

**THE CONSTITUTION**

**OF THE**

**ROGER WILLIAMS UNIVERSITY**

**SCHOOL OF LAW**

**STUDENT BAR ASSOCIATION**

## **PREAMBLE**

The Roger Williams University School of Law is a tax-exempt corporation organized under the laws of the State of Rhode Island. Under those laws, ultimate responsibility for managing the affairs of the School of Law is vested in a Board of Trustees dedicated to maintaining a program of quality legal education and possessing the capability of participating in the formulation and development of the institution, while having no financial interest in the operation of the School of Law.

Within general policies established by the Board of Trustees, the Dean and the faculty have the responsibility for formulating and administering the program of the School of Law, including such matters as faculty selection, retention, promotion, and tenure; curriculum; methods of instruction; admissions policies; and academic standards for retention, advancement and graduation of students. The public, as consumers of services rendered by graduates of the School of Law, has a legitimate interest in the qualifications and professional development of the program.

Students have the responsibility to fulfill the expectations of the public and the profession. Accordingly, students are obligated to work with the Dean and the faculty to promote professional responsibility, to further academic achievement, and to otherwise enhance the program of the School of Law. To better coordinate student activities in this regard, the Roger Williams University School of Law, through the ratification of the members of the Student Bar Association, establishes this Constitution to govern the activities of the students.

### **Article I – Definitions**

#### **Section One: SBA**

SBA means the Student Bar Association of Roger Williams University School of Law

#### **Section Two: SBA Member**

SBA Member means a student maintaining current enrollment in good standing at Roger Williams School of Law.

#### **Section Three: Board**

Board means the SBA Board of Governors

#### **Section Four: School of Law**

School of Law means Roger Williams University School of Law

#### **Section Five: Dean**

Dean means Dean of the Roger Williams University School of Law

Section Six: ABA

ABA means the American Bar Association

Section Seven: LSD

LSD means the Law Student Division of the American Bar Association

## **Article II – Name, Purpose, and Membership**

Section One: Name.

This organization shall be known as the Student Bar Association of Roger Williams University School of Law.

Section Two: Purpose.

The purpose of the SBA shall be to act as an official representative of the students to the School of Law administration, faculty, and where appropriate, the general community; to coordinate student activities in the School of Law; to further curricular, co-curricular and extra-curricular achievement; to become involved with and participate in the organized bar; and to promote professional responsibility and adherence to the highest ethical standards of conduct in the School of Law and the legal profession.

Section Three: Membership.

All persons registered as students at the School of Law are members of the SBA. Such members shall be entitled to vote in the general elections, special elections, and referenda of the SBA.

Section Four: Charter.

This Constitution serves as the charter of the SBA. This charter exists by virtue of a ratification by a majority vote of the Board of Governors.

Section Five: Advisor.

The advisor to the SBA is the Dean of Students, whose primary role is to act as an advocate for and liaison between the SBA and the Administration.

## **Article III – Governance**

### **Section One: Board of Governors.**

The SBA shall be governed by a Board comprised of the SBA officers (elected by the student body and consistent with the Election Committee Guidelines) as described in Section Two of this Article. The Board shall have the power to formulate all the policies of the SBA, manage its affairs, and exercise all powers necessary for executing this Constitution.

- A. Issues concerning the interpretation of any and all rights and obligations under this Constitution shall be determined by the Constitution Committee, except that an appeal of any decision made by the committee may be taken to the Board, pursuant to the Bylaws. The decisions of the Board are final.
- B. The board is empowered to adopt Bylaws and operating procedures as it deems necessary. In the case of any inconsistency between this Constitution and any other provisions adopted by the Board, the provisions of this Constitution will prevail.

### **Section Two: Officers.**

The officers of the SBA shall include a President; an Executive Vice-President; an Administrative Vice-President; a Treasurer; a Corresponding Secretary; a Recording Secretary; an ABA/LSD Representative ex-officio; a Diversity, Equity, and Inclusion Officer; and at the minimum, one representative from each class year (no more than six), and one At-Large Representative.

### **Section Three: Terms of Office.**

All officers shall serve for one year beginning in April of one academic year and completed by the following April. The designated beginning date will be determined by the current SBA president and the designated ending date will be determined by the president after the completion of the SBA elections.

