

**ALBANY LAW SCHOOL  
STUDENT BAR ASSOCIATION**

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**CONSTITUTION**

*As Ratified by the Student Body of Albany Law School - September 2, 2009*

*As Amended by the Student Body of Albany Law School – December 4, 2024*

*ARTICLE I: Name, Membership, Dues, Meetings, Voting*

*ARTICLE II: Senators, Senate Leadership, Vacancy of Office, Conflict of Office*

*ARTICLE III: Expenditure of Funds*

*ARTICLE IV: Senate Committees*

*ARTICLE V: Constitutional Amendments*

*ARTICLE VI: Preemption Clause*

*ARTICLE VII: Bylaws of The Student Bar Association Senate*

**PREAMBLE**

The students of Albany Law School establish the Student Bar Association for the following purposes:

- To enhance our legal education with particular attention to building a community that fosters professionalism; and
- To encourage internal reciprocity and civility among the students; and
- To facilitate an internal dialog and sense of civic engagement among Albany Law School community members; and
- To act as the principal channel of communication between the students, faculty, and administration of Albany Law School; and
- To act as an advocate for all students; and
- To fairly allocate the student activity fee to provide for activities that further the above purposes.

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**ARTICLE I**

Name

This organization shall be known as the Albany Law School Student Bar Association. It shall hereinafter be referred to as the “SBA”.

Membership

The membership of the SBA will consist of all members of the Albany Law School student body who are enrolled in a degree program.

a) Senate

- i) The SBA will be governed by a student legislative body known as the Student Bar Association Senate. It shall hereinafter be referred to as the “Senate.” Membership within the Senate shall consist of the Executive Board, Class Senators and At-Large Representatives.
- ii) Class Senators:
  - (1) One (1) Third Year Class President, four (4) Third Year Class Senators, one (1) Third Year Flex J.D. Senator
  - (2) One (1) Second Year Class President, four (4) Second Year Class Senators, one (1) Second Year Flex J.D. Senator
  - (3) One (1) First Year Class President, four (4) First Year Class Senators, one (1) First Year Flex J.D. Senator
- iii) One (1) Spring Start Representative and one (1) Graduate Program *et al* Representative.
- iv) At-Large Representatives: One (1) Diversity Representative, one (1) ABA Representative, one (1) NYSBA Representative, and one (1) ACBA Representative.

b) Executive Board

- i) The leadership of the Senate shall consist of an elected Executive President, Executive Vice President, Executive Treasurer, and Executive Secretary.

Dues (Student Activity Fee)

Members of the SBA shall be assessed dues. The amount of these dues shall be determined by the Albany Law School Board of Trustees with input by the Senate.

Meetings

- c) The Senate shall meet at least two (2) times per month during the academic calendar year. The scheduling of the first meeting each semester will be determined by the Executive Board and subsequent meeting dates shall be decided by the total Senate

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Membership after the fall elections of the 1L Class Senators. After the fall elections, the Senate shall publish the semester calendar of Senate meetings.

- i) The Senate shall meet at least two (2) times per month, except for the first and last month of each semester and during the summer recess.
  - ii) The Senate shall not schedule regular meetings on Fridays, Saturdays, or Sundays.
  - iii) Any member of the Senate may call for a Senate meeting by submitting a written petition with two-thirds of the total Senate membership to the Senate Secretary.
  - iv) All meetings shall be open to all members of the SBA, unless within Executive Session.
  - v) After the fall elections, the Senate shall adopt a set of procedural meeting rules such as Robert's Rules of Order.
- d) The Senate shall meet on important occasion at the discretion of the Senate Executive Board.

Voting

- e) Two-thirds of the total Senate Membership must be present in order to constitute a voting quorum.
- f) Motions made shall require a majority vote, by the Senate Membership, of those present at the Senate meeting unless otherwise stated within this Constitution.
- g) Two-thirds of the present Senate Membership at the meeting are required to move the Senate in to Executive Session/Secret Ballot.
- h) No Senate vote can take place electronically or through proxy-voting.
  - i) Zoom voting is permitted if acts of nature or school policy prevents in-person voting. Zoom voting will be conducted using the voting feature and must follow the ordinary voting procedures outlined in this Constitution.
- i) The Executive President shall only cast tie-breaking votes. All other Members of the Senate shall have full voting privileges.

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**ARTICLE II**

1) The Full Senate Membership

The duties of the full Membership shall include but are not limited to regularly attending Senate meetings, promulgating election rules pursuant to the bylaws, and actively participating and facilitating Senate sponsored events and initiatives.

2) The Full Senate Membership

a) The Senate Executive Board shall include the executive officers as provided for in Article I § 2(b). The duties of the executive officers shall be as follows:

i) Executive President

- (1) The Executive President shall serve as the facilitator and spokesperson for the SBA and Senate.
- (2) The Executive President shall attend and represent the SBA at faculty meetings or, if unable to attend, the Executive Vice President shall represent the SBA.
- (3) The Executive President shall interpret this Constitution. Any Senator shall have the ability to object to an interpretation. Upon majority vote, the Senate may overturn an interpretation decision by the Executive President and propose an alternative interpretation for majority approval by those present at the Senate meeting. The Executive President shall not participate in the vote.
- (4) Pursuant to Article I § 5(e), the Executive President shall not cast any votes within the Senate, unless to break a tie.
- (5) The Executive President shall be responsible for presiding over and forming the agenda for the Senate.
- (6) The Executive President in conjunction with the Executive Board shall maintain any social media or virtual platform that is dedicated or created for the SBA. Maintaining means keeping the information current and carrying on the use for which its creation was intended. The Executive President has the authority, with the advisor's approval, to keep or delete any said platforms every year.

ii) Executive Vice President

- (1) The Executive Vice President shall serve as the facilitator, spokesperson, and faculty-meeting representative for the SBA and Senate in the absence of the Executive President.
- (2) The Executive Vice President shall be responsible for maintaining ethical oversight of SBA student groups, class years, and the Senate.

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- (3) The Executive Vice President shall be responsible for organizing and executing a Senate transition program for any newly elected members of the Senate.
- (4) The Executive Vice President shall be responsible for the scheduling of Senate meetings and Senate Member office hours.
- (5) The Executive Vice President shall assume all reasonable duties placed upon the office by the Executive President and/or full Senate.

iii) Executive Treasurer

- (1) The Executive Treasurer shall serve as the chief financial officer for the SBA and Senate.
- (2) The Executive Treasurer shall receive all monies due to the SBA.
- (3) The Executive Treasurer shall make all disbursements as decided by this Constitution and its bylaws.
- (4) The Executive Treasurer shall make a full financial report at each regularly scheduled meeting of the Senate and upon reasonable request by a member of the Senate.
- (5) The Executive Treasurer shall keep the financial records up to date according to Albany Law School financial audit and accounting procedures.

iv) Executive Secretary

- (1) The Executive Secretary shall take and record all minutes for meetings of the Executive Board, Senate, and SBA. After recording, the minutes shall be published to the full membership of the SBA in a time period not to exceed five school days before the next regular Senate meeting.
- (2) The Executive Secretary shall manage all SBA and Senate communications, including but not limited to drafting all official Senate correspondence and receiving all postal and electronic mail.
- (3) The Executive Secretary shall organize and maintain all official SBA and Senate records, historical documents, and manage the SBA archive drive on the law school's computer network.
- (4) The Executive Secretary, in addition to contributing to deliberations, shall also keep minutes which will be incorporated into the finalized SBA Budget.

b) Class Senators:

The Class Senators shall actively represent the needs and concerns of their respect class years.

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c) Spring Start Representative:

The Spring Start Representative shall actively represent the needs and concerns of all students who enrolled in Albany Law School at the beginning of a spring semester.

d) Graduate Program *et al* Representative:

Graduate Program *et al* Representative actively represents the needs and concerns of all Graduate Programs, asynchronous Graduate Programs, Dual Degree Program, and all other Albany Law academic programs of which completion results in a degree other than a sole Juris Doctor. This includes, but is not limited to, the Master of Laws, Master of Science, and Advanced Certificate. Inclusion / exclusion of an academic program is at the discretion of the SBA Executive President. The Vice President shall be responsible for liaising with the Graduate Program *et al* faculty representative to ensure that this student population, many of which are online or do not follow traditional semester scheduling, receive an introduction to the SBA and its activities that is on par with that of JD students.

e) American Bar Association, New York State Bar Association, Albany County Bar Association At-Large Representatives:

The ABA, NYSBA, and ACBA Representatives shall interact with their respective parent organizations and provide any resources and information from those organizations to members of the SBA.

f) Diversity Representative:

The Diversity Representative is an At-Large Representative of the Senate who shall advise the SBA on diversity, equity and inclusion matters at the law school. The Diversity Representative position should be held by a member of a historically underrepresented community or be student who has demonstrated outstanding commitment to advancing diversity, equity, and inclusion. The Diversity Representative shall serve as liaison between the Student Body and the Diversity, Equity & Inclusion Office and shall work closely with the Assistant Dean for Diversity & Inclusion and the Assistant Director of Diversity, Equity, and Inclusion. The Diversity Representative will promote inclusivity and provide opportunities for the Student Body to exchange thoughts and ideas related to DEI issues on campus. The Diversity Representative shall serve on the Institutional Diversity Committee after being elected, as well as chair the Diversity Committee comprised of student members. The Diversity Representative will report on DEI initiatives and make recommendations to the SBA in regularly scheduled Senate Meetings.

g) Flex J.D. Senator:

The Flex J.D. Senators shall actively represent the needs and concerns of their respective Flex J.D. class years.

3) Vacancy of Office

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- a) Vacancy of an elected office shall have occurred when the officer has withdrawn from the school, resigned from office, recalled, or failed to advance with their class.
  - b) When a vacancy in office occurs, notice must be given to the Executive Vice President who will work with the Senate Elections Committee to organize an election to fill the vacancy within fifteen (15) school days. If the vacancy is of the office of Executive Vice President, the Executive Secretary shall assume the responsibilities of the Executive Vice President as stated in this Article II § 2(a)(ii).
  - c) In the event that an office in the Executive Board, other than the Executive President, becomes vacant, the Executive President may choose a person amongst the full membership of the Senate to assume the duties of the vacant position until a special election is held. If the vacancy is of the office of Executive President, the Executive Vice President may choose a person amongst the full membership of the Senate to assume the duties of the vacant position until a special election is held.
  - d) The line of Senate office succession shall start with the Executive President, then fall to Executive Vice President, then fall to the Executive Treasurer, then fall to 3L Class President, then fall to 2L Class President, then fall to the 1L Class President, and then fall to whomever is elected by majority vote of the full Senate membership.
- 4) Conflicts of Interest
- a) Prior to the first meeting of each semester, each Senate Member shall submit to the Executive President a disclosure listing any and all conflicts of interests, as defined in subsection (b) of this policy.
    - i) The Executive President shall publish all conflicts of interests at the first meeting of each semester and at each budget meeting.
    - ii) Senate Members shall update their conflicts with the Executive President when they have a new conflict.
  - b) Conflict of Interest Defined.
    - i) A Senate Member shall be considered to have a conflict of interest if they: (1) hold or will hold, during the current academic year, an Executive Board position in an Albany Law School Affiliated Organization; or (2) have had or does have an active role in organizing the event that the funds are being requested for via their budget request form sent to the Executive Treasurer.
    - ii) Clubs requesting money from the SBA will hold the burden of deciding who had an active role in organizing their proposed event. Clubs shall indicate on their budget request form who they believe had an active role in the event, and have discretion in interpreting what an active role means. If a Senate Member is listed as having an active role in the event, they will be conflicted out from voting.

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- iii) Albany Law School Affiliated Organizations include both SBA-Chartered Organizations and non-SBA-Chartered Organizations. Albany Law School Affiliated Organizations do not include each respective class year or the Student Bar Association at large. Only Class Presidents have conflicts and must abstain from voting on their class events. The Class Senators (not Presidents) may vote on proposed class events.
- c) Abstentions
- i) Senate Members shall abstain from voting on any matter under consideration by the Senate regarding any Albany Law School Affiliated Organization with which the Senate Member has a conflict of interest.
  - ii) A Senate Member who is an Executive Board Member of an Albany Law School Affiliated Organization is subject to subsection (c) irrespective of how many Senate Members hold common membership outlined in subsection (e).
  - iii) If any Senate Member think they should be considered a conflict and do not fulfill the requirements of subsection (b), they may voluntarily submit their name as a conflict.
- d) When discussing allocation of funds, Senate Members who are considered to have a conflict of interest shall leave the room upon discussion and voting and will only be allowed to answer questions when they are brought into the room, comparable with calling contacts listed on a budget request. They may not advocate for funds on the organization's behalf.
- e) Exceptions
- i) A Senate Member who is an Active Member of an Albany Law School Affiliated Organization shall only be subject to subsection (c) if three or more Senate Members hold common membership, as Active Members or Executive Board Members, in the Albany Law School Affiliated Organization in which the Senate Member is an Active Member.
- f) Any Senate Member who is uncertain as to whether a conflict of interest exists may request the Senate to resolve the question by a two-thirds vote of the Senate. No abstentions are allowed when determining a question of conflict uncertainty, besides the Executive President and the Senate Member with conflict uncertainty.
- g) Any Senate Member who is subject to subsection (c) of this policy may apply to the Senate for a waiver of the provisions of this policy. A waiver shall be authorized by a two-thirds vote of the Senate.
- i) Waivers shall be granted on a per meeting, per person basis.
  - ii) The Senate Member who is the subject of the waiver request shall not participate in the vote.

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- iii) The grant of a waiver does not affect the assessment of common membership required under subsection (d) of this policy.

