

BYLAW AMENDMENT PROPOSAL

APRIL 19, 2010

I. Introduction

The Executive Board presents the amended version of the SBA Bylaws for consideration and vote by the Board. The revisions made herein seek to bring our bylaws into line with current practice as it pertains to operation of the Budget Committee and funding of the Social and Diversity Committees. They are the result of months of review, ten plus rounds of revisions, and much collaboration.

Major substantive changes include:

- Addition of a veto power for the Treasurer to balance the power of the President in making appointments to the Budget Committee
- Numerous procedural disclosure requirements relating to formulation and approval of the budget, circulation of the Spending Guidelines, and use of the Treasurer's unilateral funding powers
- Codification of decision making process for the Budget Committee
- Procedural due process improvements for hearing and deciding upon funding requests made by Student Groups, the Social Committee, and the Diversity Committee

In addition to these substantive changes, many editorial revisions have been made to resolve ambiguities and increase clarity in our bylaws document.

II. The Proposal

BYLAWS OF THE STUDENT BAR ASSOCIATION

PURPOSE

These Bylaws are intended to describe and clarify additional matters beyond those covered in the SBA Constitution. The items contained herein are new in that the Constitution does not address these particular aspects of the operation of the Student Bar Association.

ARTICLE I. CONFLICTS WITH THE SBA CONSTITUTION

Section 1:

Should any conflicts arise between the SBA Constitution and the Bylaws, the Constitution shall govern. The Bylaws are subservient to and dependent on the Constitution.

ARTICLE II. SOCIAL COMMITTEE CHAIRPERSON

SECTION 1: MEMBERSHIP

In accordance with Article V, Section 2 of the SBA Constitution, the Social Committee is a standing committee of the SBA. The Social Committee shall consist of at least four (4) SBA Board members in addition to the Social Committee Chairperson ("SCC"). The quorum for any business meeting of the Social Committee will be either three (3) Committee Members or a majority of active Committee Members, whichever is greater. The Social Committee Chairperson may appoint any number of non-SBA Board members to serve on the Social Committee in an ex-officio capacity.

SECTION 2: DISCLOSURE REQUIREMENTS

At the first regularly scheduled SBA Meeting of every month, the Social Committee Chairperson will provide a detailed report to the Board outlining, at least, the previous calendar month's activities and expenditures and the next calendar month's planned activities and projected expenditures. The SCC need not strictly adhere to the planned activities and projected expenditures outlined in this report. The report is intended to inform the SBA Board and not to bind the SCC to specific courses of action. However, the SCC should endeavor to make these reports as accurate as possible at the time they are given. If there are no regularly scheduled SBA Meetings in a given month, the SCC will give a report at the next meeting as detailed in Section 1. That report must include the period of time from that meeting to the previous one.

SECTION 3: COMMITTEE APPROVAL REQUIREMENTS

If funding for an event to be paid for out of the social budget is projected to exceed two-thousand and five-hundred dollars (\$2,500), the Social Committee shall vote whether to fund the event as projected. A successful majority vote of voting Committee Members at a noticed committee meeting will allow the SCC to proceed with the planning and organization of the event. After such a vote, the SCC shall report the vote, whether successful or not, in addition to the event, at the subsequent regularly scheduled SBA Meeting.

SECTION 4: REVIEW BY THE BOARD

All expenditures or projected events by the SCC may be subject to review by the SBA upon a successful majority threshold vote of voting members in attendance at a regularly scheduled meeting. Pursuant to a successful vote, discussion shall ensue. Expenditures and projected events may then be rejected by another two-thirds vote of voting members in attendance at the same meeting.

SECTION 5: PRESIDENTIAL VETO POWER

The President is empowered to veto any expenditure or projected event by the SCC. If the President does explicitly exercise this power, the President must report this during the President's report at the subsequent regularly scheduled SBA Meeting. The President's veto may be overruled by a successful two-thirds vote of voting members in attendance.

