

# **CHARTER**

## **STUDENT BAR ASSOCIATION**

**DAVID A. CLARKE SCHOOL OF LAW  
UNIVERSITY OF THE DISTRICT OF COLUMBIA**

**REVISED: APRIL 2006**

**RATIFIED: APRIL 2005**

## CHARTER

### ARTICLE I

*Name*

The name of this organization shall be the Student Bar Association (SBA) of the University of the District of Columbia's David A. Clarke School of Law (UDC-DCSL).

### ARTICLE II

*Object*

The object of this organization shall be to:

- a. Promote goodwill among the students;
- b. Provide a forum for the exchange of ideas and to promote fellowship between students, administrators, and the faculty;
- c. Foster the professional development of the students;
- d. Sponsor extracurricular programs and activities;
- e. Benefit the students and the school of law;
- f. Conduct fund-raising projects to support student events and scholarships;
- g. Promote high standards of academic excellence; and
- h. Promote goodwill between the school of law and the university student body.

### ARTICLE III

*Members*

**Section 1:** The membership of the SBA shall consist of all regular matriculating students of the UDC-DCSL.

**Section 2:** Membership in the SBA shall be terminated upon a student's graduation, separation, leave of absence, dismissal, or withdrawal from UDC-DCSL.

**Section 3:** There shall be NO membership dues, except those which are collected as the student activity fee.

**Section 4:** Any members desiring to resign from the organization shall submit his resignation in writing to the administrative officer for recording purposes and effect such resignation.

### ARTICLE IV

*Officers*

**Section 1:** The officers of the SBA shall be President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, and Parliamentarian. These officers shall perform those duties prescribed by this charter and by the parliamentary authority adopted by the SBA.

**Section 2:** The President's duties include: (a) Presiding over

meetings of the SBA; (b) Preparing the agenda for SBA and Executive Board meetings; (c) Serving as the Chair of the Executive Board; (d) Supervising and directing the work and activities of the SBA and Executive Board; (e) Authenticating for approval SBA requisitions and payment invoices; (f) Appointing of Sergeant-At-Arms, if necessary; and (g) Serving as the official representative of the SBA and School of Law student body.

**Section 3:** The Vice President's duties include: (a) Presiding over meetings of the SBA in the President's absence; (b) Supervising and reporting the concerns of the Executive Board, SBA and Student Senate committees, Senators, and Students to the President; (c) Serving as President of the Student Senate and as such ensure that the Senators and Senate Committees are well organized and getting the required support of the SBA; (d) Casting the deciding vote in the event of a tie in the Senate; (e) Authenticating for approval SBA requisitions and payment invoices; and (f) Serving as the official alternate or co-representative of the SBA and School of Law student body.

**Section 4:** The Corresponding Secretary's duties include: Serving as Chief Administrative Officer of the SBA and performing associated administrative tasks and functions.

**Section 5:** The Recording Secretary's duties include: Recording accurate minutes of the SBA, Executive Board, and Student Senate meetings and distributing them to all Senators, Executive Board members and all concerned and interested parties within 72 hours of adjournment.

**Section 6:** The Treasurer's duties include: (a) Keeping accurate financial records of income and expenditures; (b) Preparing financial statements as needed for the operation of the SBA and Student Senate; (c) Serving as an ex officio member of the Budget Committee; (d) Preparing expenditure requisition and process corresponding payment invoices; and (e) Ensuring expenditures are

approved by the SBA President or SBA Vice President.

**Section 7:** The Parliamentarian's duties include: (a) Serving as the advisor to the President on parliamentary matters; and (b) Chairing the school wide elections process.

**ARTICLE V**  
*SBA Meetings*

**Section 1:** The SBA may conduct mass student body meetings in accordance with Section 2 of this same article.

**Section 2:** Student body meetings may be called by the President or three fourths of the members of the Executive Board. The President or the Executive Board shall provide at least three days publication/posting notice to the student body and shall state the purpose.