## **Article IV – Meetings**

### **Section One: Meetings of the Board**

The president shall have the discretion to set the date, the time, and the place of all regular and special meetings of the Board, but there shall be at least two meetings per month during the months of September, October, November, January, and February. There shall be at least one meeting in the month of August. The president shall preside at these meetings.

- A. The president shall be required to call a special meeting of the Board at the request, in writing, of any three (3) members of the Board.
- B. Absent exigent circumstances, notice of the meetings shall be announced at least seventy-two (72) hours prior to the scheduled start of the meetings.
- C. All meetings of the Board shall operate in accordance with the procedures set forth in the Bylaws.

Section Two: Meetings of Committees.

Committees of the SBA may be formed by the President as necessary, and shall meet when necessary, for pending issues, cause for concern, or other issues. These meetings shall be scheduled by the Chairperson of the Committee.

**Article V – Quorum and Voting Procedures**

Section One: Quorum Requirements

A quorum for any meeting of the Board or any SBA Committee shall consist of a majority of the members of such group. At the beginning of any meeting the corresponding secretary of the group shall determine if a quorum exists and explicitly designate its existence if the requirements have been met. Once designated, the quorum cannot be defeated by the departure of one or more members. If one or more members do depart before the presiding member has officially adjourned the meeting, the remaining members may continue to conduct business and make binding decisions by voting in accordance with the requirements set out in Section Two of this Article.

Section Two: Voting Procedures

Unless otherwise specified in this Constitution, all decisions of the Board or any SBA committee shall be by majority vote. Each member of the Board or the committee who is present at the meeting is entitled to one vote, and no votes may be cast by or for anyone that is not present at the meeting at the time of the vote. The presiding member at any meeting is not entitled to a vote unless the vote of the other members results in a tie, in which instance the vote of the presiding member shall determine the outcome.

**Article VI – Committees**

Section One: Standing Committees.

The Standing Committees of the SBA shall include the Election Committee, the Finance Committee, and the Constitution Committee.

- A. Unless otherwise provided in this Constitution, the President shall appoint all members and chairpersons of the Standing Committees.
- B. Members of the Board may be eligible to serve as voting members on Standing Committees, unless otherwise provided in the SBA Constitution or Bylaws. Using the general membership to fill the Standing Committees is highly encouraged.

Section Two: Duties of the Standing Committees

The duties of the Standing Committees are determined by the Bylaws of the SBA.

Section Three: Special Committees

The President, with the approval of the Board, may appoint such Special Committees as are deemed appropriate.

## **Article VII – Eligibility for Office**

### **Section One: Eligibility in General**

In general, any member of the SBA in good academic standing is eligible to stand and serve for SBA office provided that he or she is able to remain as a member of the SBA for the term of office.

- A. Students who have a cumulative grade point average of less than 2.0 are not eligible to run for any SBA office, but students otherwise eligible for election need not forfeit their office because their grade point average falls below a 2.0.
- B. No member of the Board may concurrently stand or serve for more than one (1) elected office of any law school organization in any academic year. This means Board members may hold only one elected position, within any organization, for the year.
- C. The President may not concurrently hold an elected board position for any law school organization in any academic year.

## **Article VIII – Elections**

### **Section One: General Elections**

All elections, whether for a position on the Board or on a committee or within an SBA recognized society, shall conform to the guidelines and requirements as set forth by the Election Committee as promulgated in the SBA Bylaws.

### **Section Two: Complaints**

Any complaints concerning election procedures or alleged violations shall be directed to the Election Committee which will investigate the situation and make a detailed written recommendation to the Constitution Committee within one week from the date of the complaint. The Constitution Committee shall vote on the issue within two weeks, and the decision of the Committee shall be final.

### **Section Three: Special Elections**

The Board shall authorize any Special Elections for purposes it deems necessary. The Board shall authorize a Special Election to 1) fill a vacancy in an office in accordance with Article IX of this Constitution, or 2) for purposes of voting on a referendum unless the referendum is on the ballot of any General Election. There is an exception to this section. It occurs in regard to a vacancy of the ABA/LSD Representative (ex-officio member). The president CAN fill the vacancy by appointment, based upon a thorough review of interested candidates and their applications.

