

**UNC SCHOOL OF LAW  
STUDENT BAR ASSOCIATION  
BY-LAWS**

**Article I. Procedure of Meetings**

Section 1. All meetings of the Board of Governors of the Student Bar Association shall be governed by Roberts Rules of Order Revised, except as such rules may be altered by the President of the Student Bar Association with the consent of a majority vote of the Board of Governors.

**Article II. Time and Frequency of Meetings**

Section 1. At the first meeting of the Board of Governors each semester, a time shall be established for further meetings throughout the semester.

Section 2. During the regular school year, the Board of Governors shall meet at least once every two (2) weeks, except during exams.

Section 3. Additional meetings may be called at any time by the President of the Student Bar Association.

**Article III. Notice of Meetings**

Section 1. It shall be the duty of the President of the Student Bar Association to post public notice of meetings of the Board of Governors at least twenty-four (24) hours in advance thereof.

Section 2. It shall be the duty of the Secretary of the Student Bar Association to post in public, a copy of the official minutes of each meeting of the Board of Governors within seven (7) days after each meeting.

**Article IV. Attendance**

Section 1. All members of the Board of Governors shall be required to attend the meetings of the Board. In the event a member finds that he or she will be unable to attend a meeting, he or she shall present an excuse either written or via email to the President of the Student Bar Association at least twenty-four (24) hours prior to that meeting. Approval of the excuse will be within the discretion of the President.

Section 2. It shall be the duty of the Secretary of the Student Bar Association to record all absences of members of the Board of Governors in the official minutes of each meeting.

Section 3. The unexcused absences of any member of the Board of Governors from three (3) or more meetings shall result in dismissal of that member for the remainder of the year, upon three-fifths (3/5) vote of the entire Board of Governors. The member up for removal shall not vote on the question of his or her own removal.

## **Article V. Voting**

Section 1. Except as otherwise provided in these By-Laws or the SBA Constitution, all motions made to the Board of Governors shall be passed only upon the affirmative vote of a simple majority (50% +1) of the members of Board present at the meeting.

Section 2. If it is impossible to hold a meeting of the Board to vote on a motion or resolution, any two (2) members of the Board, at least one of which shall be a member of the Executive Committee, may submit a written motion to each member of the Board. Such a motion shall include an explanation of the motion and a statement of the reason why the motion was not brought before the Board at a regular meeting. Such a motion may only be passed upon the affirmative vote of a simple majority (50% +1) of the Board.

## **Article VI. Resolutions**

Section 1. Resolutions shall be submitted to the Secretary of the Student Bar Association at least three (3) days in advance of any action on the resolution by the Board of Governors.

Section 2. It shall be the duty of the Secretary of the Student Bar Association to post a copy of the resolution on the door of the Student Bar Association office and a copy in another prominent place in the Law School main building and a copy on the Law School Intranet Community Calendar. Such copies must be posted at least two (2) days prior to any action on the resolution by the Board of Governors.

Section 3. Pursuant to Article IX of the Constitution, the Board of Governors shall alter the rate of any and all student fees by resolution, with approval of a simple majority (50% +1) of students voting in a law school referendum, in which at least one-third (33%) of the eligible student voters shall participate.

- 3.1 Alterations to the rate of any student fee may be proposed for a referendum by a majority of the Board of Governors or by petition containing ten percent (10%) of the student body.
- 3.2 Notice of the referendum shall be posted in a sufficient manner to give students adequate notice, at least two (2) weeks in advance of the date of the referendum.
- 3.3 An open forum, giving students an adequate opportunity to pose questions and air concerns to the Board of Governors, shall be scheduled at least one (1) week in advance of the referendum. In addition, a representative from each organization seeking an increase by way of the referendum shall be present at the open forum to receive questions.

## **Article VII. Interpretation**

Section 1. Interpretation of the Constitution of the Student Bar Association and its By-Laws shall be by a simple majority (50% +1) of the Board of Governors.

## **Article VIII. Amendments of the By-Laws**

Section 1. The power to alter, amend, suspend, or repeal this Code of By-Laws or to adopt a new Code of By-Laws is vested in the Board of Governors by an affirmative vote of two-thirds (2/3) of the entire Board of Governors.

## **Article IX. Elections**

Section 1. Elections shall be determined by a plurality of the valid votes cast in a given election unless otherwise provided by a two-thirds (2/3) vote by the Board of Governors prior to the election.