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**ARTICLE III**

- 1) The SBA Budget, devised each academic semester, shall be appropriations of SBA funds for recognized student groups, class years, the Senate, and school wide initiatives and events that fall under the umbrella of the SBA for financial support.
  - a) No recognized student groups, class year, or the Senate shall discriminate or segregate in its membership or any of its activities on the basis of sex, race, creed, religion, national or ethnic origin, age, marital status, or sexual preference.
    - i) SBA student groups petitioning for funding through the SBA budget process must allow participation of each and every member of the SBA for the requested appropriation.
    - ii) Individual class years petitioning for funding through the SBA budget process must allow participation of each and every member of their specific class for the requested appropriation for the purposes of class cohesion.
  - b) The Executive President may submit a proposal during each SBA budget process for appropriations to cover reasonable expenses associated with the operation of the Senate.
  - c) Upon adoption of the SBA Budget, the Executive Treasurer shall publish all budget requests, budget appropriations, and the total budget to the Membership of the SBA.
    - i) The Executive Treasurer is responsible for maintaining records of the present SBA Budget and the SBA Budgets for the previous six (6) years.
- 2) Interest-free loans will be available to SBA student groups and class years. These loans, with consent of the Senate, must be repaid in full at the date specified by the Senate. The purpose of a special loan is to provide “start-up” costs. Failure to re-pay the loan will result in penalization as deemed appropriate by the Senate Membership.
- 3) The Executive Treasurer is authorized to make any disbursement of the SBA funds as long as consistent with the adopted budget and the bylaws.
- 4) In the event that there is urgency for SBA funds, which cannot be postponed until the next general Senate meeting, or in a time period insufficient to assemble a meeting of the Senate, an emergency disbursement may be appropriated with the approval of the Executive President and the Executive Treasurer. Such action must be reported at the next meeting of the Senate for approval or retraction.
- 5) Allocated SBA funds to a student group, class year, or the Senate, distributed to it by the SBA Budget, may not be revoked unless:
  - a) They have not been spent by the end of the school semester for which they were appropriated;

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- b) They have been used by a member of the organization contrary to a properly made decision of the organization;
- c) The organization voluntarily turns them back to the SBA; or
- d) They are removed by the Senate due to a use which violates this Constitution or the bylaws, such as discrimination.

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**ARTICLE IV**

- 1) The Senate shall have a committee system. Committees shall either be temporary as created by the Senate or standing as outlined in this Constitution or its bylaws.
  - a) Committee members are to be chosen by vote of the full Senate.
  - b) Chairpersons of all committees shall be internally elected from among each committee, unless otherwise provided for in this Constitution.
- 2) The following Senate Standing Committees are created by this Constitution:
  - a) The Elections Committee shall be responsible for regulating and conducting nominations and elections for all elected positions as defined in Article I. Any candidate seeking election is precluded from any direct participation in the electoral proceedings.
    - i) The Elections Committee may only be comprised of those not eligible to run for a Senate position in the upcoming school year.
    - ii) The Elections Committee shall have at least three (3) members.
  - b) The Transition Committee shall be responsible for supporting the newest members of the Senate and providing resources and training. The Transition Committee shall also be responsible for organizing and hosting New Senator Orientation.
    - i) The Transition Committee will be chaired by the Executive Secretary.
    - ii) The Transition Committee shall have at least one (1) 1L from the Senate.
    - iii) The Transition Committee shall have at least three (3) members.
  - c) The Finance Committee shall be responsible for submitting each semester's SBA Budget to the full Senate for approval.
    - i) The Finance Committee shall be chaired by the Executive Treasurer.
    - ii) The Finance Committee shall have at least three (3) members.
  - d) The Events Committee shall be responsible for the planning and execution of school wide and SBA sponsored events and activities, including but not limited to: Justice Jackson lectures, and at least one (1) social event in the fall and spring semesters.
    - i) The Justice Robert H. Jackson Lecture Series are educationally enriching lectures, presentations, or panel discussions put on for the purpose of bringing high-profile speakers before the Albany Law School community and the Capital Region as a whole. A student group, law school class year, or the Senate may organize the lectures. Due consideration shall be given to the budget requests of the Justice Jackson Lecture Series, in recognition of its longstanding tradition of excellence and its status within the SBA.
    - ii) The Events Committee shall have at least three (3) members.

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- e) The Ethics Committee shall provide oversight of the activities of student groups, class years, and the Senate.
  - i) The Ethics Committee shall be chaired by the Executive Vice President.
  - ii) The Ethics Committee Chairperson shall not cast any votes, with the exception to break a tie.
  - iii) The Ethics Committee shall be composed of the Executive Vice President, at least two (2) elected Senate Members, and three (3) non-elected members of the Senate taken from the student body.
- f) The Bylaws Committee shall be responsible for proposing and discussing amendments to the bylaws. These amendments must be voted out of committee by a simple majority. They will then follow the rules for changing the bylaws set out in this Constitution and its Bylaws.
  - i) The Bylaws Committee shall have at least five (5) members, at least three (3) elected Senate Members (with representation from at least two (2) classes), and at least two (2) non-elected members of the Senate taken from the student body.
- g) The Philanthropy Committee will be responsible for the Professional Clothing Closet Program and will plan at least one (1) charitable event per year for the student body to participate in. Senate Membership participation for the charitable event is mandatory unless there are extenuating circumstances.
  - i) The Philanthropy Committee shall have at least five (5) members, with two (2) or more non-elected members of the Senate taken from the student body.
- h) The Alumni Committee will assist in helping with the Alumni Weekend. This Committee will organize an SBA Alumni gathering. Senate Membership participation is mandatory unless there are extenuating circumstances.
  - i) The Alumni Committee shall have at least five (5) members, with two (2) or more non-elected members of the Senate chosen from the student body.
- i) The Diversity Committee shall be responsible for bringing diversity, equity, and inclusion matters to the SBA. The Committee will work with the Office of Diversity, Equity, and Inclusion to promote inclusivity on campus and listen to student concerns.
  - i) The Diversity Committee shall be chaired by the Diversity Representative.
  - ii) The Diversity Committee shall have at least four (4) members, comprised of at least two (2) non-elected members chosen from the student body.
  - iii) Should an ethics complaint arise that raises a concern relating to diversity, equity, or inclusion, such a complaint must be addressed by the Ethics Committee in conjunction with the Diversity Committee.

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- j) The Safety Committee shall be responsible for promoting and ensuring the safety and security of all students, staff, and visitors within school premises. The Safety Committee shall also develop and recommend safety policies and procedures to school administrators, raise awareness about safety-related issues among the student body, collaborate with relevant school authorities and external organizations to enhance safety measures, and act as a liaison between students and school administration in safety matters.
  - i) The Safety Committee shall be chaired by the Executive Vice President.
  - ii) The Safety Committee shall have at least four (4) and no more than five (5) members comprised of at least one (1) student from each class year and at least one (1) non-elected member from the student body.
  - iii) The Safety Committee shall meet, with the schedule determined at the start of each academic year, or convene when deemed necessary.
  - iv) Should a safety complaint or report arise to the Safety Committee, such report must be addressed by the Safety Committee in conjunction with campus security.

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**ARTICLE V**

Amendments to this Constitution may be initiated by bringing amendments to the Bylaws Committee for review and upon their approval. The Executive Secretary must verify the petition. Upon verification of the petition or after a vote to amend the Constitution by the Senate, the Executive Secretary shall publicize the date of the vote and post the proposed amendment. The vote must occur within ten (10) school days after verification of the petition or vote by the Senate. At least five (5) school days notice must be given to the membership of the SBA before the vote is held. Ten percent (10%) of the student body must participate in the vote in order for it to be valid. A simple majority is required of those voting, for the amendment to pass.

- 1) Amendments to the Constitution that are approved by the student body gives the Senate discretion to amend any other relevant bylaw directly related to that amendment to work in accordance with the aforementioned amendment by a unanimous Senate vote. This type of amendment must occur in the same school year the amendment was passed in. Abstentions do not affect the unanimity.
  - a) This process circumvents the normal amendment making process, and it requires a unanimous vote by the Senate and notice to the student body by school email of the changes.
  - b) Appeals may be made by any student by (1) notifying the Executive Secretary as to why you disagree with the proposed change, or (2) notifying the Executive Secretary you will attend the next Senate meeting to voice your concerns. All complaints will be heard consecutively during the Senate meeting.
  - c) Any appeal automatically triggers a re-vote after the student(s) have been heard and the appealed amendment requires a unanimous vote to be approved.

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**ARTICLE VI**

Preemption Clause:

1) Preemption Clause, Generally

- a) The SBA Constitution, SBA Bylaws, and everything contained herein does not supersede any rules, regulations, policies, or practices of Albany Law School or its administration. If there is a *direct conflict* between a policy, regulation, rule, or practice of Albany Law School or its administration and the SBA Constitution and/or SBA Bylaws, the term(s) at issue in the SBA Constitution and/or SBA Bylaws shall be considered inferior and deemed inapplicable.

2) Albany Law School Rules and Policies Defined

- a) Albany Law School Rules and Policies is defined as policies or notices that the students expressly or implicitly agreed to due to their enrollment at Albany Law School including, but not limited to:
  - i) The Drug and Alcohol Policy;
  - ii) The Non-Discrimination Policy;
  - iii) The Red Flag Policy;
  - iv) The Student Bill of Rights;
  - v) The Student Policy on Harassment, Sexual Assault & Relationship Violence;
  - vi) The Whistleblower Policy;
  - vii) The Student Handbook.
- b) The list provided under Article Six section (2)(a) is not an all-inclusive list and should not be construed as such.
- c) The list provided under Article Six section (2)(a) represents examples of policies in place at the time of the passage of this amendment.
  - i) If any Albany Law School Rule or Policy, including, but not limited to, those exemplified in this Article Six under section (2)(a), is amended, this Article need not be amended, and the SBA Constitution and SBA Bylaws must not conflict with the newly amended Rule or Policy. The provisions of this Article must still apply to the newly amended Rule or Policy.
  - ii) If any of the above enumerated examples are revoked or disavowed, this Article need not be amended and does not apply in regard to the revoked or disavowed Rule or Policy.

3) Nothing Construed

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- a) Neither the SBA Constitution and/or SBA Bylaws shall be construed as:
  - i) a contradiction to the Albany Law School Student Handbook or the Albany Law School Rules and Policies; or
  - ii) a modification or revocation to the Albany Law School Student Handbook or the Albany Law School Rules and Policies; or
  - iii) preempting the passage of additions, deletions or modifications to the Albany Law School Student Handbook or the Albany Law School Rules and Policies.
  
- 4) Remedying Conflicts of SBA Constitution and/or SBA Bylaws
  - a) Upon learning of a conflict between the SBA Bylaws and/or SBA Constitution and the Albany Law School Rules and Policies, the Bylaws Committee shall remedy the conflict by either deletion or modification of the conflicting term(s) to make the SBA Constitution and/or SBA Bylaws in conformity with Albany Law School's Rules and Policies.
  
  - b) If the conflict remedy requires an amendment to the SBA Constitution, the requirements under Article Five can be waived.
    - i) For purposes of this clause, the amendment can only remedy the conflict with Albany Law School Rules and Policies. This clause can only be invoked to remove or modify an existing constitutional clause to be in conformity with Albany Law School Rules and Policies.
  
    - ii) In place of the requirements under Article Five, the Senate must pass the amendment to the SBA Constitution by a unanimous Senate vote. This type of amendment must occur in the same academic year of the discovery of the conflict with the Albany Law School Rule or Policy.
      - (1) Abstentions do not affect unanimity.
      - (2) This process circumvents the normal constitutional amendment procedure outlined in Article Five.
      - (3) Upon passage of this amendment, notice to the entire student body by school email of these changes must be done within forty-eight (48) hours.
  
    - iii) If the unanimous Senate vote fails, the Chairperson of the Bylaws Committee may make a motion pursuant to Article Five following the normal amendment procedure.

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**ARTICLE VII**

**Bylaws of the Student Bar Association Senate**

*As Ratified by the Student Bar Association Senate – September 16, 2009*

*As Amended by the Student Bar Association Senate – November 6, 2024*

*Bylaw One: General Senate Operations*

*Bylaw Two: Administrative and Event Rules for Senate Rules and Committees*

*Bylaw Three: SBA Senate Elections*

*Bylaw Four: Election Complaints and Recounts*

*Bylaw Five: Senate Member Removal Procedure and Resignation Process*

*Bylaw Six: SBA-Related Reporting*

*Bylaw Seven: Special Election Procedures*

*Bylaw Eight: Requirements for Recognition of Student Organizations*

*Bylaw Nine: Requirements for Continued Recognition of Student Organizations*

*Bylaw Ten: Finance Committee and Budget Meetings*

*Bylaw Eleven: Rules Governing Expenditure of SBA Funds*

*Bylaw Twelve: Ethics and Anti-Discrimination*

*Bylaw Thirteen: Email and Advertising Policy*

*Bylaw Fourteen: Safety Committee*

*Bylaw Fifteen: Alumni Committee*

**Transparency Clause:**

The full Agenda for an upcoming Student Bar Association Senate (“Senate”) meeting must be published at least twenty-four (24) hours in advance of the meeting. The Agenda must be posted on the Student Bar Association Canvas page along with any supplemental budget request forms and be made available to the entire student body. The Agenda must notify the entire student body that there will be a public open forum portion of the Senate Meeting which any student is welcome to attend and where students may voice any concerns they may have. Within seven (7) days of adjournment of the Senate Meeting, the meeting minutes will be published on the Canvas page. Voting results will show whether the measure under consideration of the Senate either “Passed,” “Did Not Pass,” or “Tabled to a Future Date.” If any requested budget is only partially funded, what was funded must also be included in the meeting minutes.