### **Section Four: Notice Requirements**

The corresponding secretary shall be directed by the Board to post the time, place, and dates of all elections in a conspicuous place in the School of Law for seven (7) days prior to the date of the election.

## **Article IX – Vacancy of Office**

### **Vacancy Generally--**

An office will be deemed vacant if the holder of the office resigns, is removed from office, or ceases to be a student at the School of Law and shall be filled in accordance with the Bylaws if more than 60 days remain on the original term.

## **Article X – Removal from Office**

### Standard for Removal from Office--

Whenever any officer breaches an expressed or reasonably implied duty imposed upon him or her by this Constitution or any Bylaws or operating procedures established under the authority of this Constitution or the School of Law policies, he or she is subject to removal according to the procedures set forth in the Bylaws.

## **Article XI – Student Organizations**

### Section One: Responsibilities

All organizations recognized by the SBA must:

- A. Observe all School of Law policies, regulations, and standards, including the requirements of the SBA Constitution and Bylaws.
- B. Maintain an active student-centered program with the organization.
- C. Schedule all meetings and special events at the School of Law according to the procedures outlined in the Bylaws.
- D. Send representatives to all meetings duly called by the Administrative Vice-President.
- E. Keep a current Constitution and/or Bylaws on file with the Administrative Vice-President.
- F. Adhere to all other policies for student organizations as defined in the SBA Bylaws.

### Section Two: Non-discrimination Policy

No student organization may discriminate based on the following factors sex, handicap, disability, race, color, religion, age, national or ethnic origin, marital status, or sexual or affectional preference in its educational programs, admissions policies, employment policies, financial aid, or other school-administered programs (This list is not inclusive of all bases for discrimination). This policy is enforced by federal law under Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973 and the American's With Disabilities Act of 1990. The School of Law has also implemented a drug-free policy and requires all students to adhere to that policy. Inquiries concerning these policies should be directed to the Dean of the School of Law.

## **Article XII – Amendments and Miscellaneous Provisions**

### Section One: Amendments to the Constitution

Proposed amendments to the Constitution must be submitted in writing to both the Board and the Constitution Committee. The Constitution Committee shall review the proposal and make a written recommendation to the Board of Governors on the original or a variation thereof within two weeks from the date of the original proposal. The Board of Governors will vote on the recommended amendment at its next regularly scheduled meeting, and a two-thirds majority will be needed for approval. Upon approval by the Board of Governors, the Election Committee shall schedule a referendum for the proposed amendment. At least a majority of the entire SBA must participate in the referendum in order for the vote to be valid, and the amendment shall only take effect if approved by a two-thirds majority of the votes cast.

**ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW  
STUDENT BAR ASSOCIATION  
BYLAWS**

**Article I      Executive Officers and Duties**

Section One The president shall:

- a) serve as the Chief Executive Officer and official spokesperson for the SBA;
- b) preside over all meetings of the Board of Governors and the SBA Membership;
- c) appoint, as necessary, chairpersons of the standing and special committees, subject to the approval of the Board;
- d) convene special meetings of the Board;
- e) oversee SBA standing and special committees;
- f) prepare and promulgate the agenda for meetings prior to the meetings of the Board;
- g) represent the SBA as a voting member to the American Bar Association-Law Student Division; and
- h) have authority to co-sign checks or warrants for money from the SBA account.

Section Two The Executive Vice-President shall:

- a) perform the President's duties in the President's absence;
- b) maintain the SBA website and;
- c) keep all electronic forms updated;
- d) prepare and post the SBA meeting minutes and activity calendar to the SBA website;
- e) co-sign checks or warrants for money from the SBA account;
- f) prepare a year-end report prior to leaving office; and
- g) perform such other duties as may be requested by the President.

Section Three The Administrative Vice-President shall:

- a) perform the duties of the President and the Executive Vice-President in their absence;
- b) coordinate SBA involvement in first-year student orientation;
- c) keep up with the paperwork and logistics in regards to SBA organizations (constitutions/bylaws, officer elections/changes, etc.);
- d) oversee organizations recognized by the SBA, which includes providing guidelines organizations must follow to remain in good standing;
- e) prepare oral or written reports outlining the progress of the SBA recognized organizations to be presented upon the request of the Board;
- f) prepare a year-end report prior to leaving office; and
- g) perform such other duties as may be requested by the President.

