I. CRITERIA FOR RECOGNIZED STATUS

A. The Organization must have a Constitution which includes:
   1. The stated purpose of the organization.
   2. The rules and regulations governing all organizational procedures and duties of the organization’s officers.
   3. The organization’s commitment of service to the Santa Clara University School of Law community.

B. The Organization must:
   1. Have at least five (5) active law student members from the University community without discriminating against race, religion, sex, color, handicap, nationality, ethnic origin, sexual preference, or political affiliation.
   2. Have all members be current or former law students at Santa Clara University.
   3. Present a list of all active members to the Vice President (full-time) before receiving recognition.
   4. Establish that the organization does not duplicate an existing organization.
   5. Have only law students as officers.
   6. Register with the Dean of Students Affairs’ Office.
   7. Submit an officer list, with current telephone numbers, every fall to the Vice President (full-time) and the Dean of Students Affairs’ Office.
   8. Have a purpose not inconsistent with the mission and educational goals of Santa Clara University School of Law.

C. All recognized organizations are entitled to the following privileges:
   1. Use of the University name.
   2. Use of the University facilities at reduced rates or no charge.
   3. Opportunity to sponsor fund-raisers on campus.
   4. Right to publicize events and distribute information on campus.
      a. All printed advertisements for events must contain a notation or stamp which states “the views expressed at this event do not necessarily reflect the opinion of Santa Clara
University, the School of Law, or the Student Bar Association.”

5. Inclusion in a directory of Student Organizations.
6. Ability to sell tickets at the Benson Information Booth.
7. Use of a mailbox under the organization’s name.
8. Right to invite speakers on campus in accordance with the speaker policy.
   a. All printed advertisements for speakers must contain a notation or stamp which states “the views expressed at this event do no necessarily reflect the opinion of Santa Clara University, the School of Law, or the Student Bar Association.”
9. Advisement from the Office of Student Activities.

II. RESPONSIBILITIES OF RECOGNIZED STATUS
   A. All organizations must fulfill criteria in Section I to be recognized.
   B. Submit a Constitution as described above.
   C. Submit information for recognition to the Vice President (full-time) by the end of the third week of the semester prior to the semester in which the group wishes to have SBA funding.
   D. It is strongly suggested that all organizations collect dues for all active members in the amount of at least one dollar ($1.00) per semester to promote financial security.
   E. Operate on a non-profit basis.
   F. Adhere to the organization’s approved Constitution and By-laws.
   G. Use the mailboxes as a communication link between officers and Board of Governors.
   H. Attend any mandatory meetings called by the SBA Executive Officers.

III. RESPONSIBILITIES OF ACTIVE STATUS
   A. All organizations must fulfill criteria in Section I to be active.
   B. Active status will be achieved after one (1) semester on recognized status and upon approval (by majority vote) of the Board of Governors. The Board will vote to approve such organizations at the last Board meeting before club budgets are due.
   C. An organization on active status is eligible to request funding from the Finance Committee and the Board of Governors.
   D. All activities to be funded by the Student Bar Association must be open to all law students.
E. All organizations will be responsible for holding all activities for which they request funding or to notify the Board of Governors if an event will not be held.

F. All club officers are responsible for all money allocated by the Board of Governors.

IV. PROCEDURES FOR THE REMOVAL FROM ACTIVE STATUS
   A. Any organization found by the Board of Governors to be violating a Recognition Policy will be reviewed for removal from active status.
   B. An organization may be removed from active status by a 2/3 vote of the Board of Governors.
   C. Upon a majority vote of the Board of Governors, an active organization may be compelled to appear and show case as to why recognized status should not be revoked.
   D. Organizations removed from active status will be placed on recognized status.

V. PROCEDURES FOR REMOVAL FROM RECOGNIZED STATUS
   A. Failure to abide by this Recognition Policy can lead to a revocation of an organization’s official recognized status.
   B. Upon a majority vote of the Board of Governors any officially recognized organization may be compelled to appear and show case as to why recognized status should not be revoked.
   C. Upon a 2/3 vote, the Board of Governors reserves the right to revoke any officially recognized organization’s status, including any rights and privileges granted.
   D. Any group which has been removed from recognized status through the above described procedure may reapply for recognition after passage of one (1) semester.