SECTION 6: BUDGET SUBMISSION

The SCC shall submit a budget to the Budget Committee at the same time, in a similar manner and for the same purposes as Student Groups do. The Budget Committee shall vote on that projected budget. At its discretion, the Budget Committee may allot the SCC and/or Social Committee all additional allotment, subject, if at all, to any restrictions or provisions the Budget Committee may provide.

ARTICLE III. SPECIAL STANDING COMMITTEES

SECTION 1: PRO-BONO AND PUBLIC INTEREST COMMITTEE

(a) Mandate. In addition to the Constitutionally mandated SBA committees, each Board shall form a standing committee called the Public Interest and Pro Bono Committee. This committee shall remain standing until such time as the Bylaws are amended to eliminate it.

(b) Membership. This committee shall be comprised of any number of Board members, but more than zero. The appointment process shall be in accordance with the appointment powers for other committees directed under the Constitution.

(c) Purpose. The Public Interest and Pro Bono Committee shall focus on the policy matter of supporting and developing and public interest and pro bono work, awareness, and opportunities at the University of Connecticut School of Law. This amendment represents a culmination of the 2004-2005 and the 2005-2006 Board's efforts in this area.

(d) Responsibilities. Meet periodically with the student representatives on the Public Interest and Pro Bono faculty committee and provide no less than 2 reports to the Board per semester; Use the SBA's March 2005 Open Letter as guidance; connect with student groups and individual students to communicate new and ongoing public interest and pro bono opportunities through the school; and create a voice for the administration about the importance of public interest and pro bono work at the University of Connecticut School of Law.

ARTICLE IV. THE BUDGET COMMITTEE AND SBA FUNDING PROCEDURES

SECTION 1: THE BUDGET COMMITTEE

(a) Purpose. The Budget Committee exists to evaluate funding requests, formulate budget proposals to be submitted to the SBA, advise the Treasurer on discretionary matters within the course of carrying out his or her duties, and formulate a set of official Budgetary Guidelines.

(b) Membership. The Budget Committee shall be composed of seven (7) voting members including: the President, the Treasurer, and five Representatives. Five (5) Class Representatives shall be appointed to the Budget Committee including one (1) Second Year Day (2LD), one (1) Third Year Day (3LD), one (1) Upper-class Evening (2/3/4LE) Representative, One (1) First Year Day (1LD) Representative, and one (1) First Year Evening (1LE) Representative. The

Secretary shall serve as an ex-officio member for the purpose of recording minutes and contributing to discussion.

(c) Selection of Members. The President shall choose the Representative members after consulting with the Treasurer, subject to the preceding membership provisions. The Treasurer may veto up to three member appointments made by the President; however, such vetoes may be overridden by a two-thirds vote of the SBA Board. Should the Treasurer choose to exercise the veto power, he must do so formally during a regularly scheduled meeting of the Board.

The Second Year Day (2LD), Third Year Day (3LD), and Upper-class Evening (2/3/4LE) shall be appointed before the end of the Spring Semester, after elections have concluded. The First Year (1LD) and First Year Evening (1LE) Representatives shall be appointed during the Fall Semester of the following academic year at the first regularly scheduled meeting following the election of the First Year Representatives. No member shall be appointed who is not currently a member of the SBA Board or SBA Executive Board.

Any appointments to the Budget Committee may be subject to review by the SBA upon a successful majority threshold vote of voting members in attendance at a regularly scheduled meeting. Pursuant to a successful vote, discussion shall ensue. Appointments may then be rejected by another two-thirds vote of voting members in attendance at the same meeting.

(d) Ex-Officio Members. The Budget Committee Chairperson shall be empowered to appoint up to five (5) ex-officio members to the Budget Committee. The ex-officio members may participate in conversations and contribute to the planning and operation of the Budget Committee, but may not vote on any particular matter.

(e) Vacancies. Budget Committee vacancies may be filled by appointment by the President after consultation with the Treasurer and subject to veto by the Treasurer.

(f) Terms of Service. Budget Committee members shall serve on the Committee during the course of their term in office, as prescribed by the Constitution. Budget Committee members may also end their term of service by written resignation or by their removal from the position pursuant to the requirements below.