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***Bylaw One: General Senate Operations***

1) SBA Meeting Operations

a) The bylaws of the Senate may be enacted, amended, or abolished in the following manner:

- i) By a three-fourths vote of the full membership of the Senate.
- ii) By an amendment proposal by any member of the Senate requiring a majority vote pursuant to Article V of the Constitution.
- iii) A majority vote shall mean a simple majority of actual votes cast.

b) Order and Discussion

- i) The Executive President shall preside over all Senate meetings. Any decision made by the Executive President at a Senate meeting is subject to appeal. Except as otherwise noted, a two-thirds vote by the Senate is necessary to overrule the Executive President.
- ii) Business will be attended to in the order it appears on the posted agenda. The order of agenda items may, however, be varied at the discretion of the Executive President, absent disapproval by a majority of Senate Members.
- iii) The Executive President will conduct discussion of any business that is before the Senate. Discussion will be maintained in an orderly fashion. Anyone attending a Senate meeting, including non-members, shall have the right to be recognized by the Executive President and speak to any business before the Senate. Those wishing to speak shall do so in the order in which they are recognized. The Executive President may limit discussion of a motion and call a question to a vote, subject to appeal by Senate Members as set forth in section 2(a) of these bylaws.
- iv) Any Member of the Senate may be recognized at any point during a discussion by raising a point of order. Such an interruption may be made for any reason, for instance, to request information or request quiet. The Senate Member shall immediately be recognized by the Executive President.
- v) A meeting will be adjourned when all business to be considered at that meeting has been considered, or upon a duly voted upon motion to adjourn.

c) Motions

i) Substantive motions

- (1) Any Member of the Senate may make a substantive motion. The motion must be seconded by a voting Member to discuss the motion or act on it. Once made and seconded, the motion will be discussed in accordance with section two (2) of these bylaws. Only one substantive motion may be considered at a time. Discussion should and may ensue. Upon completion of the discussion, the motion will be called to a vote. A majority of the Senate Members present will carry a motion in the form

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of 0: 0: 0. (All in favor: all opposed: abstentions). A vote is valid only in the instance of there being an initial quorum.

- (a) Votes may be recorded by a raising of hands. Such a vote may be recorded as an “Up Vote/Down Vote” in the Senate Meeting’s minutes.
- (b) At the discretion of the Executive President, in consultation with the Executive Board, a vote may also be recorded via a designated secure electronic voting system concurrent with an in-person Senate meeting.
- (c) Any Senate Member may call for a “Roll Call Vote” requiring the Executive President to call the roll of the entire present Senate membership in order (from Executive Vice President to Bar Association Representatives) and ask for a response of “Yes,” “No,” or “Abstain.” Absent Members will be marked as “Absent.” Such a vote may be recorded as a Roll Call Vote in the Senate Meeting’s minutes.

d) Procedural motions

- i) Procedural motions are available to members of the Senate to aid in dealing with substantive motions or other Senate business. All procedural motions must be seconded, are debatable and are also carried by a majority vote as described above, unless specified otherwise. Only one procedural motion may be considered at a time. Motions to call the question, to recess, or to move into or out of Executive Session, however, may be considered at any time. The following is a listing of procedural motions:

- (1) Lay on the table/take from the table -- will postpone discussion in order to attend to more important business, or to re-introduce a motion previously tabled.
- (2) Postponement to a definite time -- will postpone discussion to a specified time.
- (3) Call the question -- will call to a vote any motion currently on the floor. This motion is not debatable and requires a two-thirds vote to carry.
- (4) Commit or refer to committee -- will send the motion to an appropriate committee for consideration.
- (5) Amendments -- will change a motion currently on the floor. No amendment may be made which substantially changes the character of the original motion.
  - (a) Once an amendment to a motion has been made and accepted, discussion reopens on the modified motion.
  - (b) If the movant disagrees to an amendment, the Senate must vote on accepting the amendment. If the vote fails, the amendment

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and discussion reopens on the original motion. If the vote succeeds, then the amendment is added, and discussion continues on the amended motion.

- ii) Upon completion of this process, the main motion is again placed on the floor, either as it stood (if the amendment failed), or as amended (if the amendment passed).
- e) Executive Session -- will exclude all from the meeting who are not Senate Members. Such a motion is out of order unless the action is permitted by this Constitution.
  - i) Executive Session must be entered into to vote on the Senate and Committee proposals.
- f) Division of a question and consideration by paragraph -- will allow a motion to be called to vote one section or one paragraph at a time.
- g) Suspension of rules -- will suspend any rules in these bylaws. This motion requires a full Senate and a three-fourths majority to pass.
- h) Once an amendment to a motion has been made and accepted, discussion reopens on the modified motion.
- i) Recess -- will recess the meeting for a fixed period of time. This motion need not be voted upon or seconded unless there is an objection.

2) Mandatory Surveys

- a) School-Wide Surveys
  - i) At the beginning of each semester, the Executive Board shall send a school-wide survey.
  - ii) Questions shall be created at the discretion of the Executive Board, however, there should be a questions about the Senate's performance.
    - (1) The survey shall also include questions about what students would like to see for the semester.
- b) Post-Event Surveys
  - i) After every Senate sponsored event that exceeds \$500.00 the Executive Board shall send out a survey to all event attendees to give feedback on how they felt the event functioned, including questions regarding positive and negative feedback; as well as suggestions for future iterations of the event.
- c) Anonymity
  - i) The Executive Board has the discretion to choose whether the survey is anonymous, however, only one Executive Board Member shall be allowed to see the names and emails of respondents if the survey is not anonymous.
    - (1) The anonymity must be disclosed to the Student Body, including the specific title of who will see the names.
- d) Results
  - i) A de-identified, unspecific summary of the responses shall be disclosed to the Senate, Administration, and Student Body.

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- (1) The Executive Board maintains discretion to withhold certain information as they deem necessary and reasonable.
- 3) Senate Transitioning
- a) Within seven (7) school days after the close of elections and ballot counting, the Transition Committee Chairperson will schedule a date and time to meet with the newly elected Senate Members.
    - i) The Meeting will convene to inform newly elected Senators about the expectations and responsibilities regarding their new role.
  - b) The Senate Members outlined in 2(b)(I)(1) shall draft a “Transition Sheet,” which details the expectations and duties of the Senate position, along with important details necessary to effectively serve their constituents. The Transition Sheet should be updated each year before being handed to the Senate successor.
    - i) The current Senate Members must meet with their newly elected successor within seven (7) school days after the close of elections and ballot counting to share the Transition Sheet.
      - (1) The Senate positions that shall create a Transition Sheet include, but are not limited to:
        - (a) The Executive President
        - (b) The Executive Vice President
        - (c) The Executive Treasurer
        - (d) The Executive Secretary
        - (e) 3L Class President
        - (f) 2L Class President
        - (g) 1L Class President
        - (h) All At-Large Representatives
  - c) The current Senate and newly elected Senate must be in attendance at the final SBA meeting of the Spring semester.
  - d) Executive Board Members, Class Presidents, and At-Large Representatives shall allow the newly elected Senate Members to shadow them and must meet with them at least once to discuss the position before the semester ends.
- 4) Bills
- a) “Bills” shall mean documents presented by Senate Members that propose amendments to the Student Bar Association’s Constitution or Bylaws; set annual, temporary policies of the Student Bar Association; set the budget for the Student Bar Association; or otherwise direct some type of action to be taken by the Student Bar Association upon passage.
  - b) Any proposals by Senate Members to change the Student Bar Association’s Constitution or Bylaws, adopt a budget, set annual or temporary policies, or otherwise direct the Student Bar Association to take some action must be set forth in a written bill for consideration.
    - i) This requirement is excused if preparing a written bill would be wholly impractical and unreasonable under the circumstances.
  - c) Pursuant the budget process described in Bylaws Ten and Eleven, the Executive Treasurer shall submit a proposed semester budget in the form of a bill.
  - d) Bills must specify when the act shall take effect.

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- e) For a bill to be considered and passed by the Senate, one Senator must sponsor the bill.
  - f) The Senate Secretary shall be responsible for assigning each bill a unique identification number.
- 5) Resolution
- a) “Resolutions” shall mean documents presented by Senate Members that formalize a position or memorialize a statement or message by the Student Bar Association.
  - b) Resolutions are permitted to be proposed and passed by Senate Members for memorializing the Student Bar Association’s formal position on a topic or for formally transmitting messages external to the organization.
  - c) The Senate Secretary shall be responsible for assigning each resolution a unique identification number.
- 6) Legislative Recordkeeping
- a) The Executive Secretary shall be responsible for developing a database or organized recordkeeping system for bills and resolutions readily accessible to the public.

***Bylaw Two: Administrative and Event Rules for Senate Members and Committees***

- 1) The Senate Executive Board shall meet with the Senate Faculty Advisor prior to the start of the school year to establish rules and policies for Senate Members (“Senate Rules and Policies”), including, but not limited to:
- a) an attendance policy;
  - b) a virtual attendance policy for Senate Meetings;
  - c) date(s) for the annual New Senate Member Orientation; and
  - d) procedures should any of the rules or policies established be breached.
- 2) The Senate Rules and Policies shall be sent to the current Senate within forty-eight (48) hours of creation. Once the 1L Class Senate is elected, they shall receive the Senate Rules and Policies along with the SBA Constitution and Bylaws. The annual New Senate Member Orientation shall take place after the election of the 1L Class Senate and shall at least cover (1) the SBA Constitution and Bylaws, (2) the Senate Rules and Policies, (3) the Senate Committees, and (4) any other matter as determined by the Executive Board.
- 3) Mandatory rules governing Senate-run school-wide events that exceed \$1,000:
- a) The Executive President may either make any Senate-run event mandatory or exempt any Senate-run event from being mandatory under this section.
  - b) Each Senate Member is required to assist in the set-up, clean-up, and operation of any Senate-run school-wide event, if they will be attending the event.
  - c) If any Senate Member is unable to assist with the event, they must give notice, no less than seven (7) school days before the event, unless it is an emergency, to the person who is primarily leading the event, the Executive President, and the Executive Secretary.
    - i) Along with notice, the Senate Member must also provide proof for reason of absence and/or any other supporting documentation as requested in order to obtain approval for the absence. The acceptance of proof is under the discretion of the person primarily leading the event, the Executive President, and the Executive Secretary.

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- d) If a Senate Member is tasked with acting as a “student bartender,” the Senate Member must comply with the Albany Law School Alcohol Policy.
    - i) Upon any report, from a Senate or non-Senate Member, that a Senate Member was in breach of this section, the Senate Faculty Advisor shall have full discretion with the investigation and disciplinary procedure to follow.
  - e) Any and all Senate Members who are hosting a Senate-run school-wide event must receive full Senate approval of the event details prior to requesting funds or, in the case that funds have already been “ear-marked,” signing any contracts or purchasing anything for the event. Event details must include, but are not limited to:
    - i) the time and date of the event;
    - ii) the venue of the event;
    - iii) the theme of the event;
    - iv) the price of tickets that may be sold;
    - v) the price and amount of merchandise that may be sold;
    - vi) the food and beverages that will be provided; and
    - vii) any entertainment to be provided, including DJs, photo booths, photographers, etc.
  - f) For the purposes of efficiently implementing the requirements enumerated in subsection (3)(e) of this Bylaw, “full Senate approval” shall mean a majority vote in the affirmative of the Senate upon a substantive motion as defined in Bylaw One subsection (1)(a)(iii).
  - g) For the purposes of efficiently implementing the requirements enumerated in subsections (3)(e) and (3)(h) of this Bylaw, an “immediate decision” shall be any decision requiring an affirmative or irrevocable acceptance between the Student Bar Association and an outside party on a contract or other purchase subject to the requirement of subsection (3)(e) prior to the next Senate meeting.
  - h) If a contract or any other purchase subject to the requirements enumerated in subsection (3)(e) requires full Senate approval, an immediate decision of the Senate, and full Senate approval cannot otherwise be obtained, a secure electronic voting system, as permitted by Article I, may be used to obtain full Senate approval.
- 4) Committee Rules
- a) Committees must meet within at least seven (7) school days after Committees are approved by the Senate.
  - b) At the first Committee Meeting, the Committee Members must determine:
    - i) The future meeting dates and times or frequencies
    - ii) The Committee Chairperson
    - iii) The person who is responsible for recording the Committee minutes
    - iv) The above information must be submitted to the Executive President within one (1) week of the first meeting.
  - c) Committees must keep minutes at every meeting, which shall be submitted to the Executive President and the Executive Secretary. Such meetings will be released to the Senate prior to every Senate Meeting.

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***Bylaw Three: SBA Senate Elections***

1) Election Procedure

- a) At least three (3) school days notice shall be given in advance of any election for a position listed in Article II.
- b) Elections shall not be held on a Friday, Saturday or Sunday. However, in a primarily electronic election, it is permissible for voting to end on a Friday before 3 pm EST, as long as the polls opened on or before the previous Wednesday.
- c) A petition must be filed with the Elections Committee in order for a candidate's name to be placed on a ballot for any position listed in Article II.
  - i) A petition shall contain the signatures of:
    - (1) at least fifty (50) members of the student body for a position on the Senate Executive Board;
    - (2) at least twenty-five (25) members of the respective class for 3L Class President, 3L Class Senator, 2L Class President, 2L Class Senator, 1L Class Senator;
    - (3) at least five (5) members of the respective class for 3L Flex J.D. Senator, 2L Flex J.D. Senator, 1L Flex J.D. Senator;
    - (4) at least twenty-five (25) members of the student body for ABA Senator, NYSBA Senator, ACBA Senator, Diversity Senator;
    - (5) at least five (5) Graduate Program et al members for a position as Graduate Program et al Representative; or
    - (6) at least five (5) Spring Start members for a position as Spring Start Senator.
  - ii) Potential candidates must have the required number of signatures as indicated in section 1(c) of these bylaws to be placed on the ballot.
  - iii) Candidates choosing not to appear on the ballot remain subject to all election rules; any violation will go before the Elections Committee and may result in immediate disqualification. Petitions must be submitted via the locked box on the bookcase to the right of the library entrance no later than the date communicated to the class by the Executive Board.
- d) Any candidate running for an Executive Board position must have served at least one (1) year on the Senate to be eligible for the position.
- e) Personal Statements
  - i) Each candidate must submit a typed personal statement not to exceed one page in length due by email addressed to the Executive Vice President, no later than the time petitions are due.