**Section 3:** The SBA shall hold an organizing meeting in September.

**ARTICLE VI**  
*Executive Board*

**Section 1:** The Executive Board shall consist of the officers of the SBA and the Chairpersons of the SBA Standing Committees.

**Section 2:** The Executive Board shall have supervise the affairs of the SBA. The Executive Board duties shall consist of: (a) Making recommendations to the student body; (b) Acting as the recognized representative body of the School of Law's student body before the President of the University, the Dean of the Law School, and the School of Law faculty; (c) Planning and implementing activities for the student body, including but not limited to social and professional activities; and (d) Appointing student members/representatives to faculty and university committees.

**Section 3:** The Executive Board shall hold, at a minimum, at least one meeting per month during the academic year, except during the months of May, August, and December. If needed, it will meet in a special session during those months to transact necessary

business. Meetings shall be open to the student body.

- Section 4:** All meetings of the Executive Board require a quorum consisting of a majority of the Executive Board.
- Section 5:** Any Executive Board Member who has been absent from one Executive Board meeting, without excuse, shall receive a written private warning from the Judiciary Committee and after the second unexcused absence shall automatically forfeit membership on the Executive Board.
- Section 6:** Any Executive Board Member who has been absent from two Executive Board meetings, with excuse, shall receive a written private warning from the Judiciary Committee and after the third excused absence shall automatically forfeit membership on the Executive Board. An excused absence shall be issued upon illness, emergency, religious holiday, class conflict, or work schedule.
- Section 7:** All meetings of the Executive Board shall be conducted in accordance with Roberts Rules of Order Newly Revised.

**ARTICLE VII**  
*Committees*

- Section 1:** The standing committees of the SBA shall be the: (a) Student Services Committee; (b) Special Events Committee; (c) Community Relations Committee; (d) Academic Standards Committee; (e) Newsletter Committee; and (f) Elections Committee.
- Section 2:** The Student Services Committee shall plan activities designed to promote the students' transition into the law school community and their successful pursuit of professional goals. This committee is also charged with gathering, sorting, and verifying student concerns for presentation to the SBA, UDC-DCSL, and UDC leadership.
- Section 3:** The Special Events Committee shall plan, recommend, and execute events to be sponsored by the SBA to benefit the law school community.

**Section 4:** The Community Relations Committee shall organize volunteer service opportunities within the Washington, DC area. This is to aid first year students with their Law & Justice requirement. This does not account for clinical work.

**Section 5:** Academic Standards Committee shall formulate guidelines and present recommendations to the support academic excellence; fair and equitable academic evaluations and appeal processes; and organize academic assistance programs to meet student needs.

**Section 6:** The Newsletter Committee shall compile and publish student publications, exclusive of the Law Review, on a regular basis.

**Section 7:** The Elections Committee shall plan, monitor, and execute the UDC-DCSL wide elections. This committee will be composed of three senators and the parliamentarian. The parliamentarian will chair this committee. One senator will represent each class by Executive Board appointment.

**Section 8:** Such other committees, standing or special, shall be appointed by the President as the SBA or the Executive Board shall from time to time deem necessary to carry on the work of the SBA.

**ARTICLE VIII**  
*Student Senate*

**Section 1:** Each class shall elect five representatives to serve in the Student Senate.

**Section 2:** The Student Senate shall: (a) Receive and act on student clubs/organizations budget requests; (b) Receive and act on proposed amendments to the SBA Charter; and (c) Serve as a liaison between the student body and the Executive Board.

**Section 3:** The Student Senate shall consist of the following committees: (1) Budget; (2) Charter; and (3) Judiciary.

(a) Each permanent Senate committee reference in Article 8 Sec. 3 of the SBA charter will follow the established policies and procedures of that

committee. After approval of a majority senate vote those policies and procedures shall direct the internal business of the committee and shall carry the full weight of the Charter. Proposed changes to policies and procedures shall be voted on by the committee members and implemented as approved by a senate majority vote.