Section 2. Where two or more officers are to be elected from a single slate of candidates, each elector shall have as many votes as there are office positions to be filled.

Section 3. For each office position to be filled, if the number of candidates nominated exceeds the number of offices to be filled by more than one, there shall be a Primary Election at least three (3) days prior to the General Election. A number of candidates equal to the number of offices to be filled plus one, as determined in the Primary Election, shall be placed on the ballot for the General Election, provided that, in the case of a tie vote in the Primary Election, the number of candidates in the General Election shall be enlarged to include all candidates having the same number of votes.

Section 4. In the case of a tie not otherwise provided for in the General Election (i.e., for the second class representative), a Runoff Election shall be held on successive school days until said tie is broken.

Section 5. Any candidate may withdraw from any election at any time by giving notice of withdrawal to the Chairperson of the Elections Committee. When said notice is received by 12 p.m. (noon) on the day before the election, the withdrawn candidate's name shall be removed from the ballot. When there is a withdrawal by a candidate in a General Election, and there has been a Primary Election for that position, the withdrawn candidate shall be replaced on the ballot by the previously-eliminated candidate for that office having the greatest number of votes in the Primary Election, unless notice is given after 12 p.m. (noon) of the day before the election. When notice is given after 12 p.m. (noon) on the day before the election, the withdrawn candidate's name will remain on the ballot, but write-in votes for any eliminated candidate will be counted as validly cast notwithstanding any general prohibition of write-in votes.

Section 6. Any student who is eligible to vote for a specific candidate may challenge that candidacy or other general conduct of an election by submitting a complaint in writing or via email to the Chairperson of the Elections Committee at any time during the election period but not later than three (3) days after elections results are posted. The Committee shall give a ruling on the complaint and dispense with any necessary discipline, including, but not limited to disqualification, no later than three (3) days after receipt of the complaint. The decision of the Committee may be appealed to the Student Supreme Court by submitting a verbal petition to the Chief Justice of the Supreme Court. If the Chief Justice is "not readily available," an action may be commenced by filing a written petition with the Chief Clerk within three (3) days after the decision of the Committee. Members of the Elections Committee may challenge any candidacy regardless of the ability to vote for that candidate. Should the Elections Committee fail to act within the specified time period, the full Board of Governors shall take further action.

Section 7. Candidates seeking election to the Board of Governors shall abide by the following procedure:

- 7.1 These By-Laws shall apply to all elections for offices to the Board of Governors, except subsection 7.3 below which shall apply only to the General Election to be held in the spring semester as required below.
- 7.2 For the purposes of interpreting these By-Laws, the following definitions shall apply: (1) General Election - the election held in the spring semester of each school year for the purpose of electing all of the members of the Board of Governors; (2) Special Election - such election as required by Article VI, Section 4 of the Constitution of the Student Bar Association to fill vacancy left by the cessation of service of any Class President or any of the Executive Officers, not including the Student Bar Association President; (3) Primary Election - such election as may be necessary to narrow the field of candidates to the number of office positions to be filled plus one, as set forth in Section 3 of this Article of the By-Laws; (4) School Week - any week during either the fall or

spring semesters during which classes are scheduled at the Law School for at least three (3) days; (5) Week Day - Monday through Friday inclusive; (6) First-Year Election – the election held in the fall semester of each school year for the purpose of electing the Class President and both Class Representatives for the first-year class.