(g) Removal. Budget Committee members may be removed from the Budget Committee upon the agreement of both the President and the Treasurer. The President and Treasurer must furnish the removed Committee member with a written reason for the removal. In the event that the President and Treasurer disagree, either Officer may seek removal of the member in question by two-thirds vote of the SBA during a regularly scheduled meeting of the Board. The SBA may also override the Treasurer's veto by two-thirds vote.

(h) Operation. As per Article III, Section 4 of the SBA Constitution, the Treasurer shall serve as the Budget Committee Chairperson. Each member of the Committee is entitled to one (1) vote. All funding decisions, except for those in the amount of \$500.00 or less, shall be made by official vote. Per the SBA Constitution, funding decisions in the amount of \$500.00 or less may be made at the discretion of the Treasurer; however, where the Treasurer exercises such

discretion in excess of \$100.00, he must inform the Budget Committee by e-mail and notify the Board at the next regularly scheduled meeting. On the first day of each month, the Treasurer shall email to the Budget Committee a list of unilateral allocations made in accord with this provision.

(i) Publication of Membership. The membership of the Budget Committee, including both voting and ex-officio members, shall be announced to the school through e-mail and posted to the SBA website following the appointment of the First Year Representatives and no later than two weeks after the second meeting of the academic year.

SECTION 2: BUDGETARY GUIDELINES

(a) Purpose. The Budgetary Guidelines ("Guidelines") are intended to assist Student Groups in preparing their budget proposals in the Fall and Spring Semesters, to provide transparency regarding the priorities and regulations utilized by the Budget Committee in formulating a Budget Proposal for the SBA Board, and to ensure that uniform standards are applied to all Student Organizations when considering funding requests.

(b) Formulation. The outgoing Budget Committee shall produce a set of Guidelines in the Spring Semester. The Guidelines will detail the funding principles and rules the new Budget Committee will follow in preparing a new budget for the subsequent year. The Guidelines may address items including, but not limited to: Student Group food funding; speaker fees, meals and transportation; competition and conference registration fees, transportation, and lodging.

(c) Application. The Guidelines shall be binding upon the Budget Committee in making all allocations to Student Organizations.

(d) Approval. The Guidelines shall be presented to the SBA Board via e-mail by the outgoing Budget Committee at least 10 days prior to the final regularly scheduled SBA meeting. At the final regularly scheduled SBA Meeting of the Spring Semester, the newly-elected SBA shall vote upon the Guidelines for the upcoming academic year. The Guidelines shall be adopted by a successful majority vote of voting SBA members in attendance, excluding outgoing 3LD, 3LE, 4LE, and LLM Representatives. The Guidelines may be amended thereafter by a majority vote of voting members in attendance at any SBA Meeting. If the proposed Guidelines fail to pass, the Budget Committee must amend in response to feedback provided at the meeting and present a revised proposal at the next meeting of the Board.

SECTION 3: SUBSEQUENT TO THE ADOPTION OF THE GUIDELINES

(a) Publication of Guidelines. The Guidelines shall be posted in hard copy on the SBA Bulletin Board in the Knight Student Lounge and in electronic format to the SBA Website within 14 calendar days of their adoption. An e-mail so noting this distribution and posting shall be sent to the Students e-mail list.

(b) Educating Representatives about the Guidelines. Subsequent to the election of First Year Day (1LD) and First Year Evening (1LE) Representatives in the Fall Semester, the Budget

Committee Chairperson shall ensure that the newly-elected Representatives are made aware of the current Budgetary Guidelines. The Budget Committee Chairperson shall provide each of these Representatives with a written document, e-mail, e-mail attachment, or link to the SBA Website containing the Budgetary Guidelines. The Budget Committee Chairperson shall present an overview of current SBA finances, including revenue and expenditures from the past and present fiscal year to the SBA Board at the first SBA meeting following elections.

(c) Secondary Notification Requirement. The Guidelines shall be sent again to the Presidents and Treasurers of all Student Organizations in the form of an e-mail, e-mail attachment, or link to a posting of the Guidelines on the SBA website no less than 5 school days prior to the due date for Student Groups to submit budget requests in the Fall Semester.