If no policy and procedure exists the committee chairperson is responsible as first order of business to establish said polices and procedures to be approved by majority vote of the senate.

- Section 4:** The Budget Committee process is detailed in Article XI.
- Section 5:** The Charter Committee shall propose and as necessary act upon proposed amendments or modifications to the SBA Charter.
- Section 6:** The Judiciary Committee process is detailed in Article IX.
- Section 7:** All Student Senate Committees will be composed of at least one representative of each class.
- Section 8:** The Student Senate shall exercise by resolution, the legislative authority of the SBA. Unless otherwise specified in the Charter, a majority vote of all members present shall be sufficient to adopt a resolution.
- Section 9:** The Student Senate shall hold, at a minimum, at least two meetings per month during the academic year, except during the months of May, August, and December. If needed, it will meet in a special session during those months to transact necessary business. Meetings shall be open to the student body.
- Section 10:** Any Senator who has been absent from two Senate meetings, without excuse, shall receive a written private warning from the Judiciary Committee and after the third unexcused absence shall automatically forfeit membership on the Student Senate.

**Section 11:** Any Senator who has been absent from three Senate meetings, with excuse, shall receive a written private warning from the Judiciary Committee and after the fourth excused absence shall automatically forfeit membership in the Senate. An excused absence shall be issued upon illness, emergency, religious holiday, class conflict, or work schedule.

**Section 12:** All meetings of the Student Senate shall be conducted in accordance with Roberts Rules of Order Newly Revised.

## **ARTICLE IX**

### *Judiciary Committee*

**Section 1:** The Student Senate Judiciary Committee shall consist of seven members, 2 Senators representing each class and a chairperson. The Chairperson shall be appointed by the Senate President with the consent of the Student Senate. Each member of the committee is entitled to one vote.

**Section 2:** The Judiciary Committee will adjudicate violations of the SBA charter and Senate committee policies and procedures. Any elected SBA member can initiate a complaint against any other elected SBA member.

#### A. The Complaint Process

1. The complaint must be in written form and hand delivered to the Chair of the Judiciary Committee and the Vice President of the SBA. E-mail is not a form of acceptable delivery.
2. The complaint must include the names of both the Complaining member of the SBA and the Respondent.
3. The complaint should include a brief and concise statement of the alleged violation.
4. The complaint should include all relevant SBA charter provisions and Senate committee policies and procedures that have allegedly been violated.
5. The complaint must be signed by the Complaining member.

- B. Complaint Resolution Process for the SBA  
Judiciary Committee
1. Step One
    - i. Verbal notice by Chair of Judiciary Committee or Vice President to the Responding member that a Complaint was lodged against them.
    - ii. The Judiciary Committee Chair and Vice President of the SBA have discretion as to whether to send the complaint to the rest of the Judiciary Committee for review. Decisions shall be based upon these facts: nature and/or severity of the complaint. If they choose to not send the complaint before the Judiciary committee, then the Chair of the Judiciary Committee and the Vice President have five working days to resolve the issue with the parties.
  2. Step Two
    - i. If resolution is not reached in Step One, then the following process will be used to resolve the issue.
      - a. Unless violation is particularly egregious, there is no sanction at this step.
    - ii. Responding member will receive a copy of the complaint within five working days after step one has been completed.
    - iii. Responding member has five working days to submit a written Answer to the complaint to the Judiciary Committee Chair.
    - iv. The written complaint and answer shall be heard to a closed meeting of the Judiciary Committee. The committee has five days to submit a written notification of their findings. If a violation was found then the respondent is notified in writing.
    - v. If responding member is dissatisfied with the finding, they may request a hearing before the Judiciary Committee that made the decision.

