

STUDENT BAR ASSOCIATION

CONSTITUTION

WILLIAM & MARY

SCHOOL OF LAW

February 2009

ARTICLE I. NAME

This association shall be known as the Student Bar Association of the William & Mary School of Law, hereinafter referred to as the SBA.

ARTICLE II. PURPOSES AND POWERS

Section 1. The Student Bar Association shall have the following purposes and powers:

- a) The power to represent the members of the SBA;
- b) To pursue matters of concern to the members of the SBA;
- c) To create committees which shall pursue matters of concern to members of the SBA;
- d) To appoint representatives of the SBA to committees and similar bodies;
- e) To disseminate information of concern to the members of the SBA;
- f) To coordinate activities among the William & Mary School of Law student organizations;
- g) To create and organize projects, programs and activities;
- h) To advise faculty, staff, administration and the community on student affairs and sentiment;
- i) To represent the William & Mary School of Law in the Student Assembly of the College of William & Mary; and,
- j) To elect the SBA Board as administered by the Honor Council.

ARTICLE III. MEMBERSHIP

Section 1. Membership in the Student Bar Association is accorded to all students enrolled in the William & Mary School of Law working towards achieving a Juris Doctor or L.L.M. degree. Students enrolled in other departments or schools of the College of William & Mary taking law courses are ineligible for membership in the SBA.

ARTICLE IV. BILL OF RIGHTS

Section 1. Each member of the SBA shall have the following rights:

- a) Freedom of speech, press and association;
- b) General right to vote in all elections;
- c) Full integrity of all elections;
- d) Adequate notice of and full participation in SBA activities;
- e) Due process; and,
- f) To have student counsel in proceedings for Honor Code adjudications.

Section 2. No right or privilege recognized under this Constitution shall be abridged by reason of age, color, marital status, national origin, physical handicap, political affiliation, race, religion, sex, or sexual orientation.

Section 3. The enumeration of certain rights in this Constitution shall not be construed to deny or abridge other rights retained by the students.

Section 4. Powers not delegated to the SBA Board by this Constitution are reserved to the members of the SBA.

ARTICLE V. POWERS AND DUTIES OF OFFICERS

Section 1. The officers of the SBA shall be the President, the Vice President, the Secretary and the Treasurer. These four positions shall comprise the SBA Executive Council.

Section 2. The President shall be the chief executive officer and official spokesperson of the SBA. The President shall call and preside over all SBA Board meetings and general membership meetings. The President shall make all necessary appointments subject to the approval of a majority of the SBA Board unless otherwise directed by this Constitution.

Section 3. The Vice President shall be responsible for coordinating the professional and social activities of the SBA and otherwise assisting the President. In the absence of the President, the Vice President shall perform the duties of President. The Vice President shall have the responsibility of attending regularly scheduled meetings of the Honor Council. The Vice President shall only act as a consultant when attending Honor Council Meetings, and shall not have a vote. The Vice President shall recuse himself or herself from any confidential Honor Council discussions.

Section 4. The Secretary shall ensure that copies of this Constitution and its Bylaws are posted and made available at all times to the SBA membership. The Secretary shall notify all incoming members of the SBA of the availability of copies of this Constitution and its Bylaws. The Secretary shall also be responsible for recording the minutes of meetings of the SBA Board and of the general membership. The Secretary shall be liaison to student organization groups regarding announcements of events, notices and activities and shall notify the SBA membership of these events, notices and activities on a regular basis. The Secretary shall supervise the SBA webmaster and ensure that the SBA website is well-maintained and current. The Secretary shall maintain copies of the bylaws of each SBA student organization. The Secretary shall also conduct all official correspondence of the SBA Board and maintain the SBA's records.

Section 5. The Treasurer shall have responsibility for all SBA funds. The Treasurer shall maintain a standard system of financial accounts and records that will clearly and accurately reflect the financial position of the SBA. The Treasurer shall act as liaison to student organization groups regarding financing and budget requests with and through the SBA Senators. The Treasurer shall maintain and make available to the SBA membership all necessary documentation for monetary requests and any procedures regarding those requests. The Treasurer shall also supervise the Finance Committee Chairperson and ensure that the finance committee is instructed as per the SBA Board's instructions.

