

BYLAWS

of the

UNIVERSITY OF VIRGINIA SCHOOL OF LAW STUDENT BAR ASSOCIATION

Amended and restated as of July 15, 2020

AS ADOPTED ON MARCH 19, 2007

Article I: APPLICABILITY

Section 1. **Applicable to all Student Bar Association Officers.** These Bylaws shall apply to all elected and appointed Officers and members of the University of Virginia School of Law Student Bar Association (“SBA”), as defined in the SBA Constitution.

Section 2. **Governing Rules.** Except as otherwise provided in the Constitution or these Bylaws, the SBA shall be governed by *Robert’s Rules of Order, Newly Revised*. However, to the extent possible, clear communication and effective decision-making should be prioritized over strict adherence to *Robert’s Rules of Order, Newly Revised*.

Section 3. **Suspension.** A majority vote of the Voting Members shall be necessary to suspend subparts of the Bylaws or the Bylaws in their entirety. The Bylaws may contain provisions prohibiting the suspension of specific portions of the Bylaws.

Section 4. **Amendment.**

- A. **Form.** Proposed amendments to the Bylaws must be made in writing.
- B. **Notice and Comment.** Upon formal submission of a proposed amendment, the SBA shall provide for at least a forty-eight-hour public notice and comment period for the proposed changes. For the purposes of this section, public notice shall mean publishing the proposed changes to the school. The forty-eight-hour period will toll for the entirety of Fall Break, Winter Break, J-Term, and Spring Break.
- C. **Voting.** The Bylaws may be amended by a sixty percent of the Voting Members.

Votes may be cast remotely and by proxy. Votes sent remotely must be sent to both the Meeting Chair and the Secretary or her designee, if applicable under II(1)(A)(ii).

- D. Voting Period. The President or Vice-President may open voting for up to 24-hours following the conclusion of the forty-eight-hour public notice and comment period.

Article II: MEETINGS OF THE SBA

Section 1. **Meetings**. To the extent practicable and necessary, the SBA shall hold weekly meetings throughout the academic year.

- A. Minimum Requirements for Meetings. All SBA meetings shall, at a minimum, possess the following:
- i. A Meeting Chair, who shall be presumed to be the President, or the Vice-President in the President's absence, or, if meeting upon petition, a specified member of the named petitioners;
 - ii. The SBA Secretary or a designee to record the minutes of the meeting;
 - iii. A sufficient number of Officers to comprise a quorum as per the SBA Constitution; and
 - iv. A minimum of ten persons present including those attending via telepresence, but not including proxies.
- B. Member Attendance Requirements. All Officers shall attend all meetings, communicate absences from meetings promptly, and be knowledgeable about Constitutional provisions regarding absences from SBA meetings. Should an Officer miss a meeting, they must notify any member of the Executive Board at any point before or up to twenty-four hours after the meeting absence with an excuse.

- C. Discussion. Upon introduction of a matter to the SBA, the introducing Officer shall present the item for discussion. After the presentation, questions for clarification shall be permitted, followed by discussion until a proper motion is made to bring the matter to a vote.

Section 2. **Voting**.

- A. Proper Motion Defined. A proper motion contains the following elements:
- i. A definitive request for movement;
 - ii. A clear and concise statement of what is being acted upon; and
 - iii. Framing in an affirmative manner (e.g., approve, accept, suspend, etc.).

Examples of a proper motion: “Motion to approve funding of \$1,000 for sweet tea in ScoCo” or “I move that we approve \$1,000 for sweet tea in ScoCo”

Examples of an improper motion: “Motion to reject funding of \$1,000 for sweet tea in ScoCo” (uses negative language – this is unnatural and confusing because opposition is being expressed by a YES vote) or “Let’s give \$1,000 for sweet tea in ScoCo” (no definitive request for movement – may be confused for expression of opinion)

- B. Member Voting Power. All Voting Members have one vote each on matters that come before the SBA.
- C. Roll Call. Before a vote of the SBA or if a voice vote is not unanimous, a Member may motion for a roll call vote on the matter. The motion does not require a second.
- D. Remote Voting. Should a Voting Member be absent from a meeting or leave a meeting prior to its conclusion, the Member may exercise their vote on a matter before the SBA by submitting it directly to the Meeting Chair after the agenda has been sent out but before the conclusion of the SBA meeting.

- E. Proxy Voting. Should a Voting Member be absent from a meeting or leave a meeting prior to its conclusion, they may grant a proxy vote to another Member. The proxy vote must be written, state specific voting directions on a specific topic, and be turned over to the Meeting Chair by the conclusion of the Meeting. Open ended proxies are not permitted. Any member exercising a proxy vote for another shall verbally indicate this fact in order to ensure the proper counting of votes cast.