- vi. A hearing consists of six SBA members, five of which are voting members. The five voting members shall include the Chair of the Judiciary Committee and three alternating judiciary committee members, one from each class. If the responding member is an executive officer, then the President shall attend and vote. If the responding member is a senator, then the Vice President shall attend and vote. The Parliamentarian will be a non-voting attendee but will be responsible for maintaining procedure.
3. Step Three
    - i. If there is a second or subsequent complaint for the same issue, lodged against the same member, then skip Step One and Two and move to a full Judiciary Committee hearing.
    - ii. Removal from office or option to resign is a possible sanction at this level.
    - iii. The Judiciary Committee will submit a written decision to the Senate. If removal from office is the decision, the Senate will receive a copy of the complaint, answer, and decision. The Senate must vote to affirm or deny the decision.
  4. Appellate Procedure
    - i. If a party is sanctioned, they may appeal to the full Judiciary Committee for a hearing.
    - ii. If a party is removed from office, they may appeal to the Senate for a full Senate hearing.

**Section 3:** Professional standards of decorum are expected of all elected representatives of the SBA. Members will be held to the same standard as outlined in the UDC-DCSL Student Handbook and Honor Code. All SBA members shall also not engage in any activity which violates the policies and procedures of any Committee they are a part of or work with, any activity which violates the confidentiality of SBA business, or address any other member of the SBA using language not suitable for professional

use based upon the context of the complaint. SBA members will be held to a standard in which they will not engage in: a) acts that reflects adversely on the student's honesty, trustworthiness, or fitness as an SBA representative and b) engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

The Judiciary Committee, Judiciary Committee Chairperson, and SBA Vice-President shall use the Student Handbook, Honor Code, SBA charter, and the judiciary committee policy and procedures as the standard of review when determining a course of action for any and all complaints.

**Section 4:** At the completion of the adjudicatory procedures, if an elected member of SBA is removed, a public notice will be posted notifying the student body of the removal. Public notice consists a written posting on the SBA board. Notice shall include only (a) the Executive Board member's of Student Senator's name and (b) the Article and Section of the Charter that was violated.

**ARTICLE X**  
*Elections*

**Section 1:** Nominations for SBA Executive Board and Standing Committee Chairs shall be opened on the third Monday in March of the Spring Semester and continue for three days.

**Section 2:** Any student nominated for any SBA or Student Senate office shall be currently enrolled and planning on returning for the next academic year.

**Section 3:** All nominees are to be verified for good standing (academic and financial) with the Registrar and Finance office.

**Section 4:** Nominations shall be made in writing and shall include: (a) Name of the person being nominated; (b) Class in which the nominee is registered; and (c) Position which nominated for.

**Section 5:** Nominees shall abide by the regulations set forth by the elections committee regarding campaigning guidelines.

- Section 6:** Voting shall be by secret ballot commencing on the Monday immediately following the nomination period and shall continue for two days.
- Section 7:** The ballots shall be counted immediately following the closing of the polls. The ballots shall be counted by two SBA Board members who are not seeking an office and one member of the faculty.
- Section 8:** The election results shall be posted immediately after the ballots have been counted and verified.
- Section 9:** Initial inquiries regarding the election process shall be addressed by the elections committee. The decisions of the election committee shall be appealable to the SBA Executive Board members not having a direct interest in the outcome of the election results.
- Section 10:** The newly elected SBA Officers and Student Senators shall assume office immediately after the close of the last final exam for the Spring semester in which elected. There shall be a formal installation ceremony in August or September.
- Section 11:** Elections for Student Senators for the incoming first year class shall take place in the month of September.
- Section 12:** The term of office for all elected offices shall be from May-May.
- Section 13:** Where (1) any elected representative is removed from office, by the Judiciary Committee, for violations of this charter or (2) where any elected representative voluntarily resigns from office, by official written notice to this Senate or (3) where any elected representative automatically forfeits membership, per Article 8 Section 10 or Article 6 Section 6, then a special election will be held to fill the unexpired portion of the elected representative's term of office. If the office of President is vacant, the Vice President shall assume the Presidency. The Elections Committee shall plan, monitor, and execute the UDC-DCSL special election.