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- ii) Personal statements must be submitted to the Elections Committee.
  - iii) Personal statements shall not endorse any other candidate.
  - iv) Personal statements will be made available to students via email and will also be made available at the ballot box.
- f) Election
- i) The election will occur on the date communicated to the student body by the Executive Board.
    - (1) The election date shall begin no later than week of March of the Spring Semester.
- 2) Voting
- a) All elections shall be conducted via Plurality Voting until all of the Senate positions have been filled, or as otherwise specified in this section.
  - b) The Elections Committee must promulgate rules to the entire student body in order to provide the student body with notice and information regarding the proper Election Procedures. These rules must be voted on and approved by the Senate with a three-fourths majority vote. No Senate Member may abstain from voting on these rules.
    - i) E.g., a cheat sheet for how to vote / a checkbox on the form in order to put all students on notice that they are allowed to vote for more than one candidate.
  - c) Plurality Voting for Single Seat Positions
    - i) Plurality Voting shall be used for the following single seat positions:
      - (1) Executive President, Executive Vice President, Executive Treasurer, Executive Secretary, 3L Class President, 2L Class President, 3L Flex J.D. Senator, 2L Flex J.D. Senator, 1L Flex J.D. Senator, ABA Senator, NYSBA Senator, ACBA Senator, Diversity Senator, Graduate Program et al Representative, and Spring Start Senator.
    - ii) Each voter will receive one vote per single seat position and may only vote for one candidate for each position.
    - iii) The candidate with the greatest number of votes will win the position.
    - iv) In the event there is a tie, there shall be a run-off election and the candidate with the greatest number of votes shall win the position.
      - (1) The run-off election must be conducted within the next five (5) school days.
  - d) Plurality Voting for Multiple Seat Positions
    - i) Plurality Voting shall be used for the following multiple seat positions:
      - (1) 3L Class Senate, 2L Class Senate, 1L Class Senate, including 1L Class President.
    - ii) 3L Class Senate and 2L Class Senate
      - (1) Each voter will receive as many votes as there are seats to be filled on the Class Senate and may only vote for each candidate once.
        - (a) E.g., Each voter will receive four (4) votes because there are four (4) seats to be filled on the 3L Class Senate. If there are more than four (4) candidates running, each voter must only vote for

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each candidate once and cannot vote for a single candidate multiple times.

- (2) If a voter votes for one candidate multiple times within the same position, their vote will be counted once.
  - (3) The candidates who receive the most total number of votes will win seat positions on the Class Senate until all positions are filled.
  - (4) In an uncontested election, where the number of candidates and available seat positions on the Class Senate are equal, every candidate is elected upon receiving just one vote.
- iii) 1L Class Senate, including 1L Class President
    - (1) Each voter will receive as many votes as there are seats to be filled on the 1L Class Senate, including 1L Class President, and may only vote for each candidate once.
    - (2) The candidate who receives the most total number of votes will win the position of 1L Class President. The candidates who receive the next most total number of votes will win seat positions on the 1L Class Senate until all positions all filled.
    - (3) In an uncontested election, after the 1L Class President is determined, where the remaining number of candidates and available seat positions on the 1L Class Senate are equal, every candidate is elected upon receiving just one vote.
- e) Procedure if a Candidate Wins Multiple Positions
    - i) If a candidate wins more than one Senate position, the candidate shall serve in the position of their choice and the candidate must inform their choice to the Elections Committee.
    - ii) No candidate is allowed to serve in more than one position on the Senate.
  - iii) Procedure to Fill the Vacant Position
    - (1) The candidate with the second most total number of votes will fill the vacant position. If there is a tie, there shall be a run-off election and the candidate with the most total number of votes shall win the position.
- 3) Ballot Counting
- a) Verification Process
    - i) No Senate Member shall verify or witness ballots or participate in any election verification procedure described in this section involving an election that they are eligible to participate in, regardless of whether they are actively seeking office in that election.
    - ii) The Executive President and Elections Chairperson will verify the results of elections to ensure the validity of all ballots
      - (1) If the Executive President and/or Elections Chairperson are eligible for elections, then the Executive Board shall appoint two (2) Senate Members to act in these positions.
        - (a) This appointment process shall follow the Order of Succession in Article II Section 3(d) and shall only pick Members who are ineligible to run for the Election.

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- iii) Only the Executive President and Elections Chairperson will be able to see the identity of the ballots
    - (1) The Senate Faculty Advisor may be able to view the ballots with the voter's identification on an as needed basis.
  - iv) No other members of the Senate, or members of the Student Body will be permitted to see the identity of the ballots.
  - v) Once the ballots are verified, the Executive President and Elections Chairperson shall make a copy of the votes, remove any identifying information about each voter, and assign each voter a number.
  - vi) If there is a complaint or demand for a recount, the process in Bylaw Four shall be followed.
- b) Rules
- i) Voting shall take place electronically.
  - ii) The Elections Committee shall be charged with verifying the de-identified ballots following a completed election.
  - iii) Verification of the ballots will take place in the SBA Senate's Office.
    - (1) The SBA Senate Office must be closed to all outside people. Only the Elections Committee, Executive President, and two (2) members of the Ethics Committee shall be present.
  - iv) Verification of the ballots will take place no later than twenty-four (24) hours after the completion of the election.
  - v) Verification will be conducted in the presence of at least two (2) members of the Ethics Committee who are ineligible for the election, regardless of whether they plan to participate.
  - vi) Each verified ballot will be viewed by no less than two (2) members of the Elections Committee.
  - vii) A minimum of four (4) members of the Elections Committee will verify ballots.
- c) Procedure
- i) Ballots will be verified in two rounds.
    - (1) Round One of verification will consist of one speaker who will call out the voter's assigned number and their votes, and four counters.
    - (2) Round Two of counting will consist of a different speaker than Round One, and four counters.
  - ii) The speaker will read the votes aloud, and the counters will tally the votes.
  - iii) Overseeing members of the Ethics Committee may stop counting at any time and demand a vote count.
  - iv) Violations of these rules will be taken up with the Elections Chairperson. The Elections Chairperson has the discretion to demand a recount or use the Reporting System in Bylaw Six.
- 4) Campaign Rules
- a) Known or reported violations of any of the following campaign rules will be taken up with the Elections Committee and may result in immediate disqualification.
  - b) Spending Limits

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- i) Executive Board Candidates: Each candidate shall be limited to \$100.00 in total campaign expenditures. If a runoff campaign is required, each runoff candidate may spend an additional \$25.00 in promoting his or her candidacy in the runoff election.
  - ii) Class Candidates: Each candidate shall be limited to \$50.00 in total campaign expenditures. If a runoff campaign is required, each runoff candidate may spend an additional \$25.00 in promoting his or her candidacy in the runoff election.
  - iii) If a candidate is running for both a Class and Executive Board position, that candidate shall be limited to \$100.00 in total campaign expenditures.
  - iv) These amounts are inclusive of all goods, services, and gifts that are used to promote a student's candidacy in any way.
  - v) Candidates must keep all receipts related to campaign expenditures and submit those receipts along with a Campaign Expense Report to the SBA Senate Office no later than one week following the completion of the election.
- c) Campaign Materials
- i) Candidates may campaign in any way not restricted by these rules. The content of campaign materials should be tactful; attacks on other candidates, inappropriate materials and vulgarity are prohibited. Creativity is encouraged.
  - ii) Examples of Campaign Materials:
    - (1) Flyers (Quarter Sheets)
    - (2) Posters
    - (3) Stickers
    - (4) Candy
    - (5) T-shirts
    - (6) Cowboy Hats
  - iii) Candidates are permitted to hang up to but no more than five posters.
  - iv) For purposes of the SBA Senate elections, a poster may be no larger than 8 ½" x 11".
  - v) Candidates are permitted to place one flyer in each student's school mailbox and may furnish students with one flyer in person.
  - vi) Candidates may furnish this flyer to potential voters in the following location only: the cafeteria.
  - vii) For purposes of the SBA Senate elections, a flyer may be no larger than 1 quarter of an 8 ½" x 11" paper. Candidates are permitted to distribute double-sided flyers.
  - viii) Flyers/Posters may not contain the following:

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- (1) Endorsements for more than one candidate
- (2) Attacks on other candidates
- (3) Alcohol coupons
- ix) Candidates are prohibited from placing posters, flyers, stickers or other visible campaign materials anywhere other than student mailboxes, foyers, cafeteria and the courtyard.
- x) Candidates are required to remove all posters, flyers, stickers and other visible campaign materials within two school days following the election.
- d) Campaigning
  - i) Electronic Campaigning
    - (1) If students wish to use Facebook, Twitter, Google+ or any other social networking tool to help with their campaign they are free to do so, provided that their campaign materials do not suggest any representation of Albany Law. Specifically, Albany Law's name and/or logo may not appear anywhere on the website, message, or event page. Phrases like "Vote Rob the Pirate for SBA President" are completely acceptable. Phrases like "Vote Rob the Pirate for Albany Law SBA President" are not acceptable.
    - (2) Students may collect email addresses from friends and classmates, but they may not use any school distributed email list for campaigning. Candidates are encouraged to use the 'BCC' field when emailing multiple people to keep reply-all's to a minimum. All candidate emails must include an opt-out statement, which instructs the recipients to email the sender if they wish to stop receiving emails. Candidates must honor any such opt out requests; spamming is strictly prohibited, and the Elections Committee will take seriously any violations of this email policy.
  - ii) Social Events
    - (1) Candidates may hold social events off campus to promote their campaigns, subject to the campaign budget policies outlined above.
    - (2) Candidates may not hold social events on campus pertaining to the election.
  - iii) Restrictions
    - (1) Students are not permitted to campaign within 100 feet of the ballot box at any time on Election Day.
    - (2) Students are not permitted to bribe students for their vote.
    - (3) Students are not permitted to intimidate or bully students for their vote.
- 5) Meet the Candidates Forum

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- a) The Meet the Candidates Forum will occur on the date communicated to the class by the Executive Board. At this time, the candidates will receive questions from members of the student body. Only candidates who have submitted completed petitions and personal statements will participate in the forum.
- b) The order that the candidates for each respective position present shall be chosen through a random lottery system, not alphabetically.
- c) The Elections Committee and Ethics Committee will work together to organize a Meet the Candidate Forum each year. The rules and procedures for this forum will be presented to the Senate and must have a three-fourths vote to pass.

6) Eligibility

a) Executive President

- i) Eligibility requirements for the position of Executive President, may be amended for the respective vacant position(s) to meet at least one (1) of the following requirements:

- (1) Served at least one (1) year on the Senate; or
- (2) Served at least one (1) year on an SBA recognized organization in the position of President, or its equivalent

b) Executive Vice President

- i) Eligibility requirements for the position of Executive Vice President, may be amended for the respective vacant position(s) to meet at least one (1) of the following requirements:

- (1) Served at least one (1) year on the Senate; or
- (2) Served at least one (1) year on the Ethics Committee; or
- (3) Served at least one (1) year on an SBA recognized organization in one (1) of the following positions:
  - (a) President, or its equivalent
  - (b) Vice President, or its equivalent

c) Executive Treasurer

- i) Eligibility requirements for the position of Executive Treasurer, may be amended for the respective vacant position(s) to meet at least one (1) of the following requirements:

- (1) Served at least one (1) year on the Senate; or
- (2) Served at least one (1) year on the Finance Committee; or
- (3) Served at least one (1) year on an SBA recognized organization in one (1) of the following positions:
  - (a) President, or its equivalent

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- (b) Vice President, or its equivalent
      - (c) Treasurer, or its equivalent
    - d) Executive Secretary
      - i) Eligibility requirements for the position of Executive Secretary, may be amended for the respective vacant position(s) to meet at least one (1) of the following requirements:
        - (1) Served at least one (1) year on the Senate; or
        - (2) Served at least one (1) year on the Transition Committee; or
        - (3) Served at least one (1) year on an SBA recognized organization in one (1) of the following positions:
          - (a) President, or its equivalent
          - (b) Vice President, or its equivalent
          - (c) Secretary, or its equivalent
- 7) Failure to Elect Full Senate Executive Board
- a) If, at the end of the Ballot Counting Process per Bylaw Three § 3, a full Senate Executive Board, consisting of a newly Executive President, Executive Vice President, Executive Treasurer, and Executive Secretary, has not been elected, then the Elections Committee shall, within two (2) weeks, repeat the Election Procedure per Bylaw Three § 1 to fill the remaining vacant Senate Executive Board position(s).
  - b) In the event that there is no eligible candidate for any Senate Executive Board position, then the Executive President shall call for an emergency meeting for the Senate to vote on whether to waive the eligibility requirements for the respective unfulfilled position(s).
    - i) A vote must be approved by 2/3rds majority vote.
    - ii) If the Senate fails to approve the waiver by 2/3rds majority vote, then the Elections Committee shall follow the procedures under Bylaw Three § 6(a).
  - c) Should a second election fail to fill the vacant Senate Executive Board positions, the next election would occur in the following Fall semester when the 1L Senate is elected.
- 8) Failure to Elect At-Large Representative
- a) If, at the end of the Ballot Counting Process per Bylaw Three § 3, an At-Large Representative has not been elected, then the Elections Committee shall, within two (2) weeks, repeat the Election Procedure per Bylaw Three § 1 to fill the remaining vacant At-Large Representative position(s).
  - b) Should a second election fail to fill the vacant At-Large Representative positions, the next election would occur in the following Fall semester when the 1L Senate is elected.
- 9) Failure to Elect Full Class Senate

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- a) If, at the end of the Ballot Counting Process per Bylaw Three § 3, a full Class Senate, consisting of one (1) Class President and four (4) Class Senators, has not been elected, then the Elections Committee shall, within two (2) weeks, repeat the Election Procedure per Bylaw Three § 1 to fill the remaining vacant Class Senate position(s).
- b) Should a second election fail to fill the vacant Class Senate positions, the next election would occur in the following Fall semester when the 1L Senate is elected.