Section 3. **Quorum**. Voting Members present via telepresence count towards Quorum, and they do not count as remote voting.

Article III: CONSIDERATION OF THE BUDGET

Section 1. **Fiscal Year**. The fiscal year of the SBA runs from October 1 to September 30. Rollover expenses are categorized as expenses made from September 15 to October 15 and may be categorized as part of either fiscal year.

Section 2. **Budget Creation**. As a prerequisite to receiving a budget for the upcoming year from the Student Bar Association, each committee shall present to the Treasurer on or before a date set by the Treasurer:

- A. A written report detailing specific programs and activities for the upcoming year;
- B. A detailed accounting of all expenditures made during the current budget cycle, regardless of the source, and a detailed account of any outstanding bills or expenses for the remainder of the current budget cycle; and
- C. A detailed accounting of any funds received by the committee from sources other than the SBA during the current budget cycle and an estimate of the amount of such funds to be expected in the upcoming budget cycle.

Section 3. **Budget Proposal**. Based on the reports received in accordance with Section 1 herein, the Treasurer shall prepare a proposed budget of student activity fees.

- A. Executive Board Presentation. The Treasurer shall distribute the budget proposal to the SBA Executive Board for comment no later than one (1) week prior to the first SBA meeting of the academic year.

- B. SBA Presentation. The proposed budget shall be distributed to SBA Officers twenty-four hours prior to its presentation at an SBA meeting to occur no later than the second regularly scheduled SBA meeting of the academic year.
- C. Committee Input. The proposed budget shall also be distributed to the Committee Chairs. Any Chair contesting their proposed budget allocation shall be given the opportunity to speak at the SBA meeting where the budget proposal is made.

Section 4. **Budget Vote**. The budget may be voted on at any SBA meeting subsequent to the initial budget presentation meeting. The final budget proposal, including any amendments, must be approved by a four-fifths (4/5) majority of the Voting Members before October 1.

Section 5. **Delivery to Dean of Students**. After the budget is approved, the treasurer must submit it within one week to the Dean of Students or other authorized agent of the University to receive student activity fees.

Article IV: CONSIDERATION OF RESOLUTIONS

Section 1. **Definition**. A resolution is a statement of the sentiment of the Student Body of the University of Virginia School of Law.

Section 2. **First Reading**. A resolution may be introduced at any meeting of the SBA.

- A. Presentation of the Resolution. All resolutions must be submitted to the Meeting Chair in writing upon introduction for consideration.
- B. Passage. A resolution will pass its first reading and move to a second reading at the next regularly scheduled meeting if a majority of Voting Members present at the resolution's first reading so vote, provided quorum is met.
- C. Distribution of Resolution. If a resolution passes its first reading, the SBA Executive board shall distribute the text of the resolution to the Student Body via e-mail at least twenty-four hours within the first reading and passage.
- D. Immediate Movement to Second Reading. Upon affirmative vote of three-quarters (3/4) of Voting Members, a resolution may move from its first reading immediately

to its second reading within the same meeting. If a resolution is moved immediately to as second reading, the distribution requirements in subsection C herein are waived.

Section 3. **Second Reading.** A resolution shall be adopted at its second reading upon a vote of a majority of Voting Members.

Section 4. **Amendments.** Amendments to a resolution shall be permitted only with the sponsor's consent, and if there are multiple sponsors, then the consent of a majority of the sponsors. If the sponsor is not present to give consent, then at the discretion of the Meeting Chair, the SBA may vote to approve an amended resolution pending later consent to the amendment by the sponsor or sponsors. If a resolution passes unanimously, the resolution shall be amended after its passage to include a sentence indicating that it was unanimously approved.

Article V: CONSIDERATION OF CONSTITUTIONAL AMENDMENTS

Section 1. **Special Rules for Constitutional Amendments.** In considering constitutional amendment proposals that will not be ratified by a vote of the student body, the SBA shall govern itself by the requirements of section 2 herein.

Section 2. **Requirements.**

- A. Form. Proposed amendments to the Constitution must be made in writing.
- B. Notice and Comment. Upon formal submission of a proposed amendment, the SBA shall provide for at least forty-eight-hour public notice and comment period for the proposed changes. The forty-eight-hour period will toll for the entirety of Fall Break, Winter Break, J-Term, and Spring Break.
- C. Voting. Votes may be cast remotely, but not by proxy. Votes sent remotely must be sent to both the meeting chair and the Secretary or her designee, if applicable under II(1)(A)(ii).
- D. Voting Period. The President or Vice-President may open voting for up to 24-hours following the conclusion of the forty-eight-hour public notice and comment period.

Article VI: SPONSORSHIP RIGHTS

Section 1. **Co-Sponsorships.** The SBA, by majority vote of Voting members or at the discretion of the SBA President (with timely notice to the SBA), has the authority to approve co-sponsorships with other organizations. SBA Committee Chairs have the authority to approve co-sponsorships of their committees with other organizations.