**Section 14:** The following oath shall be administered to elected officials:

"I, (name), do affirm that I will faithfully serve as (office) of the David A. Clarke School of Law's Student Bar Association. I, to the best of my ability, will preserve and enforce the provisions of the Charter of the SBA. I also affirm that I will diligently and faithfully perform all my duties as an officer of the SBA of the UDC-David A. Clarke School of Law."

A Judge of the District of the Columbia, the Dean, or the SBA President may administer the oath to all SBA officers. The VP may administer the oath only to Senators

**ARTICLE XI**  
*Budget Process*

**Section 1:** The Student Senate Budget committee shall consist of eight members, 2 Senators representing each class, a chairperson, and the SBA Treasurer. The Chairperson shall be appointed by the Senate President with the consent of the Student Senate. Each member of the committee is entitled to one vote.

**Section 2:** The Budget Committee shall receive, review, and make determinations regarding clubs and organizations budget requests.

**Section 3:** Funds shall be allocated by the Budget Committee only to organizations fully recognized and chartered at UDC-DCSL.

**Section 4:** The following categories shall be established to distinguish their funding hierarchy: SBA, Law Review Publications, and the Chartered Clubs/Organizations. The categories mentioned are required to submit requests for funding, except the SBA and Law Review Publications.

**Section 5:** The Budget committee may return a budget without action to an organization if additional information is needed or if inconsistencies exist.

**Section 6:** The following allocation percentages shall be utilized for the categories established: (a) Student

Clubs/ Organizations – 60%; (b) SBA – 25-30%, and (c) Student Publications – 10-15%, contingent on meeting budgetary requests requirements. The total distribution shall be 100% of the student activity fee collected. The committee cannot award more than the allocation listed above nor can the committee award more funding than is available.

**Section 7:** The budget mark utilized in the funding allocations formula shall be the student activity fee charged times the number of registered students in the Fall of each academic year.

**Section 8:** The budget request MUST contain the following:

(a) The Annual up-date form: This contains the name of the organization submitting the request, name, address, phone number of all officers and members. Identification of the faculty advisor.

(b) Mission Statement: This contains a synopsis of the purpose of the organization along with a statement of status of recognition.

(c) Release Form: This contains contact information for potential members and interested parties.

(d) Proposed Budget: This contains the amounts requested according to the University Chart of Accounts and a summery of the usage of the requested funds along with a spending plan.

(e) Calendar of Events: This contains a yearly program of planned and anticipated events to be conducted by the organization.

(f) Signature Card: his contains organization's name, Chief Executive Officer's name, phone # and signature, and the advisor's name and number.

(g) Bylaws: This is a copy of the organization's operating procedures.

(h) Summary of organizational activity from the prior year.

- Section 9:** The SBA Treasurer shall conduct appropriate budget preparations workshops and sessions as needed, at least two per semester.
- Section 10:** The Chair shall post notice of the budget call in August of each year. The notice of budget call shall include: (a) The deadline for submitting request, (b) The amount of funding available to each category; (c) Specific date/time of budget hearings; and the required submission materials.
- Section 11:** Budget hearings are open to the student body.
- Section 12:** The Budget Committee shall award funding based upon an average of the recommendations of each committee members. In the event of gross disparities in recommendation the chair is authorized to exclude the highest and lowest recommendations in computing the average.
- Section 13:** The Budget committee shall not act on any budget proposal with less than six members present.

## **ARTICLE XII**

### *Authority*

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with the national/ parent organization, these bylaws and any other special rules of order the organization may adopt.

## **ARTICLE XIII**

### *Amendments*

This charter may be amended at any regular meeting of the Student Senate by a two-thirds vote. A copy of the amended Charter shall be distributed to the members, SBA, and any other group which may have an interest in them. Adoption of this charter and amendments shall become effective at the close of the meeting in which adopted.