- 7.3 The Board of Governors shall set the date of the General Election as the Tuesday of the week immediately preceding Spring Break. In the event that the Tuesday of the week immediately preceding Spring Break is not a school day, then the General Election will be held on the previous Tuesday.
- 7.4 Four weeks prior to the date selected by the Board of Governors for the General Election, the Secretary of the Student Bar Association shall prominently post notice of such election, a list of the offices to be filled, and a copy of these election By-Laws (Article IX of the Student Bar Association By-Laws).
- 7.5 The Board of Governors, led by the Chairperson of the Elections Committee, shall select a date sometime between the closing of nominations and the Primary Election to conduct a Candidates' Forum for the purpose of providing the student body with an opportunity to pose questions to the candidates and to discuss relevant issues. Reasonable notice of such forum shall be given to the candidates and the student body, but attendance of candidates or other students shall not be mandatory. In the event that a Primary Election will not be held, the forum shall be held sometime between the closing of nominations and the General Election on a date determined by the Board of Governors.
- 7.6 If a Special Election is determined to be necessary as outlined in Article VI, Section 4 of the Constitution of the Student Bar Association, the Elections Committee shall post prominently notice of the Special Election. The filing period for prospective candidates for the vacated position shall be the third week of the fall semester in conjunction with the First-Year Election, as established in subsection 7.11.
- 7.7 After the Board of Governors has set the date of the General or Special Election, such date may not be altered except with a three-fourths (3/4) vote of all members of the Board of Governors and in no case may the date be set earlier than originally decided.
- 7.8 Three (3) weeks prior to the date of an election, the Chairperson of the Elections Committee shall conduct a meeting of all prospective candidates specifying the requirements of candidacy, the particulars of the proceeding, and the procedure whereby a qualified student may file written notice of candidacy with the Elections Committee. In addition, the procedure for filing shall be posted prominently in the Law School main building by the Chairperson and on the Student Bar Association website. Such procedure for filing shall include, but is not limited to: (1) the form required of the written notice of candidacy, including a written statement by the prospective candidate certifying that he or she has met the minimum requirements of the office to which he or she seeks election, as set forth in Article IV, Section 2, and Article V of the Constitution of the Student Bar Association; (2) the place at which the written notice is to be submitted; and (3) the hours and dates during which such written notice of candidacy will be accepted.
- 7.9 Nominations for candidacy shall close two (2) weeks after the date notice is given of the forthcoming election, as provided in Section 7.4. Prospective candidates may file written notice of their candidacy or be nominated by another according to the rules set forth in these By-Laws and the procedure for filing posted by the Chairperson of the Elections Committee, as authorized by Section 7.8 of the By-Laws, on week days between the date of notice of the forthcoming election and the date of closing of nominations.

- 7.10 Within two (2) days following the closing of nominations for candidacy, the Chairperson of the Elections Committee shall check with the Registrar of the Law School to see whether all prospective candidates, who filed written notices of candidacy in accordance with these By-Laws and the procedures set forth by the Chairperson, indeed do meet the minimum requirements as set forth in Article IV, Section 2, and Article V of the Constitution of the Student Bar Association. The Chairperson of the Elections Committee shall immediately post on the door of the Student Bar Association office and one other prominent place in the Law School main building a list of those qualified candidates and the offices they seek. No names may be added to the list from any source, and this list will contain only names that shall appear on the ballot.
- 7.11 The First-Year Election shall be held by the end of the fifth (5) school week of the fall semester. This election date and the required Primary Election date in Section 3 of this Article may be altered for any reason at the discretion of the President of the Student Bar Association with the consent of a simple majority (50%+1) of the Board of Governors. Notice of the upcoming election, particulars of the proceeding, and procedure for filing written notice of candidacy shall be posted three (3) weeks prior to the election.

Section 8. The Elections Committee shall distribute information to each candidate describing election and campaign procedure within forty-eight (48) hours after the closing of nominations.

Section 9. The ballots for the offices to be elected shall be prepared by the Elections Committee after 12 p.m. (noon) of the day preceding the election, so as to give any qualified candidate, whose name would otherwise appear on the ballot, the opportunity to withdraw in accordance with these By-Laws (Section 5 of this Article). There shall be provided on the ballots, for the Primary Election, General Election, and any Special Election, the names of those candidates whose names appear on the Elections Committee Chairperson's certified list, as set forth in subsection 7.10. In addition, there shall be one blank line for each open office or position on which voters may write in candidates' names that do not appear on the ballot.

Section 10. There shall be no absentee ballots submitted for any election sanctioned by the Student Bar Association.

Section 11. Election Rules.

The elections shall be fair, open, and unbiased and shall be held to the highest ethical standards of democratic electoral conduct for participants and election officials.

Each occurrence, event, or circumstance that violates the Elections Code, as determined by the Elections Committee, shall constitute a violation. All elections rules will be upheld and enforced against both nominated and write-in candidates.

Candidates shall not:

- 11.1 Bring false or malicious charges against another candidate or party.
- 11.2 Lie about or disparage another candidate.
- 11.3 Campaign prior to or after the designated campaign period.
- 11.4 Campaign via harassing communication, e.g., Facebook, Twitter, mass email, text messages or other social media (communications shall be considered harassing when communications continue after a request to stop such communications has been conveyed).

