in conformity with this Constitution and its Election Rules.
- C. The Commission shall be responsible for:
  - 1. The election schedule;
  - 2. Circulating, collecting, and validating candidacy petitions; and
  - 3. Ensuring conformity with election rules.
- D. Method:
  - 1. The method of voting may be paper or electronic ballot, or any other means determined by the Elections Commission and approved by the Executive Board.
  - 2. All general elections are decided by the candidate receiving the highest number of votes.

### **§ 2. Election Dates**

- A. There shall be at least two elections every year.

1. Spring Elections: Spring elections shall determine all Executive Board and House of Representative positions, excluding the 1L and LL.M. positions.
2. Fall Elections: Fall elections shall determine all 1L and LL.M. positions, and any other vacant position at that time.

### **§ 3. Candidacy**

- A. Any member of the SBA, excluding graduating students, shall be eligible for a position on the Executive Board and House of Representatives.
  1. Those intending to petition for candidacy as President or Vice President must do so as a ticket.
    - a. Individuals who run as a ticket are voted for as a collective unit. Therefore, one cannot win without the other.
    - b. A ticket must only consist of a Presidential and Vice Presidential candidate.
- B. Students who will be participating in a program that involves their absence from the campus for a period of one semester may not run for a position.
- C. Candidate Petitions
  1. Petitions for candidacy require:
    - a. Signatures of 50 members of the SBA
      - i. Signature may not be duplicated.
      - ii. Must be legible.
      - iii. If exceptional and uncontrolled circumstances exist, the Elections Commission may create an alternative system for collecting signatures for all candidates. These include, but are not limited to, semesters with only online classes.
    - b. Must be submitted in a timely fashion consistent with the instructions and guidelines authorized by the Election Commission.

### **§ 4. Campaign Rules**

- A. Campaign Rules will be decided upon by and ratified by the Election Commission.
- B. Failure to abide by the Campaign Rules will result in a violation:
  1. A first violation may result in the suspension of all campaign activities and removal of related materials from the law school and associated websites for a specified period of time to be determined by the Elections Commission.
  2. A second violation may result in candidate disqualification and removal from the ballot.
  3. Election grievances alleging a policy violation should be filed with the Chief of Staff, in writing or by email, within 24 hours of the incident or its discovery.
  4. The Elections Commission shall investigate all grievances and forward decisions to parties involved in a timely manner.

5. The Elections Commission's decision shall all be final.

## **§ 5. Voting**

- A. Voting shall be open to all current members of the SBA.
- B. Students may only vote for:
  - i. Executive Board members, and
  - ii. Representatives of their class or section.
- C. The Candidate holding the highest number of votes at their respective position upon the conclusion of the general election shall be the winner.

## **§ 6. Installation and Vacancy**

- A. All elected members shall take office upon completion of the transitional meeting with all members of the prior SBA Executive Cabinet and House.
- B. Vacancy:
  - 1. Special Elections
    - a. Should an elected position become vacant, a special election shall be held promptly or immediately after recognition of a vacancy.
    - b. Special elections shall be subject to the same rules and procedures as applied to the Spring and Fall elections.
    - c. Should no student run in the special election, the President shall nominate a student from that class to the vacancy subject to House approval by majority vote.
  - 2. Line of Succession
    - a. The following procedures shall be followed upon the vacancies of the following elected officials:
      - i. President: The Vice President shall assume the position of the President if such a vacancy occurs.
      - ii. Vice President: The House of Representatives shall elect a new Vice President by majority vote to assume the role until a special election can be held.
      - iii. Treasurer: The President shall assume the duties of the Treasurer if such a vacancy occurs and until a special election can be held.
      - iv. Secretary: The Speaker of the House shall assume the duties of the Secretary if such a vacancy occurs and until a special election can be held.
      - v. Cabinet Members: Should a Cabinet position become vacant, the position will be filled by following the procedure stated in Article 2 § 3(b)(3).
    - b. Should the entire Executive Board become vacant, the Chief of Staff shall stay on to complete elections as soon as possible.

## § 7. Invalidation

- A. If the Elections Commission unanimously determines that an election is invalid due to procedural defect or other reasons, it shall hold a new election within three academic weeks (excluding reason and final examination periods) of the date such election was deemed invalid.
- B. The Elections Commission as a whole shall determine the validity within five academic days after the election:
  1. The Commissioner must post written, or email, notice within one day after determination, stating the reasons for the new election.
  2. If such a new election is held, only those candidates who were eligible at the time of the first election shall be eligible to be elected in the new election.

## **Article VII: Removal, Resignation, and Recall**

### **§ 1. Removal of an Executive Board Member or House of Representatives Member**

- A. Petitions for Removal
  1. A Petition for Removal, to be done in writing, may be undertaken by any member of the SBA.
  2. A Petition for Removal must state:
    - a. The person(s) sought to be removed;
    - b. The reasons seeking removal;
    - c. The relevant SBA Constitutional sections; and
    - d. The legible names and signatures of every student.
  3. Required Signatures:
    - a. A Petition for Removal for Absences or a Petition for Removal for Reason must be signed by at least fifty (50) SBA members.
    - b. A Petition for Removal for Good Cause must be signed by at least eighty (80) SBA members.
- B. Causes for Removal
  1. Removal for Absences
    - a. More than three (3) unexcused absences in one semester, as outlined in Article IV, § 3, constitutes grounds for removal.
  2. Removal for Reason
    - a. Removal for Reason shall only include:
      - i. Honor Board Violations
      - ii. Expulsion
      - iii. Felony Arrests
      - iv. Failure to Fulfill Constitutional Duties
  3. Removal for Good Cause
    - a. Removal for Good Cause shall include but is not limited to:
      1. Failure to maintain open channels of communications with other SBA members.