Voting and quorum requirements shall be determined under the Student Bar Association Constitution.

Enacted: 1996
BY-LAW NO. 2

COMMITTEE SELECTION PROCEDURE

I. SOLICITATION OF COMMITTEE MEMBERS
   A. The Executive Officers shall solicit SBA members to sign-up for the various committees on “club day” at the beginning of the fall semester.
   B. Information shall be made available to provide students with the following information:
      1. A basic description of the committee and its functions
      2. The goals and aims of, and current issues concerning the committee

   It will be the duty of each committee to prepare and/or update information regarding its activities at the end of each term.

Enacted: 2013

Legislative Committee Comments:
The 2013 revisions reflect a change in the procedural process for the selection of the SBA Committees: Legislative, Social, Community Service and Finance Committees. The Board of Governors and the SBA have not implemented an election process for the SBA Committees for the past number of years. With the deleted procedural requirements, the By-Laws now reflect the Committee recruitment process as applied in practice. The aim of the SBA is to foster the maximum amount of participation from the student body and removing the procedural barriers to participation is in line with achieving this goal.
BY-LAW NO. 3

FINANCE POLICIES

1. The purpose of these policies is to allow each club to have a better understanding of what the Finance Committee and Treasurer consider when allocating funds to the various clubs and the procedural steps required in allocating those funds. The policies herein must be adhered to, failure to do so could result in the denial of funding or reimbursement request. Any questions pertaining to these policies shall be directed to the Treasurer.

DEFINITIONS

2. The term “CLUB” as used herein will refer to any club, organization, or class that receives funds from the Student Bar Association.

3. The term “SBA” or “STUDENT BAR ASSOCIATION” as used herein will refer to all students currently enrolled in the School of Law at Santa Clara University.

4. The term “TREASURER” as used herein will refer to the individual who is currently serving in the capacity of the Treasurer for the SBA.

5. The term “FINANCE COMMITTEE” or “COMMITTEE” as used herein will refer to the committee which is appointed by the Board of Governors.

6. The term “BOARD OF GOVERNORS” as used herein is defined in the Constitution of the Student Bar Association, Article IV, section A.

7. The term “BUDGET PERIOD” as used herein will refer to the six (6) month period in which funds are allocated.

8. The terms “CATEGORY” and “NAME OF EVENT” are synonymous.

FINANCE COMMITTEE

9. There are two (2) budget periods each calendar year, February 1 to August 31 and September 1 to January 31. Budget allocations cannot be transferred between budget periods. The Finance Committee will meet in the middle of January and the end of August to consider the budget requests of clubs for the upcoming budget periods. At this time, the Treasurer will issue an updated set of guidelines, including a list of “typical” limits on funding, updated forms, and other explanations as necessary. Additionally, a sign-up sheet for appointments to meet with the Finance Committee will be posted at the SBA office. This posting will
occur at least one (1) week prior to the Committee budget meeting. As well announcements will be made in “The Grapevine”.

a. Recommended quarterly meetings to review budgets and spending.
b. SOPA forms will be due one week after the last Council of Leaders Meeting of the year.
c. At the end of the year all LSO spending will be published and posted.

10. Each club shall bring to the Finance Committee budget meeting, at its appointed time, twelve (12) copies of its budget packet. Each club’s budget shall consist of a “budget request cover sheet” and as many “activity funding requests” that are necessary. Each club is limited to two (2) representatives at the Finance Committee budget meeting, at least one of which shall be a duly elected officer of that club.

11. One (1) “budget request cover sheet” is required for each club each budget period. If midway through the budget period the information on this sheet changes, a “revised budget request cover sheet” must be filed with the Treasurer, by the president of that club, and attested to by the secretary of that club.