SECTION 4: BUDGET PROCESS REQUIREMENTS

(a) Publication of Deadlines. The Budget Committee Chairperson shall notify Student Group Presidents and Treasurers via e-mail of all deadlines related to the budget process no less than 14 calendar days prior to the date of the earliest budget process deadline.

(b) Student Organization Budget Requests. The Treasurer shall provide all Student Organization Presidents with a standardized form to be used to apply for any funding through the SBA. Student Organizations shall apply for funding utilizing these forms and shall provide a description of the intended use for the funds as well as a detailed breakdown of expenses relating to the request.

(c) Student Group Meetings. The Budget Committee shall grant Student Groups the opportunity to appear before the Budget Committee to present their budget proposals prior to the Budget Committee commencing formal deliberations on the budget. This opportunity shall not be construed to require the Budget Committee to meet with every Student Group submitting a funding request, nor shall it be construed to require the Budget Committee to make special arrangements with specific groups provided that all Student Groups were given a reasonable opportunity to send a representative before the Budget Committee. The SBA Secretary shall provide notification of the time of these meetings to the Secretary of State of Connecticut.

(d) Committee Deliberations. The Budget Committee shall hold a formal meeting to deliberate on budget requests by Student Groups after the period for meetings with Student Groups has passed. This formal meeting shall be held in a public place on the Law School campus (e.g. library study room or reserved classroom), and the date, time, and location of this meeting shall be posted on the Official SBA Bulletin Board no less than 5 school days prior to the date of the meeting. The Secretary shall notify the Secretary of State of this meeting at least one business day prior to the date of the meeting.

(e) Formulation of Budget Proposal. By the adjournment of the formal meeting of the Budget Committee, the Budget Committee shall create an official Budget Proposal for submission to the SBA Board. This Budget Proposal shall be posted on the Official SBA Bulletin Board and a copy shall be placed on reserve in the library no less than 5 school days prior to a final Board vote on the Budget Proposal.

(f) Disbursement of Funds. The Treasurer may only disburse funds allocated in accordance with the provisions of this Article, the SBA Constitution, the Budgetary Guidelines, the Rules and Policies of the University of Connecticut, and State and Federal Law.

(g) Allocations Made Pursuant to the Treasurer's Unilateral Powers. The Treasurer may not utilize the unilateral funding power provided for in Article III, Section 4 of the SBA Constitution to make allocations in excess of \$500 to any single event or purchase by making successive and separate \$500 allocations that do not individually exceed that prescribed limit, but that do, when viewed in aggregate, surpass the \$500 limit.

SECTION 5. SPECIAL PROVISIONS RELATING TO FUNDING OF THE SOCIAL AND DIVERSITY COMMITTEE

(a) Social Committee Funding Procedures.

(1) Budget Committee Meeting. The Social Committee Chairperson shall appear before the Budget Committee prior to formulation of the start-of-the semester Budget Proposal at a time determined to be mutually acceptable to the Social Committee Chairperson and the Budget Committee Chairperson. If the Social Committee Chairperson is unable to meet with the Budget Committee during Student Group Meetings, he or she may choose either to appoint a representative from among the voting members of the Social Committee to appear before the Budget Committee, or to schedule a separate time to meet with the Budget Committee Chairperson.

(2) Presentation to the Budget Committee. During this meeting, the Social Committee Chairperson shall present a list of events under consideration to the Budget Committee with an estimated cost for each event. The Social Committee Chairperson shall be prepared to discuss the rationale for the predicted cost of each event. The Social Committee Chairperson shall not be required to line-item such costs, but may instead refer to the costs of other events or his or her manner of calculating such an estimate.

(3) Social Committee Discretionary Allocations. In addition to presenting a list of events, the Social Committee Chairperson may request a discretionary fund not to exceed twenty-five percent of the total amount requested in the Social Committee Budget.