- 11.5 Personally campaign via Facebook, Twitter, or other social media on pages, feeds, or accounts other than (1) the candidate's personal account(s), or (2) those specifically created for the current election.
- 11.6 Campaign via any University, student-group, or commercial (e.g., Barbri, Westlaw) third-party-created email list, list-serv, Facebook page, Twitter feed, or any other means of mass communication.
- 11.7 Utilize a commercial third-party's (e.g., Barbri, Westlaw) resources in furtherance of a campaign.
- 11.8 Create or use new forms or devices, not articulated in the By-Laws, for campaigning.
- 11.9 Offer goods and/or services in exchange for votes.
- 11.10 Spend more than the campaign expense limit. The value of campaign materials for each executive office candidate cannot exceed \$40, and the value of campaign materials for each class office candidate cannot exceed \$20. Before the election, each candidate must submit receipts and/or value estimates for all materials used in the campaign to the Elections Committee Chairperson.
- 11.11 Campaign by advertising candidacy on classroom whiteboards; however, advertising the election date is permissible.
- 11.12 Campaign within a twenty (20) feet radius of the ballot box and booth while the polls are open for voting. Such ballot box and booth shall be located in the Rotunda of the Law School main building.
- 11.13 Campaign in any computer lab on the day of any election.
- 11.14 Post more than three posters (8.5" x 11") in the Law School. These posters shall be placed within space provided on three (3) prominent bulletin boards in the main building of the Law School (the free-speech board on the 5<sup>th</sup> floor, the SBA board by the lockers, and the board between the cafeteria area and the library entrance). Campaign literature is permitted but it shall not be affixed to any portion of the Law School buildings, with the exception of the aforementioned bulletin boards.
  - 11.14.1 At the Committee's discretion, posters may be removed for failure to comply with By-Law specifications or for questionable content, without notifying candidates.
- 11.15 Attempt to bribe any member of the Elections Committee.
- 11.16 Attempt to perpetrate a fraudulent election. This shall include, but is not limited to, providing false information regarding filing or elections procedures, voting more than once, attempting to vote with another person's student identification ONYEN or PID.
- 11.17 Violate an order from the Elections Committee to cease and desist an action, nor ignore an order of specific performance of any other violation.
- 11.18 Violate any other specific rule the Elections Committee has announced to all candidates that will be used in the specific election.
- 11.19 Violate the UNC Honor Code. Any breach of that Code that is perpetrated during and for election purposes will also be considered a violation of this section.

Violation of any of these provisions can result in disqualification of the candidate from the election. Decisions concerning the disqualification of a candidate for violation of these provisions are subject to the procedure described in Section 6.

Section 12. The polls shall open between the hours of 8:30 a.m. and 4:30 p.m. on the day specified by the Board of Governors in accordance with these By-Laws.

Section 13. Any ballot that is substantially defaced shall be considered void, and shall not be counted as a vote for any candidate or as a vote to be counted for the purpose of determining a majority. The determination of "substantially defaced" shall be made by the Elections Committee.

Section 14. After ballots have been counted in any Primary or General Election, a written record of the number of votes received by each candidate shall be compiled and such list, along with all ballots cast, shall be placed in a sealed envelope and kept in the Student Bar Association office for at least one year.

Section 15. There shall be no grade point requirement to run for or hold offices of Class President or Representative. Candidates for Class President or Representative must be students in academic good standing.

## **Article X. Term of Board of Governors**

Section 1. The term of the sitting Board of Governors shall end the second week in April. During such week, the outgoing Board shall install the newly elected Board of Governors, whose terms shall commence at that time. The period between the election of the new Board of Governors and its installation shall be used by the outgoing Board to train the newly elected Board.

Section 2. Any special project (e.g., Commencement) shall remain the responsibility of the outgoing Board member originally responsible for such project until the project's completion or until such officer relinquishes such responsibility, whichever comes first.

Section 3. It shall be the responsibility of the incoming Secretary of the Student Bar Association to provide a copy of the most recently revised Student Bar Association Constitution and By-Laws to each incoming Board member.