12. For each activity a club is requesting funding for, an “activity funding request” must be completed. These requests should be placed within the budget pack according to the club’s priority. Although the clubs are very diverse in interest, many clubs request the same type of allocations. In these cases, the Committee will attempt to make the distributions as equal as possible. The Committee bases allocations, in part, on the clubs’ ability to fund its own activities, through dues or outside funding. In addition, clubs will receive recommendations based on student participation and contribution to the law school community.

13. The Committee will use equitable considerations to determine its recommendations, generally following these priorities:

a) Clubs which provide practice experience to supplement the classroom and contribute to the development of legal skills.

b) Clubs which assist students to remain in law school.

c) Clubs which engage students in issues confronting society.

d) Clubs which provide information about the law school and legal system to the community.

e) Clubs which provide and encourage recreational and social events.
f) This list is not exclusive and shall be supplemented by the President’s policy statement prepared in accordance with the Constitution of the Student Bar Association, Article II, section A(1)(b)(6).

14. There are certain conditions which the Board of Governors has placed on the use of student funds.
   a. All students must be allowed to participate in activities which are funded, in whole or in part, by SBA funds.
   b. All flyers and other promotional materials must contain a statement indicating that the event is sponsored or co-sponsored by the Student Bar Association.
   c. All fund allocations must be spent for the purpose in which they are allocated for and cannot be changed without recommendation by the Finance Committee and approval by a majority of the Board of Governors.
   d. After an event of any kind, a summary of the activity must be given to the Treasurer before funds are disbursed.
   e. Students who attend events with the funding of the SBA are expected to make the information obtained at the activity generally available to the entire law school community.
   f. All clubs must maintain records of all funds received from the SBA, all funds received from supplemental or outside sources, and all expenses incurred in each budget period. Such records shall be kept for a minimum of five (5) academic years and be subject to inspections by the Treasurer, Finance Committee, or Board of Governors, at any time.

15. When other outside funding is used to finance an activity, the club must submit a full accounting of the event when applying for reimbursement. This accounting must show all income for this activity and its source and all expenditures, in detail. This accounting must be done for each activity which has funds derived from an outside source. The term “outside” includes dues or other non-SBA sponsorship. For all reimbursements claimed, all original receipts must be presented with the accounting.

16. Failure to follow any of these policies will result in the withholding of present funds and will seriously jeopardize future funding.
17. Within five (5) days following the meeting of the Finance Committee, the recommendations of the Committee will be placed in the club’s student lounge box. Within one (1) week following the meeting of the Finance Committee, the Board of Governors will meet (the date, time and place will be noted in the recommendation placed in the club’s student lounge box) to determine the final budget allocations. Although the Finance Committee only makes recommendations to the Board of Governors, they are usually adhered to. However, the Board of Governors may allocate more or less than the Committee recommends. It is in the club’s best interest to have a member of the club present at the Board of Governors’ meeting. The Board of Governors may have questions that the Committee did not consider. If no member of the club is present, the Finance Committee’s recommendation could be deleted in its entirety by the Board of Governors. If the club disagrees with the amount that the Committee has recommended, the Board of Governors’ meeting is the club’s only chance to appeal the recommendation, unless challenged under Article VII, section B of the Constitution of the Student Bar Association. At this meeting, prepare to state the special circumstances which should permit a larger allocation than recommended. See the Constitution of the Student Bar Association, Article IV, section F(3) for the procedure followed if the Board of Governors does not approve the recommended budget. Within two (2) days of approval of the final budget by the Board of Governors, the Treasurer shall place a copy of the approved budget in the club’s student lounge box. It is important to maintain a copy of the approved budget since the information required by the reimbursement requests must appear exactly as it appears on the approved budget.

18. REIMBURSEMENT/FUND DISBURSEMENT. The SBA no longer has control of their funds and must submit a check request to the University in order to have a check issued. Because of this requirement, in order to have any funds issued to a club, the club must submit the original receipt and one copy of it along with the form entitled “request for reimbursement.” If after review the Treasurer deems that the request is not proper, it will be returned to the club’s student lounge box with an explanation.