Section Four The Treasurer shall:

- a) serve as the Finance Committee Chairperson;
- b) maintain a record of all SBA financial transactions;
- c) prepare and submit monthly financial reports and such interim reports at each SBA Board meeting;
- d) co-sign checks or warrants for money from the SBA account;
- e) provide monthly invoices for all SBA organizations which denote financial activity during that period;



- f) communicate with the President regarding all SBA finances;
- g) maintain copies of the financial condition of the SBA;
- h) prepare a year-end report prior to leaving office; and
- i) perform such other duties as may be requested by the President.

Section Five The Corresponding Secretary shall:

- a) be responsible for all written communications between the Board and the students, faculty, administration, members of the legal community and any other correspondence which may affect the SBA;
- b) maintain a record of attendance in accordance with policy set forth in Article IV Section 1(a)(i) and shall inform members upon the accumulation of three (3) absences;
- c) send appropriate Thank-Yous to anyone involved in helping SBA;
- d) prepare a year-end report prior to leaving office; and
- e) perform such other duties as may be requested by the President.

Section Six The Recording Secretary shall:

- a) record the minutes of every meeting of the Board;
- b) maintain all files and records of the SBA and its committees;
- c) maintain a permanent file of SBA activities;
- d) prepare a year-end report prior to leaving office; and
- e) perform such other duties as may be requested by the President.

Section Seven The Class Representatives shall:

- a) be the spokespersons and act on behalf of the students they represent;
- b) report to their respective classes regarding action taken by the Board;
- c) keep class members abreast of important deadlines, test dates, or resources that provide aid to students;
- d) prepare a year-end report prior to leaving office; and
- e) perform such other duties as may be requested by the President.

Section Eight The ABA/LSD Representative shall:

- a) organize ABA competitions at RWU Law;
- b) act as a liaison between the SBA and the ABA;
- c) educate SBA organization leaders regarding ABA grant money which is available for their activities
- d) perform such duties as are prescribed by the Law Student Division of the American Bar Association;
- e) prepare a year-end report prior to leaving office; and
- f) perform such other duties as may be requested by the President.

Section Nine The Diversity, Equity, and Inclusion (DEI) Officer shall:

- a) not serve on the executive board of Alliance, AILSA, APALSA, BLSA, LLSA, MESALA, or any other affinity student organization;
- b) serve as a liaison between SBA and the affinity student organizations at the Law School, including, but not limited to Alliance, AILSA, APALSA, BLSA, LLSA, and MESALA;
- c) coordinate meetings with Alliance, AILSA, APALSA, BLSA, LLSA, MESALA, and other student organizations as necessary;
- d) help bring attention to any concerns arising out of the aforementioned student organizations;
- e) serve on the Law School's administrative-led diversity committee as needed;

- f) prepare a year-end report prior to leaving office; and
- g) perform such other duties as may be requested by the President.

## **Article II Meetings**

### Section One Meetings of the Board of Governors

- a) The President shall preside at the meetings of the Board.
- b) Board members are required to attend meetings of the Board.
- c) Absent exigent circumstances, board members must receive 72 hours notice of meetings.

## **Article III Student Bar Association Standing Committees**

### Section One The Constitution Committee

- a) Membership—The committee shall consist of one chairperson and four additional members, appointed by the SBA President and approved by the Board of Governors
- b) Structure and Duties:
  - i. The committee shall decide all issues regarding interpretation of the SBA Constitution and its Bylaws.
  - ii. The committee is responsible for disciplining SBA recognized organizations and SBA Officers who are either violating the Bylaws or Constitution of the SBA or they are not fulfilling their obligations of elected office (See also Article IV, Removal).
  - iii. The committee shall act in a non-partisan capacity regarding all issues of discipline or constitutional interpretation.
  - iv. The committee shall act in accordance with the Bylaws and the Constitution of the SBA.
  - v. The committee can update and edit the SBA constitution, subject to approval by the SBA Board Members.
  - vi. The committee may enact guidelines to help fulfill its duties.
  - vii. Quorum shall be established by three members present.
  - viii. Any decision of the committee may be appealed to the Board who will review the appeal upon the standard of gross abuse of discretion.