Section 2. **Reservation of Rights.** When funding is given, the SBA Voting Members reserve final approval rights in any co-sponsorship over publicity, timing, venue, speaker selection, food selection, funding allocation, and fundraising.

Section 3. **Petition to Withdraw Co-Sponsorship.** An SBA co-sponsorship will be withdrawn immediately upon written petition by five (5) Voting Members.

Section 4. **Override Vote.** A petition to withdraw co-sponsorship may be overridden by a majority vote of the Voting Members.

Article VII: STUDENT SPEECH RIGHTS

When sponsoring, co-sponsoring, or publicizing an event or forum, if the SBA permits student comments, those comments shall either be (A) unmoderated or (B) moderated within the bounds of the Federal, State, or local law and University regulations. Nevertheless, this does not limit the Student Bar Association's discretion to moderate speech on its behalf by Officers, Committee Chairs, Committee Members, or other agents.

Article VIII: ANNUAL TRANSITIONS

Section 1. **Transition Period.** Consistent with the Constitution, the time between the finalized election results and the new SBA Term shall constitute the official transition period.

Section 2. **Executive Board.** During the transition period, the outgoing executive board shall meet with the incoming executive board.

Section 3. **Executive Offices.** During the transition period, every Executive office holder, including but not limited to the SBA Executive Board and Committee Chairs, shall prepare or update transition guides and exit memos, transfer all SBA documents in their possession, and meet – at least once – with their successor, should one be named during the transition period.

Section 4. **Voting Members.** Within one month of being elected, appointed, or otherwise selected for a Voting Member position, each Voting Member must have attended an orientation as to their rights and responsibilities under the Constitution and these Bylaws by a member of the outgoing or current Executive Board. Each Voting Member will attest to their understanding and acceptance of those rights and responsibility by signature. Those signatures shall be kept on file by the Executive Board.

Section 5. **Student Organizations.** The Vice-President shall select a deadline no later than the end of Spring Exam period by which all student organizations, unless exempt, shall provide to the SBA Executive Board up-to-date organization information including, but not limited to:

- A. A list of membership for the current academic year, including each student's class;
- B. A list of organization officers for the (i) current or (ii) next academic year, including contact information for each officer;
- C. A list of organization events (i) held during the current year and (ii) proposed to be held in the upcoming year (note: this list must include relevant descriptions, details, and funding requests that will aid future members of the organization in planning events); and
- D. A copy of the organization's constitution and, if used, bylaws.

A representative of the organization must prepare and submit the annual transition information required pursuant to this section. Organizations that fail to submit the transition information, or whose transition information reveals a failure to maintain active status as defined in Article X, Section 4, will be considered inactive.

Article IX: ELECTIONS

Section 1. **Election Rules.** Election Rules shall be created by the Election Committee and approved by a majority of SBA Voting Members. Those rules shall not be considered bylaws.

Article X: SBA-RECOGNIZED STUDENT ORGANIZATIONS

Section 1. **Recognition.** SBA's recognition of a student organization will allow the student organization to request use of community areas and communication tools for publicity purposes, inclusion of the club at the Student Activities Fair, funding from student dues in special circumstances, and other benefits as the SBA deems.

A recognized organization is not an agent, servant, or employee of the SBA and does not have the authority to act for the SBA or commit the SBA to any activity, transaction, or agreement. The SBA does not supervise, direct, or control the recognized organization's activities.

A recognized organization shall not hold itself out as part of, controlled by, or acting on behalf of

the SBA. The recognized organization shall take affirmative steps in all of its recruitment, business, and other dealings with third parties (including, for example, prospective members and businesses) to properly explain its relationship with the SBA as described above.

SBA's recognition of a student organization does not confer the right to use the SBA taxpayer identification number or tax-exempt status.

SBA's recognition of a student organization does not connote acceptance of liability for injuries or harm caused to anyone in connection with or arising out of the recognized organization's activities, contracts, torts, or other acts or omissions, or those of the recognized organization's directors, officers, members, advisors, activity participants, or any other persons associated with the recognized organization.