19. The “REQUEST FOR REIMBURSEMENT” shall be used to access the funds allocated by the SBA. In order to access funds a club member must have already spent these funds and request reimbursement thereafter. No reimbursements will be issued later than two (2) weeks after the last day of classes each semester. Exceptions from this requirement can be obtained from the Treasurer, but this exception must be obtained prior to the last day of classes.
   a. Line 1 requires that the original receipt and one (1) copy thereof stapled to the page. This original receipt will be used as the basis for the university administration issuing a check. The copy is necessary for SBA files. In the event the check is to be mailed to a vendor, an additional copy of the receipt must be attached to be mailed with the check.
b. Line 2 shall contain the name of the organization as it appears on line 1 of the “budget request cover sheet” for that budget period.

c. Line 3 shall contain the category of the event. This information refers to the approved budget and must be exactly as it appears on the approved budget sheet. Only one reimbursement for each category is permissible—all receipts from one event must be on the same request for reimbursement.

d. Line 4 shall contain the detailed subcategory under the name of the event. The amount requested under each subcategory must also be included.

e. Line 5 shall contain an accounting of the items purchased, if not clear from the receipt.

f. Line 6 shall contain the name of the person to whom the check is being issued. This name must be an individual or a vendor, but cannot be the name of the club.

g. Line 7 shall contain the date the request is submitted to the Treasurer.

h. Line 8 shall contain the signature of the requestor. This signature certifies that the requestor has actually spent these funds and is not presenting the request for reimbursement in any fraudulent manner.

i. Line 9 shall contain the name and address the change can be mailed to. All checks must be mailed.

Enacted: 2013

Legislative Committee Comments:
The 2013 revisions reflect the finance procedures as applied in practice. Specific form requirements have been deleted, such as the Budget Request Cover Sheet, which is outdated and never used. The Board of Governors voted to remove the Reallocation Form requirement, which binds all LSOs to the specific proposals contained within the submitted SOPA form. In practice, there is a need for adaptation and flexibility in the events proposed, which the Treasurer reviews during refund requests and at the end of the year with the next SOPA form application. Likewise the Board of Governors voted to remove the “Request for Special Allocation”, the current process for co-SBA sponsorship is an informal email or communication with the SBA Executive Board. The Board of Governors also voted to remove the “authorization form”, which has been replaced by fund string numbers.
In addition to removing outdated sections of the By-Laws, the Board of Governors voted to include a “recommended” quarterly meeting to review the budget. There is concern about the sustainability of future SBA Executive Board’s allotted budget if more oversight and fundraising are not implemented. An official due date for the SOPA forms has been set for one week after the final Council of Leaders meeting. Furthermore, for transparency purposes, all LSO spending will be published and posted.
BY-LAW NO. 4

CLARIFICATION OF CONSTITUTIONAL PROVISIONS

A. Article II – Section A (5)(b) – Secretary Duties shall include posting the minutes of Board of Governors’ meetings within seventy-two (72) hours of such meeting. This provision is necessary to give notice to students of any action taken by the Board of Governors. Such notice is necessary for implementation of Article VII – Section B – Membership Initiative.

B. Article III – Section E – Campaign Rules
Any candidate who has been found to be in violation of the Campaign rules of this Constitution shall have their eligibility reviewed before the election during which s/he committed the violation. The Elections and Voting Procedures Committee shall review the alleged violation and determine whether the Campaign rules have been violated within twelve (12) hours of notice of the alleged violation.

C. Article IV – Section F(4) – Executive Officers Use of Funds Allocated to the SBA
It shall be required that three of the five Executive Officers must approve of any expenditure made from the 30% allocation of funds to be used for SBA administrative purposes.

Enacted: 2013

Legislative Committee Comments:
The 2013 revision to the Article 3, Section E Campaign rules changes the mandated ineligibility of any candidate found to infringe a campaign rule to a circumstantial review of their eligibility. This change is meant to accommodate for minor infringements that do not necessarily warrant the mandated ineligibility when infringed. The Board of Governors now has more discretion in determining whether a candidate should be disqualified.