### Section Two The Finance Committee

- a) Membership—The committee shall include the SBA Treasurer and four additional students selected by the SBA President and approved by the Board.
- b) Structure and Duties:
  - i. The Committee shall be responsible for the distribution of SBA funds.
  - ii. The Committee shall formulate the annual budget for the SBA based on past projection and anticipated revenue.
  - iii. The Committee shall review applications for SBA funding at the beginning of the Fall semester. Organizations will be responsible for planning and completing all necessary paperwork prior to the Finance Committee meeting.
  - iv. The Committee shall review all requests for SBA money in a fair and unbiased manner.
  - v. The SBA Treasurer shall report the activities of the Finance Committee to the Board for final approval at the SBA Budget Meetings.
  - vi. The Committee shall maintain the goals and mission of the SBA when

- making decisions regarding funding for student events.
- vii. Quorum shall be established by three members present.
- viii. The Committee shall enact guidelines to help fulfill its duties.
- ix. The Committee shall act in accordance with the Bylaws and the Constitution of the SBA.

## **Article IV Removal**

### Section One Removal of a Board Member

- a) A member of the Board may be removed from office for:
  - i. Missing three (3) regular meetings of the Board—being more than 15 minutes late from the scheduled start of meeting constitutes an absence, or
  - ii. Failing to fulfill his/her duties as provided in Article I of these Bylaws, or
  - iii. Committing an act inconsistent with the professional standard of integrity and good moral character
- b) Three members of the Board shall submit the name of the Board Member and the allegations for the purpose of Removal to the Constitution Committee, upon their own initiative or upon receipt of a petition signed by a majority of the SBA. The Board is responsible for notifying the person of the charge for removal.
  - i. The Constitution Committee shall meet within 10 days of submission to consider the allegations.
  - ii. The committee shall be guided by fairness.
  - iii. The committee shall give the charged member an opportunity to be heard.
  - iv. The committee shall give a written report of a formal recommendation to the Board within 15 days of submission and shall be readily available to the board for consultation on the matter of removal.
  - v. The board shall give due consideration to the formal recommendation of the Constitution Committee and shall hold a meeting on the matter and may motion for a vote of removal.
  - vi. Removal from office requires a two-thirds majority vote of the Board for removal, and the charged member shall not be permitted to vote. The vote shall be individually recorded into the minutes of the record and the charged person as well as the Dean of Students shall be notified if the charged person is to be removed.

### Section Two Removal of a member of a standing committee and removal of a chairperson of a standing committee.

- a) Any SBA appointed chairperson or student representative to a standing committee who is not fulfilling his/her duties may be removed by a majority vote of the Board after notification and reasonable opportunity to be heard has been given to the student.

## **Article V Organizations Recognized by the SBA**

### Section One Responsibilities

Student organizations, clubs, and societies seeking funding from the SBA must be open to all students of the Roger Williams University School of Law. Organizations are required to draft and vote upon a constitution and/or Bylaws. All rules of the School of Law and the Student Bar Association must be strictly adhered to. All meetings should be scheduled at a time convenient for all members. Organizations are also required to ensure all bills incurred by them

are promptly paid.

Section Two Requirements:

- a) On or before May of current academic year, the President of each organization seeking to be recognized by the SBA shall notify the Administrative Vice-President, in writing, of the status of the organization for the upcoming academic year.
- b) Elections for officers of SBA recognized student organizations shall be held in the month of April of current academic year. Elections shall be coordinated by the individual organizations themselves. Election results shall be given to Administrative Vice-President in a timely manner.
- c) A budget proposal for the upcoming academic year shall be submitted to the SBA Treasurer for consideration by the SBA Finance Committee by August 1<sup>st</sup>. Said proposal shall be in full compliance with the requirements established by the SBA budget procedures and the Finance Committee Guidelines.
- d) Any student group recognized by the Board that fails to adhere to the policies of the SBA, or takes action in contravention of the principles for which the SBA stands, may lose the privileges associated with SBA recognition.

**Article VI    Amendments**

Section One Procedure

- a) These Bylaws cannot be waived.
- b) The Constitution Committee may promulgate amendments to these Bylaws and submit them to the Board of Governors as it deems necessary.
- c) The amendment(s), as submitted by the Constitution Committee, shall be only accepted upon a two-thirds majority vote by the Board.