***Bylaw Four: Election Complaints and Recounts***

1) Complaints and Recounts

- a) Any candidate may formally demand a recount of their position within twenty-four (24) hours of certification. The Elections Committee handles all recounts. The results of the elections are suspended until a recount has taken place. Any contestant may demand a meeting with the Elections Committee Chairperson within forty-eight (48) hours of the election if the candidate has a problem with how the election was conducted.
- b) Any and all complaints must be submitted in writing to the Elections Committee by emailing the Elections Committee Chairperson.
- c) Any member of the Albany Law community may file a complaint during elections.
- d) The Elections Committee retains sole authority to resolve disputes concerning any campaign violations prior to certification of the election results. If candidates wish to register a complaint for any reason prior to certification, candidates must submit their complaint in writing to the Elections Committee. The Elections Committee will respond to complaints at its discretion.
- e) If the Elections Committee receives written notice of a complaint regarding the election following the certification of election results, the Elections Committee shall immediately refer the matter to the Ethics Committee. The Ethics Committee shall, within forty-eight (48) hours, gather all evidence regarding the complaint, give fair hearing to persons requesting an audience, and issue a written majority vote opinion. The Ethics Committee may either uphold the result of the election as certified by the Elections Committee or require that a new election be held immediately.
- f) Candidates may only contest their respective election results.

***Bylaw Five: Senate Member Removal Procedure and Resignation Process***

1) Process used by Non-Senate Members: Petition and Recall

- a) A petition may be created demanding the recall of any elected Member of the Senate. This petition must contain any charges upon which the recall is based. It must be signed by at least twenty percent (20%) of the SBA for a school-wide elected position or by a majority of the members of a specific class for a class board position.

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- b) This petition is to be submitted preferably to the Executive Secretary or in the case of conflict to any member of the Executive Board. Notice and a duplicate of the petition must be given to the officer named in the petition within one (1) school day after its receipt. The officer receiving the petition must call a meeting of the full Membership of the Senate within two (2) school days of its receipt. The Elections Committee shall be required to attend this meeting.
  - c) The Elections Committee shall be responsible for verifying each and every signature on the petition, and for determining if the necessary percentage of signatures has been obtained. If the petition is valid and contains the necessary percentage of signatures, the Elections Committee shall hold a special recall election. The recall election shall be held no earlier than five (5) school days from the time the petition is validated. To be a valid recall election, fifty percent (50%) of the eligible voters must participate. A simple majority of those voting must vote in the affirmative in order to recall the elected official. If the Member is voted out, according to the requirements set forth above, then the vacancy shall be filled according to Article II § 6.
- 2) Process used by Senate Members: Internal Recall
- a) An elected Member of the Senate may be removed from office by a vote of the full Membership of the Senate for gross dereliction of duties. The vote must be made by the full Membership of the Senate as set forth in section 3(a) of these bylaws, with the exception of the member being voted on.
  - b) There must be a three-fourths vote for the removal to be allowed. The Member being voted on must receive actual notice of the impending vote and must receive notice at least five (5) school days before the vote. The member being voted on must be informed of the formal charges and the reasons for the impending vote at least five (5) school days before the vote. Prior to the vote, the Member being voted on must be allowed to address the full Senate for the purposes of responding to the charges alleged. The Member shall so address the full Senate at the meeting in which the vote is to occur. The member being voted on shall immediately receive the results of the vote. If the Member is voted out, according to the requirements set forth above, then the vacancy shall be filled according to Article II § 6.
  - c) For the purposes of Bylaw Five § 2, a “gross dereliction of duty” includes, but is not limited to, a Member of the Senate being absent for three or more Student Bar Association meetings in one semester, a Member of the Senate being absent for four or more Committee Meetings, or any other act or omission demonstrating reckless, gross, or deliberate disregard for any obligations or duties owed to the Student Bar Association or Albany Law School.
- 3) Resignation Process
- a) If a Senate Member wishes to resign, they may do so via a written petition to the Executive President and Executive Secretary. This petition shall include the reason(s) for the resignation as well as the following affirmation:

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- i) “I, (Senate Member’s name), being of sound mind, willfully and voluntarily make this resignation from my office of (position title). I understand that I will not be able to revoke this resignation after the submission. I have taken all factors into account and consider this resignation final.”
- b) Within two (2) school days from the receipt of the resignation, the Executive President shall inform the full Senate Membership of the Senate Member’s resignation and the Special Election Procedure in Bylaw Seven shall be followed.

***Bylaw Six: SBA-Related Reporting***

1) Reporting Process for SBA-related issues

- a) Senate Members and non-Senate Members shall use this process to Report a Senate Member, a Committee Member, or an SBA-Chartered Organization for any of the following:
  - i) Not performing in their position (“Non-Performance Report”)
  - ii) Acting in an improper manner at any school function (“Impropriety Report”)
  - iii) For anything that is in violation of any Albany Law School Policy, the SBA Constitution and Bylaws, or an SBA-Chartered Organization's Charter or Bylaws (“Violation Report”)
  - iv) If the Complaint is about discrimination or segregation, follow the process outlined in Bylaw Twelve.
- b) Complaints shall only be made about actions committed within the current calendar year starting from the end of the previous Spring Semester.
- c) A Senate Member, Committee Member, or SBA-Chartered Organization (“Reported Entity”) may have a complaint (“Complaint”) filed against them by a Senate Member or Non-Senate Member (“Reporting Individual”). The Reporting Individual must bring the Complaint before the Ethics Committee. The Ethics Committee shall not act as an investigative body; but instead, they must help the Reporting Individual draft the Report for their Complaint and file it with the correct person.
- d) Process:
  - i) The Reporting Individual must give written notice, via email or letter, to the Ethics Committee Chairperson that they have a Complaint they would like to be investigated.
    - (1) The Reporting Individual has the option to request mediation with the Executive President and the Ethics Committee Chair.
  - ii) The Reporting Individual shall remain anonymous to the Reported Entity and the student body; however, the Reporting Individual may not remain anonymous to the Ethics Committee, Senate Faculty Advisor, and Disciplinary Panel.

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- iii) Upon written notice, the Ethics Committee Chairperson has two (2) school days to notify the Ethics Committee.
- iv) The Ethics Committee must convene within ten (10) school days upon receiving notice from the Ethics Committee Chairperson, with the Reporting Individual in attendance (“Report Meeting”).
- v) The Reporting Individual shall discuss the allegations they would like the Report to include and shall provide any proof of such allegations.
- vi) If the Reporting Individual has any witnesses, such witnesses shall be noted within the Report. The Ethics Committee shall not discuss the Report with the witnesses.
- vii) During such meeting, the Ethics Committee shall compile a Report that includes, among other things, such elements:
  - (1) A title that identifies the nature of the Report, either:
    - (a) “Non-Performance Report”;
    - (b) “Impropriety Report”; and/or
    - (c) “Violation Report”
    - (i) Note: a Report may contain more than one type of issue. In that case, each issue shall be dealt with separately, but can be reported, investigated, and decided on concurrently.
  - (2) Date the Complaint was received;
  - (3) Identity of the Reporting Individual;
  - (4) Date of the Ethics Committee Meeting about the Report;
  - (5) Each allegation made with supporting facts;
  - (6) Names of any witnesses, should there be any;
  - (7) A solution, should there be one, the Reporting Individual has for the situation; and
  - (8) Any proof the Reporting Individual has in support of the allegations being made.
  - (9) At the bottom of the Report, each Ethics Committee Member who was present at the Ethics Committee Meeting must sign the document, certifying that all information contained will remain confidential.
    - (a) Any violation of this confidentiality will result in an immediate suspension from the Ethics Committee, and a direct report to the Executive President, who will initiate the procedure outlined in sections two (2) and three (3) below.

2) Once a Report has been completed:

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- a) The Ethics Committee shall vote on whether or not to send it forward with the process. To not send it forward, this vote must be a unanimous decision. The committee will then report a redacted version of its findings to the Senate.
    - i) This decision can be appealed by the Reporting Entity to the Executive President. The Executive President shall review the report and make a determination as to the status of the appeal. If the Executive President denies the appeal, the process is complete. If the Executive President overrules the Ethics Committee, the report proceeds pursuant to Section 2(b) below. Such determination must be reported to the Senate Faculty Advisor.
  - b) The Ethics Committee Chairperson shall send the Report to the Executive President within one (1) day of the Report Meeting. The Executive President shall then bring the Report to the Senate Faculty Advisor within two (2) school days of receipt for the Senate Faculty Advisor to determine if there has been a violation of school policy.
    - i) If the Senate Faculty Advisor determines that there is a violation of school policy, the Senate Faculty Advisor shall have full discretion over the investigation and disciplinary process.
  - c) If the Report is found to not be a violation of school policy:
    - i) Within two (2) school days of receiving the determination from the Senate Faculty Advisor, the Executive President shall convene the Disciplinary Panel, or
    - ii) The Executive President, with the consent of all of the Reporting Entities, may, at their discretion, convene one or more of the Reported Entities, Reporting Entities, and the Ethics Committee Chairperson to moderate a discussion before the panel convenes.
- 3) Disciplinary Panel Composition and Operation
- a) The Executive President shall oversee the composition and operations of the Disciplinary Panel (“Panel Chairperson”).
  - b) The Disciplinary Panel shall be composed of:
    - i) The Executive President;
    - ii) The Ethics Committee Chairperson;
    - iii) Two non-Senate Members of the Ethics Committee chosen by the Executive President; and
    - iv) Three Senate Members chosen by the Executive President.
      - (1) The three Senate Members must not consist of more than two Officers, or more than two Senate Members from the same Class Senate.
  - v) The composition of the Disciplinary Panel is subject to change at the discretion of the Panel Chairperson.

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- vi) The Panel Chairperson may waive any conflict reasonably necessitated by the circumstances.

4) Initial Hearing

- a) The Disciplinary Panel shall meet with the Reported Entity to discuss the allegations contained in the Report within five (5) school days of the Panel Chairperson receiving the decision from the Senate Faculty Advisor (“Initial Hearing”).
  - i) This is an opportunity for the Reported Entity to be heard. After the Initial Hearing, the Reported Entity may supply additional evidence or witnesses within two (2) school days.
  - ii) The Reported Entity shall be subject to confidentiality and may not disclose any information about the Initial Hearing or Report.
  - iii) If confidentiality is breached, the Reported Entity will be immediately subject to discipline outlined in section 6(b).

5) Investigation

- a) The Disciplinary Panel has full discretion to:
  - i) Bring in witnesses, if there are any;
    - (1) Witnesses can be from the Report or from the Reported Entity after the Initial Hearing.
    - (2) A witness can supply a statement in lieu of coming before the Disciplinary Panel.
    - (3) A witness cannot be forced or required to testify or file a statement, but the witness may choose to do so.
  - ii) Bring in the Reporting Individual; or
  - iii) Request the attendance and advisement of the Senate Faculty Advisor.

6) Completion of the Investigation

- a) The Disciplinary Panel must render a decision within thirty (30) days from the Initial Hearing.
- b) If the Disciplinary Panel has reasonably determined that the Reported Entity has engaged in misconduct, the Disciplinary Panel has full discretion in determining whether the Reported Entity shall be subject to discipline. The Disciplinary Panel must vote in the majority for any action they take. Discipline can be, but is not limited to:
  - i) Removal of the Senate Member from the Senate by the Removal Process in Bylaw Five;
    - (1) The Removal Process shall be initiated by the Panel Chairperson
  - ii) Probation of the Senate Member or non-Senate Member, meaning their attendance at other SBA functions may be prohibited;

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- iii) Restriction of SBA Funds;
  - iv) Taking away SBA recognition;
  - v) Training conducted by other faculty offices; and/or
  - vi) Any other disciplinary action as deemed proper by the Disciplinary Panel.
- c) “Misconduct” shall include, but is not limited to, any violation of:
- i) The ABA Model Rules of Professional Conduct Rule 8.4;
  - ii) The New York Model Rules of Professional Conduct Rule 8.4;
  - iii) The Albany Law School Student Handbook;
  - iv) These Bylaws and Constitution; or
  - v) Any dereliction of duty, unlawful, or improper behavior.
- d) The Disciplinary Panel has full discretion to determine whether the outcome of the investigation shall be read into the minutes or shared with only the entire Senate in Executive Session.
- e) The Disciplinary Panel is required to share the outcome of the investigation with the Senate Faculty Advisor and Reporting Individual.

7) Conflicts

- a) If the Senate Member being reported is the Executive President:
  - i) If the Reported Entity is the Executive President, the Ethics Committee Chairperson shall send the Report directly to the Senate Faculty Advisor.
  - ii) The Senate Faculty Advisor shall follow the procedure in this section and shall appoint the next in succession, pursuant to Article II § 3(d) to act as Panel Chairperson in place of the Executive President.
- b) In the case that the entire Executive Board is conflicted out, which includes the Ethics Committee Chairperson, who is also Executive Vice President
  - i) The initial Complaint by the Reporting Individual shall be sent directly to the Senate Faculty Advisor, who will appoint a non-conflicted Senate Member next in succession, pursuant to Article II § 3(d) to oversee the Ethics Committee and Disciplinary Panel subject to this Bylaw.
- c) If an Ethics Committee Member conflicts with the issue being reported, is the Reporting Individual, or if an Ethics Committee Member is being reported:
  - i) Such Ethics Committee Member shall be considered a conflict and shall not partake in the procedure set forth in this section.
  - ii) A conflict means the Ethics Committee Member was a witness to the event, is the one being reported, or has affiliation with the SBA-Chartered Organization being reported.