ARTICLE VI. SBA BOARD

Section 1. The SBA Board shall include the SBA Executive Council, three representatives from the 1L class, and two representatives from each of the 2L and 3L classes, and one representative from the L.L.M. class, all of whom have equal voting rights. In the event that no candidate registers to run for election in any given position, the SBA Board shall appoint a member of the SBA to that respective position. The Board may appoint non-voting, ex officio members to the Board for such purposes and with such powers as this Constitution provides.

Section 2. The SBA Board shall have the authority to execute the powers and purposes of the SBA.

Section 3. The SBA Board shall meet at least once every two weeks during the academic year. The Board may determine the date, time, and place of such meetings. Special meetings may be reasonably held at such date, time, and place as the President directs or as requested by at least two voting members of the Board. Adequate notice of all Board meetings shall be provided to the entire SBA prior to such meetings.

Section 4. Opportunity shall be provided at all regular board meetings for any SBA member to comment to the Board or bring an issue of concern to the Board's attention.

Section 5. Class representatives shall serve as liaisons between their constituency and the SBA Board.

Section 6. The SBA Board may call for a referendum by the membership of the SBA on any issue.

ARTICLE VII. SBA APPOINTED POSITIONS

Section 1. The SBA Board shall have the power to appoint all positions under this Article with the exception of the Chief of Staff. The SBA Board shall have the power to remove any individual appointed to the positions under this Article, except the Chief of Staff. A two-thirds majority vote among the SBA Board in favor of removal will terminate the officer's service if at least seven of the SBA Board members vote in the removal vote. In the event of a successful removal vote, termination of the officer's service in office shall be immediate. In the event of a removal vote, the removed officer's past official actions are not void, unless the action resulted from malfeasance.

Section 2. Appointments shall be made according to this article within two weeks of the spring semester election of the SBA Board.

Section 3. Senators: The SBA Board shall appoint three students to fill the Student Senate seats within the Student Assembly (SA) for the William & Mary School of Law.

a) Structure of the Senators: The Senators shall divide the two SA senate committee positions among themselves with regard to individual interests, experience, and schedule. The Senators must submit a request, orally or in writing, to the Student Senate Chair that one law Senator be placed upon the Finance and Budget Committee. The Senators shall attend all SA meetings as their schedules permit, and coordinate to have at least one law Senator at every general Senate meeting. With regard to voting, the SBA Board shall direct the Senators to vote in the best interest of the SBA membership.

Additionally, the senators will inform the SBA membership, through the SBA Board, of any major changes, events, or activities among the greater William and Mary community that would

seriously impact the SBA. The law Senators shall serve as ambassadors to the undergraduate community.

b) Senate Responsibility to Student Organizations: Each law Senator is responsible for helping their assigned student organization prepare an annual budget request to be tendered to the SBA Executive Council. The SBA Executive Council and the law Senators will prepare, based on these budget requests, an overall budget request that will be submitted to the SA for funding as per SBA and SA guidelines. Additionally, each law Senator shall be responsible for assisting the SBA student organizations assigned to them prepare and submit appropriation requests to the SA for individual event funding, encouraging the request of additional funding from the SA when appropriate.

Section 4. Finance Chairperson and Committee: The Finance Chairperson shall be appointed by the SBA Board and shall supervise the Finance Committee. The Finance Committee shall consist of the three SBA Senators, the Finance Chairperson and the SBA Treasurer. The Finance Committee may also include additional members of the SBA Board as the Finance Chairperson and the Treasurer deem necessary. The Finance Chairperson shall coordinate the organization and efforts of the Senators regarding student organization monetary requests, budgetary issues in the Student Assembly, and interaction with the SBA. The Finance Chairperson shall represent the Finance Committee to the SBA Board, but shall not have any voting power.

Section 5. Chief of Staff: The Chief of Staff shall be appointed by the President in consultation with the Vice President and serve at the President's pleasure. The President shall delineate the priorities of the Chief of Staff to assist all members of the SBA board. The Chief of Staff shall coordinate scheduling efforts for the SBA Board, attend SBA Board meetings and Executive Council Meetings, and assist in the administration of SBA business generally but shall have no voting power .