## **Article XI. Committees**

Section 1. The following shall be standing committees and representatives of the Student Bar Association:

- 1.1 **ABA/LSD REPRESENTATIVE** -- One (1) representative shall serve as a student link to the American Bar Association/Law Student Division.
- 1.2 **ELECTIONS REPRESENTATIVES** – Two (2) representatives shall conduct all elections provided for in the Constitution of the Student Bar Association, or specially called by the Board of Governors; and to certify promptly the results thereof to the President of the Student Bar Association. The Chairperson of the Committee shall be the 3L Class President unless otherwise designated by a simple majority (50% +1) vote of the Board of Governors.
- 1.3 **BUILDING AND PARKING REPRESENTATIVE** – One (1) representative shall work directly with the UNC Department of Public Safety to procure parking places for law students and to promote alternatives to on-campus parking.
- 1.4 **WEBMASTER/TECHNOLOGY REPRESENTATIVE** - One (1) representative shall serve as webmaster advisor for student organizations and meet periodically with the Dean of Information Technology to discuss the technology needs of the students.

- 1.5 **PUBLIC SERVICE REPRESENTATIVES** – Two (2) representatives shall serve as liaisons between the Student Bar Association and the public interest organizations of the student body.
- 1.6 **GRADUATE AND PROFESSIONAL STUDENT FEDERATION SENATORS** – Two (2) representatives shall serve as Senators to the Graduate and Professional Student Federation. One representative shall be a 3L and one shall be a 2L.
- 1.7 **BARRISTER’S BALL COMMITTEE** - Shall organize and coordinate the annual Barrister’s Ball formal. This Committee shall be chaired by the Vice President of the Student Bar Association unless otherwise designated by a simple majority (50% +1) vote of the Board of Governors. The Chair of this Committee may designate the number of students on this Committee.
- 1.8 **ALUMNI AFFAIRS COMMITTEE** – Shall work with the Office of Alumni Affairs to build relationships between the Law School, current students, and alumni. Responsibilities will include, but are not limited to, conducting the alumni speaker series, managing the alumni mentoring program, and assisting with the Law Alumni Weekend. This Committee shall be composed of two (2) students, one 3L and one 2L.
- 1.9 **CAREER SERVICES ADVISORY COMMITTEE** – Shall work to promote the placement of law students in permanent and summer employment and to work with the CDO office to ensure that student needs are met. This Committee shall be composed of no fewer than three (3) students, at least one from each Law School class.
- 1.10 **SOCIAL COMMITTEE** – Shall work to organize social events for members of the Law School community. This Committee shall be composed of no more than four (4) students.
- 1.11 **DEAN WINSTON CRISP AWARD COMMITTEE**- Shall select outstanding student leader(s) to receive the Winston Crisp Award in the spring semester. This Committee shall be chaired by the Vice President of the Student Bar Association unless otherwise designated by a simple majority (50%+1) vote of the Board of Governors.
- 1.12 **DEAN’S ADVISORY COUNCIL** – Shall meet with the Dean of the Law School to discuss issues of interest to law students, advise the Dean on student needs, and advocate for student input. This Committee shall be composed of four (4) students from each Law School class. One member of the 3L class shall serve as the Chair of the Council.
- 1.13 **FREE SPEECH BOARD COMMITTEE** – Three (3) student representatives in conjunction with an administrator shall hear and examine all student-raised complaints (see 1.13(a)) related to material placed on the Free Speech Board, and make final decisions as to what materials shall be removed, in accordance with the posted Free Speech Board Regulations. If materials violate Regulations, the committee shall submit their findings to the Associate Dean for Administration.
  - 1.13(a) An investigation will be triggered, and members of the committee notified, when students raise concerns with either the Assistant Dean for Student Development or any member of the Board of Governors of the Student Bar Association.
  - 1.13(b) The committee shall meet within three days of receiving a student complaint.
  - 1.13(c) If the Associate Dean for Administration identifies the person responsible for a post that violates Regulations, other University policies, or law, the case may be referred to the Office of the Attorney General and/or another appropriate authority.

Section 2. The Chairperson of each Standing Committee shall submit to the President of the Student Bar Association, or the President's designee, a report at the beginning of the fall semester describing the goals for the academic year and at the end of the fall semester describing the activity or inactivity of the Committee. By the end of the term of the sitting Board of Governors, an annual report shall be submitted by the Chairperson of each Standing

Committee to the President, or the President's designee; such annual report shall be placed in the permanent records of the Student Bar Association.