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- iii) The Ethics Committee Chairperson has full discretion in choosing whether an Ethics Committee Member is a conflict.
  - (1) If any Ethics Committee Member disagrees with the Ethics Committee Chairperson's decision, they may raise the issue to the Executive President or Senate Faculty Advisor, who will have final say in the matter.
  - (2) In the case that there is an issue about conflicts, the meeting window in subsection 1(d)(iv) can be extended by five (5) school days.
- iv) The Ethics Committee Chairperson shall ensure that prior to calling the meeting set forth in subsection 1(d)(iv), all conflicts are asked to excuse themselves.

***Bylaw Seven: Special Election Procedures***

- 1) Vacancies of the Executive Board and Class Presidencies
  - a) Vacant Executive Board and Class Presidency positions will be filled by an internal nominating and confirmation process.
  - b) When learning of the vacancy, the Chair of the Elections Committee will begin soliciting nominations for the vacant position, and shall open up a forty-eight (48) hour nomination window within five (5) days, and the election has to occur within fifteen (15) days upon learning of the vacancy.
  - c) Qualified candidates must submit a statement of interest to the Elections Chairperson within the forty-eight (48) hour window, declaring their intention to run for the vacant position.
    - i) A "qualified candidate" for purposes of an executive board special election must be a current member of the Senate who has served for at least one (1) semester.
    - ii) A "qualified candidate" for purposes of a special election for Class President must be a current Senator from their class.
  - d) The Chairperson shall organize open hearings to interview each of the declared candidates.
    - i) Candidates shall be given an equal, or substantially equal, amount of time to appear before the committee for testimony and questioning.
    - ii) Any Member of the Senate is free to attend these hearings and may be allowed to question the candidates at the discretion of the Chairperson.
  - e) The Elections Committee shall vote by roll call on a simple Aye/Nay vote to advance each nominee. If there is a tied vote, the nominee will be advanced.
    - i) The Elections Committee may vote to advance multiple nominees for the same vacancy, leaving the decision to the full Senate.

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- ii) Nominees advanced by the Elections Committee will be treated as Seconded Motions and will be sent to the floor for mandatory discussion and vote by the full Senate.
- iii) If there are multiple candidates, the Elections Committee must send at least two (2) to the floor.
- f) If the Elections Committee advances one nominee
  - i) The full Senate shall, at the beginning of their next scheduled session, immediately discuss and vote on the nominee.
  - ii) The vote will be a simple Aye/Nay vote, conducted by roll call by the Executive Secretary.
  - iii) Confirmation of an Executive Board Member shall require a two-thirds vote.
- g) If the Elections Committee advances multiple nominees
  - i) The full Senate shall, at the beginning of their next scheduled session, immediately begin the internal election process.
  - ii) The advanced candidates will each be given ten (10) minutes to address the Senate.
  - iii) Members of the Senate will be able to question each candidate for a period of no more than twenty (20) minutes.
    - (1) Members of the Senate running for the same position are not permitted to question their opponents.
  - iv) Upon completion of the questioning, the floor will be opened up for general discussion between Members of the Senate.
    - (1) Candidates must refrain from participating in discussion, to the extent possible.
  - v) The vote will be conducted by anonymous paper ballots, distributed to the Senate, except for the presiding Member of the election.
    - (1) Ties will be decided by the presiding Member of the election.
      - (a) The presiding Member of the election will be the highest officer in the line of succession detailed in Article II § 6(d) who is not a candidate for the position being considered.
      - (b) This person will preside over the election proceedings and will only have a vote in the instance of a tie.
      - (c) Candidates will be given a vote.
    - (2) The candidate who receives the most votes will be confirmed.
  - vi) A motion to force a roll call vote can be made by any member of the Senate.

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- (1) The motion will only be considered if all candidates consent to a roll call vote.
  - (2) If all candidates consent, the motion will be discussed.
  - (3) The vote will be a simple Aye/Nay vote, conducted by roll call by the Executive Secretary.
  - (4) Motions to force a roll call shall require a two-thirds vote.
- h) Upon confirmation, the nominee will immediately assume their new role for the remainder of the school year.
  - i) If no one is confirmed by the Senate either by election or confirmation vote, the Elections Committee will follow the procedures in [All Other Vacancies] until the vacancy is filled.
  - j) Defeated or withdrawn candidates will not be precluded from serving in their original role.
    - i) Any special elections to fill the seat of a defeated or withdrawn candidate will be voidable at the discretion of the defeated or withdrawn candidate.
    - ii) Candidates at any time may choose to withdraw from the special election and continue serving in their original position.
  - k) Senate confirmation will serve as the triggering event for any newly vacant positions.
- 2) All Other Vacancies
- a) Vacancies of either Class Senator or any At-Large Representative positions will be conducted through a school wide special election.
  - b) The Chairperson of the Elections Committee shall open up a five (5) school day nomination window within fifteen (15) school days of any Class Senator or At-Large Representative vacancy.
  - c) Any member of the student body is qualified to run for these positions.
  - d) To declare their intention to run for the position, candidates must submit the following items to the Chairperson within the five (5) school day window:
    - i) A statement of interest.
    - ii) A petition signed by twenty-five (25) members of the student body.
  - e) Upon closure of the nomination window, the Chairperson of the Elections Committee, in consultation with the Executive Vice President will distribute statements of interest and announce to the school when the voting will take place.
  - f) Candidates are subject to all relevant Campaign Rules found in Bylaw Three.
  - g) In order to be elected to these positions, a candidate must receive a majority of votes cast.

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- i) In the event that no candidate receives a majority, a run-off will be held within two (2) school days following the election.
    - ii) The run-off will be between the candidates having the first and second highest vote totals. If there is a tie for the highest vote total, all candidates so tied will be the participants in the runoff.
  - h) There is no minimum student body vote threshold required for a special election.
  - i) Upon election, the candidate will immediately assume their new role for the remainder of the school year.
  - j) If no one is elected, the position will remain vacant until the next general election.
- 3) If the committees cannot get the requisite number of general student body participants, the committee will operate with its current membership until those spots are filled.

***Bylaw Eight: Requirements for Recognition of Student Organizations***

- 1) To be recognized by the Senate, all SBA-Chartered Student Organizations must submit a written charter, which must include the following:
  - a) a statement of non-discriminating policy,
    - i) ex., “This organization does not discriminate or segregates in its membership or any of its activities on the basis of sex, race, creed, religion, national or ethnic origin, age, marital status, or sexual preference.”
  - b) a statement of purpose,
  - c) a provision for the positions of President and Treasurer.
- 2) The written charter may include other provisions as the group sees fit.
- 3) A student organization must also submit its bylaws or constitution, which lay out the manner of elections within the group, how a member of the group becomes active, eligible for election, and how an officer or member may be removed from the group and for what causes.
- 4) Failure to meet any article of the student organization constitution for any event or activity endorsed or sponsored by an SBA-Chartered Organization, regardless of whether or not funded directly or indirectly by the Senate, may result in non-recognition. The period of non-recognition is in the discretion of the current Senate and the Senate may recommend to the succeeding Senate for continuation of the period of non-recognition.
  - a) Oversight of such circumstances will be provided by review of the Senate Ethics Committee.
- 5) Special Group Dues
  - a) Any SBA-Chartered Organization may impose upon its members special group-specific dues. The group's treasurer shall collect and account for these dues and shall make available to the Executive Treasurer or the Senate, upon request, all

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records of the collection and expenditure of these dues. During the budgeting process each semester, a group imposing special dues must place within its budget request a section containing the specific amount of dues to be collected from each member of the group, whether there has been an increase over the previous semester, and the reasons for the imposition of such dues.

- b) No dues shall be permitted which are prohibitive of membership by the general student body. Any conflict arising concerning the prohibitive nature of any dues imposed shall be mediated by the Senate pursuant to a student grievance.
- c) Any student with a grievance concerning special dues imposed by a group, shall notify the Senate, in writing, of the specific grievance and the pertinent facts. At the next general meeting of the Senate, the student shall present the grievance for discussion. The leader(s) of the group shall also be requested to attend the meeting to answer any questions posed by the Senate and to offer justification for the dues. The Senate will then render a decision concerning the special dues, which shall be binding upon the group. A simple majority vote of the present Senate is required.

***Bylaw Nine: Requirements for Continued Recognition of Student Organizations***

- 1) The current executive board of an SBA-Chartered Organization must submit the names and contact information for the newly elected or appointed executive board to the Senate to remain active for the next academic year.
  - a) All submissions must be emailed to the Executive Secretary prior to the last day of classes for the spring semester.
  - b) The Executive Secretary must notify all currently chartered organizations of the requirement in subsection (a) no later than ten (10) days prior to the deadline.
- 2) Currently chartered organizations that fail to submit the information required in subsection (a) prior to the deadline will be placed on probation and have their fundraised funds frozen.
  - a) The Executive Secretary must inform all organizations currently on probation of their status no later than five days prior to the deadline in subsection (e).
- 3) Any currently chartered organization on probation may be deemed active and regain its fundraised funds if it submits the information required in subsection (a) no later than five (5) school days prior to the fall budget meeting.
  - a) If the required information is not submitted prior to the deadline, the organization shall be deemed inactive and have its fundraised funds frozen.
  - b) Fundraised funds shall remain frozen for the fall semester, after which time the funds will be deemed forfeited.
    - i) Forfeited funds shall be rolled into the student activity fund for the spring semester.
- 4) Appealing the freezing of fundraised funds

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- a) Inactive organizations that feel their fundraised funds were improperly frozen may request a reconsideration in one of the following ways:
    - i) Presenting the Executive Secretary a petition with the valid signatures of twenty-five percent (25%) of the student body, demanding reconsideration; or
    - ii) Presenting a written request signed by ten (10) Members of the Senate.
  - b) To be reconsidered, petitions or requests shall be presented to the Senate Executive Secretary no later than the last day of classes for the fall semester.
  - c) No organization shall receive more than one reconsideration.
  - d) A majority vote of the Senate is required for reallocation of frozen fundraised funds upon reconsideration.
- 5) An organization that is reallocated its fundraised funds upon reconsideration shall be deemed active and not required to submit a new charter.
- 6) Reporting Requirements for SBA-Chartered Organizations.
- a) All SBA-Chartered Organizations are required to submit a yearly report, which can be submitted between the organization's last event and the end of the last final of the spring semester.
  - b) The purpose of this policy is to develop and maintain a system of event and yearly reports that serve as a record for student organizations. Its primary function is to assist student organizations in assessing their organization's events and structure each year. A secondary function is to assist the Senate in fulfilling its purposes outlined in the preamble of the SBA Constitution. The overall intent is that SBA-Chartered Organizations will use the information to improve the purpose, efficiency, and operation of their respective organizations.
  - c) The yearly report shall include, but is not limited to, the following information:
    - i) Outgoing officers (if applicable);
    - ii) Incoming officers (if applicable);
    - iii) Number of members;
    - iv) Identify which event had the biggest impact for the organization this year; and
    - v) Total budget allocated and used for each semester.
  - d) All SBA-Chartered Organizations are required to submit an event report along with the budget reimbursement form.
  - e) The event report shall include, but is not limited to, the following information:
    - i) How many people attended? Recommend: Utilizing an attendance sheet.
    - ii) How did the event go?
    - iii) Is this an annual event for the organization? Explain.
    - iv) How much food/beverages were leftover?

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- v) What modifications or adjustments, if any, would the current executive board suggest that future executive boards make to the event?
- vi) What was the total budget allocated and used for the event?
- f) For the purposes of subsection (d), an event shall not include:
  - i) Games and matches organized by athletic SBA-Chartered Organizations. This provision does not exclude tournaments attended or hosted by the SBA-Chartered Organization from the requirements of subsection (d).
  - ii) Internal members meetings in which an organization's activities are discussed. This provision does not exclude general interest meetings from the requirements of subsection (d).
- g) The Executive Secretary is responsible for maintaining all semester and event report forms.
- h) Sanctions
  - i) Any SBA-Chartered Organization that fails to submit either a semester or event report form prior to the applicable deadline may be subject to sanctions including but not limited to:
    - (1) Revocation of all or part of SBA funds;
    - (2) Suspension of the Organizations Charter and/or events; or
    - (3) Revocation of the Organizations Charter.
  - ii) A majority vote of the Senate is required for any sanctions to be levied.
- 7) All SBA-Chartered Organizations are required to check and update their charter and bylaws annually.
  - a) Should there be a change, the SBA-Chartered Organizations shall send their updated charter and bylaws to the Chairperson of the Bylaws Committee.
  - b) No later than two (2) school days after receiving the updated charter and bylaws, the Chairperson of the Bylaws Committee shall send the updated charter and bylaws to the full Bylaws Committee to be voted on at the next Bylaws Committee meeting.
  - c) Within two (2) school days of the updated charter and bylaws being approved by the Bylaws Committee, the Bylaws Committee Chairperson shall send the Executive President and the Executive Secretary the updated charter and bylaws to be posted on the SBA Canvas page.
  - d) The Executive Secretary shall include in the following SBA meeting agenda that the SBA-Chartered Organization's charter and bylaws were updated.
- 8) If an SBA-Chartered Organization is in violation of its own charter and bylaws, or if there is a dispute about the SBA-Chartered Organization's charter and bylaws:
  - a) The SBA-Chartered Organization shall try to solve the dispute internally.