(4) Evaluation of Social Committee Budget Requests. The Budget Committee shall evaluate each proposed event based upon two criteria. First, the Budget Committee shall determine whether the requested amount for an event is reasonable in the context of the SBA Budget and as compares to previous allocations to the Social Committee. Second, the Budget Committee shall determine whether the proposed use of funds is in accordance with State and SBA Spending Guidelines.

(5) Structure of Social Committee Budget Allocations. Although the Budget Committee may evaluate each proposed event individually, the SBA Social Committee Allocation shall not be made on line-item basis. Rather, the Budget Committee shall determine an appropriate total

allocation for the Social Committee based upon the events estimates and discretionary event presented. At its discretion, the Budget Committee may divide the Social Committee Budget into separate allocations for Social Committee Events and Co-Sponsored Community Events.

(b) Diversity Committee Funding Procedures. The SBA Diversity Committee (“DC Committee”) shall receive up to \$200 of funds to be used at their discretion during the course of a single semester, subject to the approval of the SBA Treasurer.

One or both of the DC Committee Chairpersons shall appear before the Budget Committee prior to formulation of the start-of-the semester Budget Proposal at a time determined to be mutually acceptable to the Social Committee Chairperson and the Budget Committee Chairperson. If either of the DC Committee Chairpersons is unable to meet with the Budget Committee during Student Group Meetings, they may choose to appoint another member of DC Committee to appear before the Budget Committee, or to schedule a separate time to meet with the Budget Committee Chairperson.

Any funding allocations made to the Diversity Committee must comply with the same Budgetary Guidelines applied to Student Organizations. To be eligible for reimbursement, any expenses incurred by the DC Committee must have been made in compliance with the Budgetary Guidelines and pursuant to an approved allocation of funds by the SBA.

SECTION 6: REQUIREMENTS SUBSEQUENT TO THE PASSAGE OF THE SBA BUDGET

(a) Supplemental Funding Process. The Budget Committee shall begin considering supplemental budget requests at the discretion of the Treasurer, but no later than 28 calendar days after the successful passage of an annual or semester SBA budget. The Budget Committee Chairperson shall choose the date that the Budget Committee will begin considering these requests and shall notify Student Group Presidents and Treasurers of the opening date for supplemental budget requests via e-mail by that date.

The supplemental budget period shall close at a time of the Budget Committee Chairperson’s choosing provided that Student Group Presidents and Treasurers are notified via email no less than 14 calendar days prior to that date. Supplemental requests in any amount greater than \$500 must be approved by a majority of the Board. Allocations in any amount less than \$500 must be disclosed pursuant to the restriction in Section 1(h) of this Article.

(b) Deadline for Reimbursement Requests. The Budget Committee Chairperson shall set a deadline each semester for the final submission of reimbursement/payment requests. This deadline should provide a reasonable amount of time after the semester has concluded for Student Groups to submit their last reimbursement/payment requests. The Budget Committee Chairperson shall notify Student Group Presidents and/or Treasurers of this deadline no less than 14 calendar days prior to the date of the deadline.

SECTION 7: DELEGATION OF AUTHORITY AND RESOLUTION OF CONFLICTS

(a) Delegation of Authority. The Treasurer shall be the Chief Financial Officer of the Association and Chairperson of the Budget Committee. The latter position may be delegated to any member of the Board upon approval by a majority of the members of the Budget Committee.

(b) Resolving Conflicts between Treasurer and Delegated Chairperson. In cases where the role of Budget Committee Chairperson has been delegated to an individual other than the Treasurer, the Treasurer may overrule a decision of the Budget Committee Chairperson provided that the Treasurer's decision is consistent with the requirements of this Article.

ARTICLE V. AMENDMENTS OR REVISIONS TO THE BYLAWS

SECTION 1: AMENDMENT PROCESS AND NOTICE REQUIREMENT

Any amendments or revisions to these Bylaws may only take effect upon a successful two-thirds vote of voting members in attendance at a regularly scheduled meeting of the SBA Board provided advance notice of the vote has been given to the Board and the Student Body and the proposed amendments or revisions have been posted for at least six days prior to the meeting.