Section 2. **Eligibility.**

- A. Right to Propose. Any member of the student body shall have the right to propose that a student organization be recognized by the SBA.
- B. Non-Discrimination Policy. A student organization is ineligible for recognition if the organization does not comply with the University's Non-Discrimination Policy. Under this policy, an organization is ineligible for recognition if the organization restricts its membership, programs, and/or activities on the basis of age, color, disability, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, or veteran status. Notwithstanding these requirements, a recognized organization may restrict its membership based on an ability to perform the activities related to the organization's purpose. The University's Non-Discrimination policy is available at <http://uvapolicy.virginia.edu/policy/HRM-009>.
- C. Anti-Hazing Policy. A student organization is ineligible for recognition if the organization does not comply with the University's policy against hazing. Under this policy, an organization is ineligible for recognition if the organization practices, permits, condones, or tolerates hazing. Hazing is prohibited by state law and University policy, including the University's Standards of Conduct. The University does not condone hazing in any form. The University defines "hazing" as any action taken or situation created by a member(s) of a student organization toward one or

more organization members or toward prospective members (as a part of the new member selection process) that occurs on University-owned or leased property or at University-sponsored or supervised functions or at the local residence of any University student, faculty member, or employee, and that is designed to or produces mental or physical harassment, discomfort, or ridicule. Such activities and situations include, but are not limited to, creation of excessive physical or psychological shock, fatigue, stress, injury, or harm. Student organizations and/or individual members found to have engaged in hazing as defined in this statement shall be in violation of University policy and the University's Standards of Conduct and may also be in violation of state law. The University's policy against hazing is available in the Record at <http://records.ureg.virginia.edu/>.

Section 3. Proposal to the SBA. The SBA shall consider the eligibility of a student organization seeking recognition within two weeks of receiving the proposal, subject to tolling during Winter Break, Fall Break, Spring Break, and J-Term.

- A. Presentation to SBA. The organization's proposer(s) shall be required to give a presentation in person to the SBA. The presentation must include:
- i. A list of anticipated board members;
 - ii. A list of at least twenty-five (25) students who support the creation of the group;
 - iii. A constitution, which shall include, at minimum:
 - a. A mission statement;
 - b. Requirements for membership;
 - c. Officer position titles, including the description and duties of each;
 - d. Procedures the organization will follow for selecting officers or other official positions, including the duration of the term in office

and procedures for removal;

- e. A list of all committees, as well as their respective purposes, duties, and functions, if any such committees exist or are anticipated to exist in the upcoming academic year;
- f. Information about meetings held by the organization, including but not limited to the frequency of meetings, which officers shall preside over official business, and what quorum is required for official business to be conducted; and
- g. The organization's procedures for adding or amending the constitution and/or bylaws.

B. Required Forms. A completed New Student Organization Form shall include, but is not limited to:

- i. The means or methods the organization intends to use to fulfill its mission statement;
- ii. Proposed events the organization intends to sponsor in the upcoming year and in the future;
- iii. A description of how the organization is distinct from other student organizations at UVA Law;
- iv. Anticipated budget needs and plans to raise needed funds;
- v. Additional anticipated needs, such as office or mailbox space; and
- vi. A statement of any national organization, faculty, or other sponsorship or affiliation, if such a relationship currently exists or is expected to arise.

C. Constitution Templates. The SBA shall maintain and disburse to students wishing

to obtain recognition of organizations, upon request, a constitution template and a New Student Organization Recognition Form.

- D. Permissible Considerations. The SBA will abide by the University's Non-Discrimination policy when making determinations as to the approval of an organization and shall approve an organization's proposal by majority vote considering exclusively the following factors:
- i. Membership from the various classes;
 - ii. Long term viability including, but not limited to, the certainty of future student membership;
 - iii. Appeal to the general student body beyond the core membership;
 - iv. The potential for the club to collaborate with student organizations;
 - v. Whether the proposed club will serve needs not otherwise provided for at UVA Law (by a student group, the administration, etc.); and
 - vi. The proposed organization's willingness to abide by the University's Non-Discrimination policy and policy against hazing as defined in Section 2 herein.

Section 4. Active Status. Each SBA recognized student organization is expected to maintain active status as defined in this section.

- A. Requirements. To maintain active status as recognized by the SBA, an organization must be involved with at least one event open to the student body each semester. Examples include, but are not limited to, a kickoff party, a speaker or panel event, or an organization recruitment event.
- B. Exemptions. The following organizations are exempt from the Annual Transition and Active Status requirements contained in Article VIII, Section 5, and this

section. Should any of the following organizations disband, they will automatically be removed from this section and must regain recognition through a proposal for recognition pursuant to Section 3 herein.

- i. Graduate Law Students Association
- ii. Journal of Law & Politics
- iii. Virginia Environmental Law Journal
- iv. Virginia Journal of Criminal Law
- v. Virginia Journal of International Law
- vi. Virginia Journal of Law & Technology
- vii. Virginia Journal of Social Policy and the Law
- viii. Virginia Law & Business Review
- ix. Virginia Law Review
- x. Virginia Law Weekly
- xi. Virginia Sports and Entertainment Law Journal
- xii. Virginia Tax Review

C. Inactivity. Organizations deemed inactive lose the benefits of recognition described in Section 1 herein. Inactive organizations may regain recognition through a proposal for recognition pursuant to Section 3 herein.