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- b) If 8(a) does not remedy the issue, then the SBA-Chartered Organization shall contact the Executive President and schedule a meeting with the entire SBA-Chartered Organization to try and solve the dispute.
  - i) The Executive President can (1) allow the club to update their bylaws, (2) oversee the resolution of the dispute, special elections, or removal process, as prescribed in the SBA-Chartered Organization’s charter and bylaws, (3) be the recipient of any petitions against the executive board or a member of an SBA-Chartered Organization, and (4) any other resolution of any other necessary matters.
- c) If 8(a) and 8(b) do not remedy the issue, then the Reporting Procedure outlined in Bylaw Six shall be followed.

***Bylaw Ten: Finance Committee and Budget Meetings***

1) Notice

- a) At least thirty (30) days before the start of a school semester, the Executive Treasurer shall email all SBA-Chartered Organization Presidents, SBA Committees, and the Senate giving them notice about the upcoming Budget Meeting.
- b) The email shall include:
  - i) The time, date, and location of the Budget Meeting
  - ii) The Do Not Fund List (*see* Section Nine [9] of this Bylaw),
  - iii) The Set Limitations of Funding (*see* Section Nine [9] of this Bylaw); and
  - iv) Information on how to submit a request on behalf of their organization.

2) Student Leadership Meeting

- a) Within the first week of the semester, the Executive Treasurer shall arrange a mandatory meeting with SBA-Chartered Organization Presidents, SBA Committees, and the Senate to explain deadlines, forms, and the general procedure for submitting Budget Requests.

3) Budget Process

- a) SBA-Chartered Organizations, SBA Committees, and the Senate (collectively “Requesting Entity”) shall submit their budgets for the entire semester by the first Friday of the semester by 11:59 PM.
- b) The Executive President shall be allowed to submit a Request for the operations of the Senate and on behalf of the 1L Senate for the Fall semester.
- c) The Budget Request (“Request”) shall include:
  - i) The name of the Requesting Entity
  - ii) Two contacts (name, email, and phone number) for the Requesting Entity

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- (1) One of the contacts listed must be the organization's President/Chair or Treasurer.
- iii) A complete list of the events the organization would like to hold and requested items
- iv) The total amount of funds they are requesting
- v) The name of each event they are holding
- vi) At most a thirty (30) day window during which they plan to hold each event
  - (1) If they have a specific date, they may list the specific date if they got approval from Student Affairs and Administrative Services
- vii) What type of items they plan to buy for each event, and categories of items may include, but are not limited to:
  - (1) Food
  - (2) Beverages (must specify whether alcoholic or not)
  - (3) Decorations
  - (4) Deposits
  - (5) Entertainment (must specify what kind)
  - (6) Venues
  - (7) Catering
  - (8) Equipment (must specify what kind)
  - (9) Prizes, including gift cards (must specify what kind)
- viii) The total amount of funds for each event
  - (1) The Finance Committee and the Senate will take into consideration that exact details may not be known, but the Finance Committee and the Senate must be able to reasonably deduce how a Requesting Entity arrived at their requested total.
- ix) If they are receiving outside funding
  - (1) If so, from where and how much they expect
  - (2) Confirmation that the Requesting Entity has already contacted the Alumni Office or that they intend to do so to secure this funding
- x) Expected number of attendees for each event
  - (1) This should include how many attendees are law students and non-law students
- xi) Whether the event has been held in the past

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- (1) If the event has been held in the past, how many people attended, how much was funded in the past, if any outside organization helped fund it, and any changes to the event going forward
    - xii) Dues they charge their members, if they charge dues
    - xiii) Account balance, if they have a bank account
  - d) The Request must be sent to the Executive Treasurer.
- 4) Alumni Committee
- a) It is recommended that student organizations coordinate with the Alumni Engagement Office if they are seeking to plan an event that involves alumni who were once part of their student organization, are alumni speakers, panelists, or invited guests or services such as the commonly approved requests:
    - i) Alumni invitations for events
    - ii) Event registration pages for alumni invited events
    - iii) Small gifts to alumni speakers or panelists at events
    - iv) Event outreach to alumni for events, speakers, or networking opportunities
    - v) Past alumni membership lists
    - vi) Event consultations for alumni invited events (require 3-week lead time from event)
  - b) Student organizations seeking events or services beyond the list of the commonly approved requests must reach out to the Chair of the Alumni Committee to develop a plan before contacting the Alumni Engagement Office.
- 5) Executive Treasurer and Finance Committee
- a) Once the Requests get sent to the Executive Treasurer, the Executive Treasurer shall ensure that each Request is filled out completely and correctly, sending back any Requests for edits if needed.
  - b) The Executive Treasurer shall ensure convene the Finance Committee to go through each Request within the second week of the semester.
  - c) The Finance Committee will set the budget by reviewing all requests, reviewing the balance of the Student Activity Fund, reviewing Requesting Entity's past expenditures, reviewing Requesting Entity's Event Report Forms, making necessary cuts, and proposing that Requesting Entities combine similar events if the Requesting Entities are amenable to doing so.
    - i) The Finance Committee will first determine how much money the SBA has to allocate.
    - ii) The Finance Committee will review each request in alphabetical order, utilizing past data to make informed decisions.

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- d) The Finance Committee must prepare a proposed Bill of Requests and the amount of each Request, the “Budget Bill,” to the Executive President and Executive Secretary by Friday evening during the second week of the semester.
    - i) The Budget Bill will include a list of each event and item that the Requesting Entities list on their Request, in addition to how much money was requested for the event/item, and how much funding the Finance Committee has proposed for each event/item.
  - e) The Executive Treasurer must give notice to each Requesting Entity that their Request will be reviewed at the Budget Meeting.
    - i) Such notice must include the proposed amount of funding the Finance Committee has allotted for each event/item requested and the time, date, and location of the Budget Meeting.
    - ii) The Executive Treasurer will supply a copy of the Minutes from the Finance Committee meeting for the consideration of each Requesting Entity.
    - iii) The Executive Treasurer will collect a list of speakers for each organization for the Budget Meeting schedule.
      - (1) The schedule will be determined by a student request to speak at a certain time, whether a student is presenting on behalf of one or more organizations (so a student need not return to the meeting multiple times if presenting for multiple organizations), whether organizations request to go-back-to-back due to collaborative events, and other factors as the Executive Treasurer sees fit.
      - (2) This schedule need not determine the order that the Senate review requests. *See* Bylaw Ten § 8(a)
- 6) Executive Secretary
- a) Upon receiving the Budget Bill, the Executive Secretary shall create an agenda for the Budget Meeting.
  - b) The agenda must be sent to the Executive President by Saturday at 5:00 PM during the second week of school.
- 7) Executive President
- a) The Executive President shall send the agenda to the Senate and each Requesting Entity.
  - b) The email shall include:
    - i) The time, date, and location of the Budget Meeting
    - ii) How the meeting will work (open forum with presentations then Executive Session); and 7
    - iii) When the Requesting Entities should expect to hear about the status of their Requests.

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8) Budget Meeting Generally

- a) The Budget Meeting (“Meeting”) shall take place in the morning on the third Sunday of each semester.
  - i) Requesting Entities may hold events prior to this meeting with the understanding that reimbursement is *not* guaranteed, and organizations must supply the Executive Treasurer with updated expenditures for events that have occurred prior to the meeting no later than twenty-four (24) hours before the meeting so that the Senate operates off the most complete information.
- b) The entire Senate is required to attend the Meeting.
- c) Before the start of the Meeting, the Executive President shall confirm a list of conflicts (see Conflicts in Article II Section 4).
  - i) To confirm the list, the Executive President shall name the conflicts for each Requesting Entity in front of the entire Senate.
    - (1) This is an opportunity for Senate Members to dispute the conflicts or add their names as a conflict.
- d) The Budget Meeting shall be split up into three parts:
  - i) First part of the meeting: The Requesting Entity shall talk about each event they are requesting money for and shall answer questions from the Senate about their Request.
    - (1) Each Requesting Entity shall have at least one (1) representative attend the Budget Meeting to present on their Request and answer any questions from the Senate.
  - ii) Second part of the meeting: Each Class Senate, the Executive Board, and At-Large Senators shall break up into small, unmoderated caucuses to discuss requests prior to moderated discussion on the Budget Bill.
  - iii) Third part of the meeting: The Senate shall convene in Executive Session to discuss and vote on whether to fund each Request.
    - (1) If necessary, Senators may motion to return to unmoderated caucusing throughout Executive Session.
- e) All groups receiving budget appropriations shall receive their funding from the Student Activities Fund, assessed to all students as “dues” for membership in the SBA.
- f) The Senate shall determine budget appropriations consistent with this Constitution and these Bylaws. The Senate shall fund each of its respective classes, as well as determine the Executive Budget which will encompass the costs necessary for the operation of the Senate.

9) Executive Session

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- a) The Requests shall be discussed and voted on in an order made by motions, not to follow the order of the agenda for speakers, unless a motion is made to follow the agenda or the Executive President deems otherwise.
  - i) Senators may motion to approve the decision of the Finance Committee or amend the allocated funding based on discussion, reviewing the requests, and hearing from the SBA-Related Entities' representatives.
- b) Each Request will be deemed approved if the majority of the non-conflicted Senate votes in the affirmative.

10) Funding

- a) Do Not Fund List
  - i) The following items cannot be funded by the Senate:
    - (1) Outside speakers (speaking fees, etc.);
    - (2) Engravings for Awards;
    - (3) Hotels;
    - (4) Merchandise (unless fronting money for a fundraiser);
    - (5) Travel;
    - (6) Anything for Non-ALS Students (food, drinks, entry fees, etc.), unless they are guests at an SBA Senate Event;
    - (7) Tax;
      - (a) Tax Exemption Forms shall be requested from the Business Office prior to any purchase being made.
    - (8) Closed-Door Events;
      - (a) Closed-door events are defined as those events which are explicitly restricted to club members only; or those events that don't allow for equal footing of participation between members and non-members of the club.
      - (b) Pursuant to Bylaw Ten Section Three if an event is determined to be a closed-door event and is therefore not allowed to be funded, the event may be reviewed by the Senate for determination and vote as to whether the event is a closed-door event.
    - (9) Deposits for Kegs
- b) Set Limitations on Funding
  - i) The Senate will fund:
    - (1) \$80 for one (1) General Interest Meeting per semester;

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- (a) GIM funding that exceeds the established limit may be granted upon specific request to ensure that funding is fairly allocated and to address genuine needs. Such requests must be supported by compelling evidence and may include factors such as, but not limited to, the organization's size and challenges faced in hosting a meeting that meets the organization's needs.
  - (2) Up to 20% of tips;
  - (3) Delivery Fees if they are deemed reasonable under the discretion of the Senate considering these terms:
    - (a) Could a member of the requesting organization pick up (or have picked up) the item(s) instead of getting them delivered?
    - (b) How expensive is the delivery?
    - (c) Did a requesting organization order something from far away that could have been ordered locally?
  - (4) Gift Cards and Prizes up to \$75.00 total a semester in any increment allotted;
    - (a) Limitations on Gift Cards and Prizes shall not apply to any Senate Committees enumerated under Article IV of the Constitution.
  - (5) Bottle Deposits in full;
  - (6) Equipment, including Board Games if they are deemed reasonable under the discretion of the Senate and meets these requirements:
    - (a) Such equipment is open for school-wide use;
    - (b) Such equipment will be checked out by the requesting organization's president;
    - (c) The president is required to "lease" out the equipment unless there is an unavoidable conflict (i.e., a game, practice, etc.);
    - (d) Please note that this new policy only applies to equipment that will be funded from this point forward and not any equipment that was funded by SBA prior to the 2022–23 academic year.
- 11) After the Budget Meeting
- a) Within two (2) school days after the Budget Meeting, the Executive Secretary shall inform all Requesting Entities of whether their Request was approved by sending out the approved Budget Bill.
  - b) Along with the Budget Bill, the Executive Secretary must include:
    - i) Meeting Minutes; and

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- (1) Meeting minutes will contain any description of why an event/item was not fully funded, if applicable.
- ii) The process for requesting Additional Funding in Bylaw Ten Section Four, or Appeal in Bylaw Ten Section Three, if the funding was denied.
- c) Any funding not spent will be returned to the SBA Budget at the end of each semester.
  - i) The Executive Treasurer shall notify the Business Office how much will return to the SBA Budget at the end of each semester.

***Bylaw Eleven: Rules Governing Expenditure of SBA Funds***

1) School and Senate Policy

- a) Funding will only be given to Requesting Entities who have complied with all School and Senate Policies prior to holding any event. This includes, but is not limited to:
  - i) Filling out an Alcohol Form and receiving approval;
  - ii) Requesting a room and receiving approval;
  - iii) Receiving approval for every vendor contract from the Senate Faculty Advisor, Business Office, and Executive Treasurer;
  - iv) Receiving a tax exemption form from the business office, if applicable;
  - v) Attendance at the required Student Leadership Meeting the first week of the semester.
  - vi) Receiving approval from the Senate Faculty Advisor, Business Office, Alumni Office, or any other appropriate Albany Law School office before soliciting or collecting funds outside of the Student Bar Association's budget process, unless such funds are membership dues.