Section 3. As requested by the Dean of the Law School, the Board of Governors shall nominate students to serve on such Faculty Committees as the Dean shall designate and in the number designated by the Dean.

Section 4. The President of the Student Bar Association shall be responsible for appointing students to the positions outlined in Article XI. Said appointments shall be made no later than the first school day in October. All appointments are subject to approval of the Board of Governors by a simple majority (50%+1) vote.

Section 5. The President of the Student Bar Association may establish other Special Committees as desired.

Section 6. The President of the Student Bar Association may appoint students to any other appointment as necessary, subject to the approval of a simple majority (50%+1) of the Board of Governors.

## **Article XII. Finance and Budget.**

Section 1. Allocation of student fees to Law School Student Organizations, Student Bar Association Committees, classes, and otherwise shall be at the discretion of the Student Bar Association Board of Governors. Upon allocation, the Board of Governors has a continuing duty to ensure that all monies are spent in a way not inconsistent with applicable University guidelines or policies, resolutions or By-Laws approved by the Board of Governors. The Student Bar Association Treasurer may request, at any time, a Student Activities Fund Office general ledger for any organization in order to review expenditures. The Student Bar Association Treasurer must request and review the SAFO general ledger of an organization prior to the Student Bar Association Board considering any funding request of that organization. Expenditures by the Student Bar Association Board and Student Bar Association Committees are approved through a vote of the Board of Governors as defined in Article IV, Section II (b) of the Constitution of the Board of Governors. Class fund expenditures must be approved by a majority of the officers of that class subject to approval by the Student Bar Association Treasurer.

Section 2. Allocation of student fees shall be decided by the Board of Governors at Budget Meetings to be held once per semester. Notice of budget procedures shall be posted and distributed to recognized organizations by the Treasurer of the Student Bar Association at an Organization Treasurer Meeting to be held at least two (2) weeks prior to the date of each Budget Meeting. All treasurers must attend the Organization Treasurer Meeting or must send another representative of their organization to the Meeting in their place. Organizations that are not represented at the meeting will be ineligible to receive funding at the Budget Meeting. Organizations that (1) do not submit a Transition Form to the Board of Governors per Article XIV, Section 3, (2) have had no activity on SAFO accounts within the last 3 years, and (3) have lost official University recognition will be considered inactive. As such, they will have their funds subject to forfeiture to the general Student Bar Association SAFO account and redistributed at the Budget Meeting. Prior to revocation, notice of said revocation will be posted outside the SBA offices for a period of two (2) weeks, allowing objections to be made and heard at the next SBA Board of Governors meeting. The Budget Meeting shall be held no later than the fifth week of each semester.

Section 3. Law School Student Organizations may apply for funding outside of the semester budget allocation process. The Board of Governors shall hear these "special" budget requests during the next general meeting of the Board of Governors. Law School Student Organizations applying for "emergency" funding must provide notice to the President of the Student Bar Association at least forty-eight (48) hours before the next meeting of the Board of Governors. The President shall have discretion for allowing an emergency request to be presented to the Board of Governors.

Section 4. Application for student fees shall be on forms provided by the President of the Student Bar Association, or the President's designee. It will be the responsibility of the Treasurer of the Student Bar Association to formulate and provide at the Budget Meeting a copy of each budget allocation application. In addition, the Treasurer shall provide a summary report for each requesting committee, organization, and class including, but not limited to: (1) requested allocation from previous fiscal year; (2) actual allocation from previous fiscal year; (3) actual expenditures from previous year; (4) the prior year's actual revenues and expenditures by item; and (5) the current year's request for funding by item and purpose. All budget applications must be kept by the Student Bar Association for at least three (3) years for this purpose. Storing them on an electronic storage device is acceptable. It will be at the discretion of the President and Treasurer of the Student Bar Association which SBA committee requires a budget allocation and for which committee a budget request is necessary.

Section 5. No organization shall receive student fees allocated by the SBA except in compliance with the Article XIII of these By-Laws. Organizations must have an account with the Student Activities Fund Office in order to be

eligible to receive funding from the SBA. Organizations who have an account with a bank or financial institution other than the Student Activities Fund Office will be ineligible to receive funding from the SBA.