2. Disrespectful or obscene conduct of a member of the General Assembly towards a fellow student or University of Baltimore faculty or staff.

C. Reporting Petitions for Removal

1. All Petitions for Removal of a member of the House of Representatives or Executive Board shall be submitted to the SBA Primary Advisor.
2. After a Petition for Removal is reviewed by the SBA Primary Advisor, per their discretion, the Petition may be submitted to the Secretary, at which time the removal procedure outlined in Article VII, § 1(D) will be followed.

D. Removal Procedure

1. Removal Notice
  - a. By the Primary Advisor's discretion, a completed Petition for Removal may be sent by the Secretary or Primary Advisor to the Vice President and the accused.
    1. If the Vice President is the accused, a copy must also be sent to the Speaker of the House and the President.
    - b. The Petition for Removal notification must list the charges against the member facing removal and information regarding the upcoming meeting.
2. Petition for Removal Meeting
  - a. After the notification of the completed Petition of Removal, the accused may choose to resign within twenty-four (24) hours.
    1. If the accused does not resign, the accused may file a written response to the Vice President, the Speaker of the House and the Secretary, which shall be shared with the General Assembly.
  - b. The General Assembly may consider a Petition for Removal of the member, which will be presented and voted on during the next General Assembly meeting.
    - i. The Petition for Removal and all written responses submitted by the accused must be read into the record.
    - ii. Only members of the House of Representatives and the accused are permitted to speak during this meeting.
    - iii. A two-thirds majority vote of the full House is required for the Petition for Removal to pass;
    - iv. If the Petition for Removal fails to obtain a two-thirds vote, the matter shall end and the Petition is denied.
2. Should the Petition for Removal pass by a two-thirds majority of the House, unless appealed, the position shall be considered vacant.
  - a. The passing of a Petition for Removal may be appealed by the removed member to the SBA Primary Advisor.
  - b. If the Petition for Removal is upheld, the position will be filled consistent with Article VI, § 6(B) of this Constitution.

## **§ 2. Removal of an Executive Cabinet Member**

A. The President may remove a member of the Executive Cabinet subject to approval by a majority vote of the Executive Board.

B. A student who has been removed from the Executive Cabinet may appeal the decision to the SBA Advisor.

- a. If an appeal is made, the SBA Advisor shall meet with the removed Executive Cabinet member and the Executive Board.
- b. The SBA Advisor may reinstate the removed Executive Cabinet member only if they find the Executive Board removed the Executive Cabinet member for a prejudicial, discriminatory, or unjust reason.

### **§ 3. Resignation**

Any SBA General Assembly member may resign by providing a signed letter of resignation to the Executive Board.

### **§ 4. Recall**

- A. In the event of an illegitimate election, supported by sufficient foundation and evidence as determined by the Elections Commission, the Elections Commission shall order a re-election as soon as possible. The Elections Commission shall have the authority to determine whether the entire election shall be recalled (“total recall”) or whether particular positions require re-election (“partial recall”).
  1. Total Recall: In the event of a total recall, the current Executive Committee members and Officers shall retain the positions until a new election yields legitimate victors.
  2. Partial Recall: In the event of a partial recall, the legitimate victors shall take their Offices, and current position and office holders shall retain the contested positions and offices until a new election yields legitimate victors.
  3. Interim Vacancy: If a current Officer has been legitimately elected to a new position or office, and the election for his or her former office was found to be illegitimate and requiring re-election, then the Officer shall take the new position of office, and the Office for re-election shall remain vacant until special elections yield a legitimate victor.

## **Article VIII: Amendments and Safeguarding**

### **§ 1. Amendments**

- A. Any member of the SBA may, by written request to the Vice President, propose amendments to the Constitution.
  1. Requests are to be brought to the floor by the member’s corresponding House Representative.
  2. Voting
    - a. Any proposed Amendment will be validated by a two-thirds vote of a quorum of the House and go into effect immediately upon being passed by the House.

### **§ 2. Safeguarding**

- A. This Constitution shall be safeguarded by the Chief of Staff.
- B. Constitution Committee
  - 1. The Executive Board, with approval by the Primary Advisor, shall establish a Constitution Committee to review and amend this Constitution biennially, or as needed.
  - 2. The Constitution Committee shall be composed of at least one member of the Executive Cabinet and one member of the House of Representatives.

#### **Article IX: Ratification**

- A. This Constitution shall become effective upon its ratification by a two-thirds majority of the House.
- B. Upon ratification of this Constitution, all prior constitutions shall be null and void.

Revised: April 2020

Approved by SBA House of Representatives: December 2020