2) Executive Treasurer and Finance Committee Approval

- a) The Finance Committee shall meet biweekly unless no requests are submitted, or the Executive Treasurer says otherwise.
- b) A Requesting Entity must submit a Check Request and/or Reimbursement Form (collectively, "Form") to the Executive Treasurer before they are authorized to receive reimbursement or a check.
- c) The Form must include:
  - i) The Request that was approved by the Senate;
  - ii) The name of the event;
  - iii) The date, time, and location of the event;
  - iv) An itemized list of what the club purchased or is planning on purchasing
    - (1) This includes quantity, price, vendor, cost per item, and total cost

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- v) Receipts for each purchase (if a Reimbursement Request);
  - vi) Proof of costs for each item (if a Check Request);
  - vii) Vendor Contracts, if applicable.
- d) The Finance Committee shall look over each Form to ensure that it is filled out completely and correctly.
- e) The Finance Committee has the power to deny funding for any item that was not properly approved.
- i) For example, if the Requesting Entity requested money for non-alcoholic beverages but instead purchased alcoholic beverages or neglected to get approval for the alcoholic beverages via an Alcohol Form.
- f) The Finance Committee shall pass a Request by voting in the majority.
- 3) **Appealing Expenditure of Funds**
- a) SBA-Related Entities dissatisfied with their allotted SBA funding may request a one-time reconsideration.
  - b) To be reconsidered, petitions or requests shall be presented to the Executive Secretary no later than five (5) school days after the budget is posted.
    - i) Petitions must include all event details required in Bylaw Ten Section 3(c) and a reason for why the appeal should be granted.
  - c) Petitions must be submitted to the Executive Treasurer, who will then inform the Executive Secretary to put the petition on the upcoming SBA Meeting Agenda.
    - i) The petition shall be discussed and voted on in Executive Session.
  - d) No entity shall receive more than one reconsideration per event.
  - e) Student leaders will have the opportunity upon their request to advocate for the event at the next scheduled SBA Meeting. Upon revote, it will require a two-thirds vote of eligible voting Senate Members voting in the affirmative to pass.
  - f) Appeals of additional funding budgets will not be considered for requests made post-event.
- 4) **Additional Funding**
- a) A Requesting Entity may get additional funding for an event that has already been approved and granted funding in the Budget Meeting by submitting a request to the Executive Treasurer via email. The email shall include:
    - i) The event name;
    - ii) The time, date, location of the event;
    - iii) What funding has already been approved;
    - iv) What funding is needed; and

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- v) The amount of funding needed.
  - b) To be reconsidered, petitions or requests shall be presented to the Executive Secretary no later than five (5) school days after the budget is posted.
    - i) Petitions must include all event details required in Bylaw Ten Section 3(c) and a reason for why the appeal should be granted.
  - c) Once the Executive Treasurer receives the request, they must send the request to the Executive Secretary, so the Executive Secretary can add it to the agenda for the following SBA Meeting.
  - d) The Executive Treasurer must inform the Requesting Entity that their request will be discussed and voted on at the following SBA Meeting.
  - e) The Requesting Entity must send at least one (1) representative to the following SBA Meeting to discuss the request and answer questions from the Senate.
  - f) The Senate shall discuss and vote whether to fund, partially fund, or deny the request for additional funding in Executive Session.
    - i) The Requesting Entity shall be notified of whether the additional funding request was funded within twenty-four (24) hours of the SBA Meeting.
  - g) Additional funding must be approved by a two-thirds vote of non-conflicted Senate Members.
  - h) A Requesting Entity may only request additional funding once per event.
- 5) SBA Special Loans
- a) A Requesting Entity may request an Interest-Free Loan (“Loan”) by submitting a request to the Executive Treasurer via email. The email shall include:
    - i) The event name;
    - ii) The time, date, location of the event;
    - iii) What funding is needed; and
    - iv) The amount of funding needed.
  - b) Once the Executive Treasurer receives the request, they must send the request to the Executive Secretary, so they Executive Secretary can add it to the agenda for the following SBA Meeting.
  - c) The Executive Treasurer must inform the Requesting Entity that their request will be discussed and voted on at the following SBA Meeting.
  - d) The Requesting Entity must send at least one (1) representative to the following SBA Meeting to discuss the request and field questions from the Senate.
  - e) The Senate shall discuss and vote whether to fund, partially fund, or deny the request for a Loan in Executive Session.

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- i) The Requesting Entity shall be notified of whether the Loan was approved within twenty-four (24) hours of the SBA meeting.
  - f) Loans must be approved by a two-thirds vote of non-conflicted Senate Members.
    - i) If the Loan is approved, the Requesting Entity must fill out the Loan Request and submit such to the Executive Treasurer.
- 6) Revocation of Funds
  - a) Allocated funds granted to the SBA-Related Entity may not be revoked unless:
    - i) They have been misappropriated by a member of the organization contrary to a properly made decision of the organization;
    - ii) The Requesting Entity voluntarily returns the funds to the SBA; or
    - iii) In the case the Requesting Entity is an SBA-Chartered Organization, they are removed by the Senate because of use that violates the SBA Constitution, SBA Bylaws, or the policies of the Senate and School (i.e., discrimination, etc.).
    - iv) The SBA-Chartered Entity has indicated to the Executive President, Executive Treasurer, or Member of the Finance Committee that it will no longer be using such funds for the purpose provided to SBA during the budget process.
  - b) Grounds for revocation of funds may be reviewed by the Senate Ethics Committee by using the process outlined in Bylaw Six.
  - c) After receiving a majority vote to revoke and/or reallocate the funds of an SBA-Related Entity, the Senate is then permitted to revoke and reallocate the funds of an SBA-Related Entity, even within the same SBA-Related Entity, upon a majority vote only under the circumstances enumerated in Subsection 6(a).
- 7) Restrictions on Expenditures by SBA-Related Entities
  - a) Expenditures made by SBA-Related Entities (SBA-Chartered Organizations, the Senate, and SBA Committees) with funds allocated by the Senate are limited to only those that the organization can pay for in full at the time of purchase. SBA-Related Entities are prohibited from spending based on anticipated fundraised funds.
    - i) For the purpose of this provision, fundraised funds shall include any dues, donations, or financial awards the organization anticipates collecting.
    - ii) For the purpose of this provision, SBA-Related Entities shall not include any expenditure made on behalf of the SBA, 1L, 2L, or 3L Classes.
    - iii) SBA-Related Entities may only place a deposit on a purchase if they are able to pay for the purchase in full at the time the deposit is placed.
  - b) Any SBA-Related Entity may apply to the Senate for a waiver of the requirements of subsection (a).
    - i) The process to submit a waiver shall be conducted in the manner outlined in Section Three of this Bylaw.

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- ii) The waiver must describe the amount of fundraised funds the entity anticipates collecting and a detailed plan as to how the funds will be collected that includes, but is not limited to, benchmarks by which certain fundraising goals shall be met.
    - iii) A two-thirds majority vote of the Senate is required for the approval of a waiver request.
  - c) Any SBA-Related Entity which violates subsections (a) or (b) may be subject to sanctions including but not limited to:
    - i) Revocation of all or part of SBA funds;
    - ii) Suspension of the Entity's Charter and/or Events; or
    - iii) Revocation of the Entity's Charter.
  - d) Any violation of subsections (a) or (b) shall be reported and investigated by the process outlined in Bylaw Six.
- 8) Limitation on the Use of Fundraised Funds
- a) An SBA-Related Entity may only use their fundraised funds for:
    - i) Items or events that are substantially related to the mission of the entity;
    - ii) Efforts to enhance on-campus social opportunities for students; or
    - iii) Items or events that are open to all members within or apart of the entity.
  - b) The Senate has within its discretion the power to approve or disapprove of any allocation of fundraised funds by an SBA-Related Entity that is inconsistent with subsection (a).
    - i) A majority vote of the present Senate is required to approve or disapprove of an allocation.

***Bylaw Twelve: Ethics and Anti-Discrimination***

1) Ethics Committee

- a) The Ethics Committee shall provide oversight of the activities of student organizations, class years, and the Senate. This includes allegations of discrimination, harassment, and impropriety.
- b) This committee shall be composed of:
  - i) The Executive Vice President, Chairperson
  - ii) Two elected Senate Members
  - iii) Three non-elected students.
    - (1) Non-elected students shall serve a term of one (1) academic year.

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- (2) Each fall interested non-elected students will be requested to complete an application to the Senate for appointment.
  - (3) Non-elected students will submit personal statements expressing their interest in serving on the ethics committee.
  - (4) Non-elected students will be reviewed by the Albany Law School Assistant Dean of Students and approved by the Senate.
  - c) The Ethics Committee Chairperson shall not cast any votes, with the exception to break a tie.
  - d) The purpose of the non-elected members on the Ethics Committee is to provide checks and balances for the elected Senate Members.
  - e) Will be responsible for overseeing the SBA-Related Reporting in Bylaw Six.
- 2) Discrimination
- a) Any student with a discrimination or segregation grievance shall notify the Executive Secretary in writing. The written allegation shall contain all the pertinent facts and the signature of the aggrieved student.
  - b) The Executive Vice President shall immediately call a meeting of the Ethics Committee within seven (7) days.
  - c) The aggrieved student shall present the grievance at a scheduled meeting of the Ethics Committee or elect to have a Senate Member present the written grievance on his/her behalf to the Ethics Committee, provided that the Ethics Committee retains the right to request the attendance of the aggrieved person for the purpose of clarification of the alleged charge.
  - d) Notice of a meeting to discuss any alleged discrimination or segregation shall be given to the leader(s) of the student organization in question, at least five (5) school days in advance.
  - e) A finding by the Ethics Committee that such discrimination or segregation has occurred will be reported to the next general meeting of the Senate and shall result in the revocation of funding for the remainder of that semester in which the funds were allocated. If a finding of discrimination or segregation occurs in the latter half of the semester, the current Senate shall revoke the funds for the remainder of that semester and may submit recommendation to the Senate membership deciding the budget for the next semester to suspend funding for the following semester.
  - f) A simple majority vote of the Senate is required to revoke funds under this section.

***Bylaw Thirteen: Email and Advertising Policies***

- 1) Email Policy for SBA-Chartered Student Organizations
  - a) Procedure for having a school-wide email sent

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- i) All class or school-wide messages, announcements, advertisements, or the like shall be emailed in the format communicated to the students by the Executive Secretary. Any organization interested in having a school-wide email sent should reach out to the Executive Board.
  - b) Prohibition on sending school-wide emails
    - i) Students acting on behalf of any SBA-Chartered Student Organization are prohibited from emailing the following email-groups directly without the express consent of the Executive Secretary
      - (1) Students
      - (2) Faculty
      - (3) Staff
      - (4) Class Groups (i.e., class of 2012, class of 2013, class of 2014)
      - (5) L.L.M.
      - (6) Or the equivalent, to be interpreted by the Senate.
  - c) Violations
    - i) Any SBA-Chartered Student Organization which prohibits the provisions of this bylaw may be subject to sanctions including, but not limited to:
      - (1) Loss of SBA allocated funds;
      - (2) Suspension of the Organizations Charter and/or Events; or
      - (3) Revocation of the Organization's Charter
    - ii) A majority vote of the Senate is required for any sanctions to be levied.
- 2) Advertising Policy for SBA-Chartered Organizations
- a) Any group holding an event using SBA funds must advertise the event and must allow participation and attendance by every student. The minimal standard for advertising may be achieved by:
    - i) Emailing the Academic and Student Affairs Coordinator the week before the event so that he or she can place your event in the school calendar and weekly email; or
    - ii) Emailing the Facilities/Administrative Services Assistant before the event so that he or she can place your event in the video advertising system; or
    - iii) Any other means reasonably calculated to inform the student body about the event.
  - b) Any group that holds an event using SBA funds and fails to sufficiently advertise the event to the entire student body may be subject to sanctions including but not limited to:
    - i) Revocation of all or part of SBA funds; or

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- ii) Suspension of the Organizations Charter and/or Events; or
- iii) Revocation of the Organizations Charter.
- c) The Executive Vice President shall actively enforce the requirements set out in section (a) and report any violations to the Ethics Committees.
- d) Grounds for the implementation of any sanctions under this section shall be reviewed by the Ethics Committee.

***Bylaw Fourteen: Safety Committee***

- 1) The Safety Committee shall be responsible for promoting and ensuring the safety and security of all students, staff, and visitors within the school premises.
- 2) The Safety Committee shall also develop and recommend safety policies and procedures to school administrators, raise awareness about safety-related issues among the student body, collaborate with relevant school authorities and external organizations to enhance safety measures, and act as a liaison between students and school administration in safety matters.
- 3) The Safety Committee shall be chaired by the Executive Vice President.
- 4) The Safety Committee shall have at least four (4) members comprised of at least one (1) student from each class year, at least one (1) non-elected member from the student body, and at least one member from the Faculty Safety Committee.
- 5) If a Safety report is submitted, the Safety committee chair shall report this to campus security immediately and use its discretion on whether to call an emergency meeting with the Safety committee.
- 6) The Safety Committee shall meet twice a semester, with the schedule determined at the start of each academic year, or convene when deemed necessary.
- 7) Should a safety complaint or report arise to the Safety Committee, such report must be addressed by the Safety Committee in conjunction with campus security.
- 8) Reports can be submitted as anonymous or not decided by the reporter.
- 9) After a safety report has been submitted, within fourteen (14) business days, the Executive Vice President shall meet with the Senate Faculty Advisor to redact sensitive information at their discretion. Then following this process, the Executive Vice President shall share the redacted report at the next senate meeting in executive session.

***Bylaw Fifteen: Alumni Committee***

- 1) The Alumni Committee shall be responsible for assisting the Alumni Office with Alumni Weekend.
- 2) The Alumni Committee shall meet with the Alumni Office at least two weeks before Alumni Weekend.

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STUDENT BAR ASSOCIATION**

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- 3) The Alumni Committee shall be composed of at least five (5) members, with two (2) or more non-elected members of the Senate chosen from the student body.
  - a. Prior to the conclusion of the spring semester, the Senate shall appoint the aforementioned members to the Alumni Committee.
- 4) The Alumni Committee shall meet with the Alumni Office at least once per month or as requested by the Alumni Office.
- 5) The Alumni Committee shall provide input and/or assistance with alumni events as requested by the Alumni Office.
- 6) The Alumni Committee shall assist student organizations in creating well organized plans to meet the 3-week lead time for interest in Alumni Engagement support.
- 7) The Alumni Committee shall be a point of contact for frequently asked questions and concerns about requesting alumni for a student organization event.