Section 6. In determining the budget allocation for each affiliated organization, class, and SBA committee, the Board of Governors shall consider University policies and SBA policies. The Board may also consider the following factors, including but not limited to: a) the number of students benefited by the organization and its activities, b) whether the organization efficiently managed its previous year's allocation, c) other sources of funding for the organization, d) the reasonableness of proposed expenses, e) the organization's attempts to independently raise funds to meet its expenditures, f) the people who directly benefit from the organization's proposed expenditures, g) the uniqueness of the organization and its contributions to the school and the community, h) the uniqueness of the event and its contributions to the school and the community, and i) the significance of proposed expenditures to the vitality of the organization.

Section 7. Student fees allocated by the SBA shall be used only for purposes approved by the Board of Governors. All venture capital expenditures must receive approval by the Student Bar Association Board of Governors. SBA allocated fees shall not be used for the following purposes: a) to cover national dues or affiliation expenses of affiliated organizations; b) to cover transportation, lodging, food, conference registration, or other costs associated with student travel; or c) to fund activities having the primary purpose of lobbying or electioneering for a particular political party, candidate, or referendum, or for spiritual or religious exercises of a particular religion.

Section 8. No SBA allocated fees shall be spent for an organization sponsored pro bono project unless that project has already been approved by the Assistant Dean for Public Service Programs.

Section 9. The SBA will allocate no more than one hundred twenty-five dollars per organization per semester for student food expenditures. The SBA will allocate no more than twenty five dollars per speaker per event for speaker honorarium expenditures and no more than twenty five dollars per speaker per event for speaker food expenditures.

Section 10. Once allocated funds, all entities having a budget are subject to the spending policies approved by the Board of Governors. If an SBA committee, class or affiliated organization overspends its allocated budget, reimbursement will depend on a hearing and vote before the Board. An affirmative two-thirds (2/3) vote of those present, provided a quorum is present at the time of the vote, is required for approval of additional funds in this circumstance. Overspending is strongly discouraged and may be taken into account during the next year's budget allocation. Repeated violations may negatively affect the next year's allocation.

Section 11. As guardian of student fees, it is the policy of the Board of Governors to maintain sound financial controls. These controls shall include, but not be limited to, the Board of Governors requiring funded organizations to provide regular reconciliation of their SAFO account and regular review of the organization's books and financial records by the organization's treasurer. As a condition of obtaining student fees, organizations must comply with these policies.

Section 12. The Treasurer of the Student Bar Association shall make an accounting to the Board of Governors of the Student Bar Association every month at a regular specified meeting to be designated by the Board of Governors.

Section 13. Once allocated funds, Student Bar Association committees must submit proposals, informal or otherwise, for spending of funds to the Board of Governors. All spending proposals are subject to Board approval. All such proposals must be considered and voted on during a regular SBA Board meeting or a special meeting conforming to the requirements set forth in Article II, Section 3 of the Constitution of the Student Bar Association. The Secretary of the Student Bar Association must notify SBA Committees of the Board's decisions on spending proposals within four (4) days of the Board vote. Excepted from this Section are expenditures for photocopying.

Section 14. Any monetary receipts from SBA-sanctioned events must be re-deposited into the SBA account, whether the receipts exceeded the incurred costs or not, unless a simple majority (50%+1) of the Board votes that monies need not be re-deposited.

Section 15. The fiscal year for all SBA monies shall begin October 1 and end September 30. All monies unspent at the end of such period automatically revert into the SBA Operations Account.

Section 16. In the event an affiliated organization, class or SBA committee mishandles, misappropriates, or violates a University Code or SBA spending policy or By-Law, the SBA Board may exercise discretion to address such event. Its discretion includes, but is not limited to, the authority to immediately revoke the balance of the allocated budget.

Section 17. Article XIII By-Laws may be suspended on a case-by-case basis only under extraordinary circumstances pursuant to Article VIII, Section I of these By-Laws.

Section 18. If an affiliated organization receiving Student Bar Association monies earns monies for any event for which the Treasurer of the Student Bar Association or full Board has approved and expended funds, that entity must reimburse SBA in an amount equal to the monies raised; but in no case shall reimbursement exceed the amount expended from the relevant SBA account. This provision is necessary to (1) guard student fees; and (2) guarantee that students do not fund events "twice."

Section 19. When the Board of Governors, an SBA Committee, or class sponsors such an event, that entity must reimburse SBA from the total amount of receipts, whether or not the monies raised exceed expenditures; such monies shall be deposited in the applicable account and are subject to all applicable SBA By-Laws and spending policies and University guidelines.

Section 20. Bar Review has historically been a weekly free social event designed to bring students in all three classes together at the end of a long week. In preserving this tradition, there shall be no cover charge or donation requests for Bar Review other than any charge traditionally charged by the location hosting the event. If the SBA Social Committee is able to negotiate a percentage of these proceeds, they shall go back to the SBA and be used to support additional student events or programming. Student organizations, with the approval of at least two-thirds (2/3) vote of the Board of Governors, can petition for charging a cover charge for special events where additional entertainment, or other benefit not ordinarily available, will be provided (e.g., Jammin' for Justice). SBA special events, including Law Revue, Halloween, Barrister's Ball, and the End-of-Semester and End-of-Year parties are excluded from this policy.

### **Article XIII. SBA Affiliated Organizations**

Section 1. To be a recognized affiliated organization of the Student Bar Association, the interested group must fill out a UNC-CH University Recognition application form, which may be obtained in the office of the Dean of Student Affairs, and submit the application to the SBA Board. The application must contain a statement of purpose and/or constitution, a description of the organization's objectives, a list of the organization's officers, and an approximate number of members.

Section 2. A copy of the application form shall be registered with the undergraduate Office of Student Affairs thereby to obtain official University recognition.

Section 3. Each academic year for which a Law School student organization desires continued SBA affiliation, the organization must submit a Transition Form to the SBA Board. Transition Forms will be distributed with the budget application packets in the fall semester.

Section 4. Only those organizations complying with the above procedures are eligible to receive an allocation of student fees at the Budget Meeting in the fall semester, as described in Article XIII.

Section 5: The President of each recognized affiliated student organization, or his or her designee, must attend every President's Council Meeting as part of maintaining recognition. Failure to attend one meeting shall result in an automatic temporary suspension of the student organization's funds allocated by SBA and room reservation privileges once the organization has been notified of its absence and temporary suspension. The student organization shall have its full privileges restored once the President has met with the Student Bar Association President, or his or her designee, and a representative of the Student Services office. If a student organization fails to attend more than one President's Council Meeting, the student organization's funds allocated by SBA will be automatically forfeited for that semester and room reservation privileges will be suspended for the remainder of the semester, and reinstatement is subject to a meeting between the student organization's President and the Student Bar Association President and Assistant Dean of Student Services. No funds spent while on suspension shall be reimbursed.

Section 6: All registered affiliated student organizations are required to file an End-of-the-Year report and keep a binder in the Student Organizations Suite. The End-of-the-Year report is due by the first Friday in May. The binder must be updated at least twice a year, once by October 5, and the second time by January, 20. The binder must be updated, and include all material requested by the Board of Governors to be considered "on-time." Failure to abide by these rules will result in a temporary suspension of the student organization's funds allocated by SBA and room reservation privileges until the student organization's President has met with the Student Bar Association President, or his or her designee, and a representative of the Student Services office. No funds spent while on suspension shall be reimbursed.

#### **Article XIV. First-Year Advisory Council**

Section 1. It shall be the duty of the President of the First-Year Class to establish a "1L Advisory Council" made up of at least one representative of each small section. This duty shall remain in effect as long the current "college system" exists. At the time when the current system is changed, so shall this By-Law be amended and the "council" reconstructed in a manner consistent with fair and equal representation of any system of division set in place by the law school administration.

Section 2. It shall further be the duty of the 1L Advisory Council to meet regularly at the discretion of the President of the First-Year Class and address issues and concerns of the First-Year Class as they arise.

#### **Article XV. Conflicts of Interest**

Section 1. The individual members of the Board of Governors of the Student Bar Association shall make every reasonable effort to identify possible conflicts of interest and make those known, in writing, to the other members of the Board of Governors. Possible conflicts of interest include membership in a Law School student organization recognized by the Student Bar Association.

Section 2. The Treasurer of the SBA shall not serve as a treasurer of any other Law School student organization nor shall he or she be able to take part in any financial exchange with SBA.

Section 3. Members of the Board of Governors who are active members of any Law School student organization shall abstain from voting on any motion affecting that Law School student organization. The Secretary of the Student Bar Association shall record in the minutes any abstentions made in accordance with this rule. During the bi-annual Budget Allocation Meetings, such abstentions will be noted and recorded.

-- *as amended, January 24, 2016.*