Section 6. American Bar Association (ABA) Representative: The ABA Representative shall act as liaison between the SBA and the ABA. The ABA Representative shall be responsible for providing notice to the SBA of ABA events and activities and be available to the SBA for any issues arising that concern the ABA. The SBA Board shall supervise and direct the ABA Representative

Section 7. Graduate Council Representatives: The Graduate Council Representatives shall serve as members of the Graduate Council, representatives of the SBA membership to the Graduate Council, and liaisons between the SBA Board and the student governments of other graduate schools at the College of William & Mary. The Graduate Council Representatives shall meet with the SBA Board in order to coordinate efforts towards working together with the Graduate Council and the members of other graduate schools.

Section 8. SBA Webmaster: The SBA Webmaster shall be responsible for the SBA website maintenance, design, upkeep and content. The SBA Webmaster shall be supervised by the Secretary.

Section 9. Each of the appointed positions within this Article shall be for the term of one year from the date of the appointment. Within fourteen days of the creation of a vacancy in any of these positions after the position is appointed, the SBA President shall appoint, with the consent of a majority of the SBA Board, an SBA member to fill such vacancy as an interim appointment. The interim appointment shall run for the remainder of the respective position.

ARTICLE VIII. HONOR COUNCIL

Section 1. The names of all persons nominated for or directly applying for any justice position shall be made available to the entire SBA membership for review and comment. Any member of the SBA who campaigns for, but is not elected to, any position listed in Articles VI or VII of this document, is eligible to apply as a candidate for the Honor Council. However, no presumption of qualification shall be made by the SBA Board in these circumstances. Except for 1L Associate Justice positions, appointments shall be made according to this Article within two weeks of the spring semester election of the SBA class representatives. Appointments shall be for one appointment cycle, as defined in the Bylaws. Such an appointment shall not preclude one from re-appointment in the following appointment cycle. Any candidate for Chief Justice who is not appointed as Chief Justice is eligible to apply as an Associate Justice for the Honor Council. In order to be considered for appointment as an Associate Justice, the applicant shall inform the SBA President. However, no presumption of qualification shall be made by the SBA Board in these circumstances. Each appointment shall be confirmed by a majority vote of the SBA Board as specified in the selection process below. The Honor Council shall be composed of the following positions:

a) Chief Justice

- (1) Shall be appointed by the SBA Board in consultation with the outgoing Chief Justice.
- (2) When the Chief Justice is a 2L applying for a consecutive term as Chief Justice, the Deputy Chief shall consult the SBA Board on the Chief Justice's application. If the Chief Justice and the Deputy Chief Justice are both seeking appointment as Chief Justice, the 3L Associate Justices shall select one of themselves to consult with the SBA.

b) Deputy Chief Justice

- (1) Shall be chosen by the Honor Council together as a whole, but not by any single member alone.
- (2) The Deputy Chief Justice shall attend no fewer than one of the regularly scheduled SBA Board meetings per month. The Deputy Chief shall only act in a consulting function when attending SBA Board Meetings, and shall not have a vote. The Deputy Chief Justice shall recuse himself or herself from any confidential SBA Board discussions.

c) Five 3L Associate Justices

- (1) The SBA Executive Council and the elected 3L class representatives shall appoint the 3L Associate Justices. 3L class representatives will only interview and appoint SBA members applying for the Associate Justice position from among their own class.
- (2) The Chief Justice, if graduating at the end of their term, shall be present during the 3L interview process. The Chief Justice shall not have a vote in the selection process but shall consult with the SBA members prior to deliberations and appointments. Should the Chief Justice not be graduating, the Deputy Chief Justice, if graduating at the end of their term, will take his or her place. Should the Deputy Chief Justice not be graduating at the end of their term, 3L Justices shall select one of themselves to take his or her place.

d) Five 2L Associate Justices

- (1) The SBA Executive Council and the elected 2L class representatives shall appoint the 2L Associate Justices. 2L class representatives will only interview and appoint SBA members applying for the Associate Justice position from among their own class.
- (2) The Chief Justice, if graduating at the end of their term, shall be present during the 2L interview process. The Chief Justice shall not have a vote in the selection process but shall consult with the SBA members prior to deliberations and appointments. Should the Chief Justice not be graduating, the graduating Deputy Chief Justice will take his or her place. Should the Deputy Chief Justice not be graduating the graduating 3L Justices shall select one of themselves to take his or her place.

e.) Five 1L Associate Justices

- (1) The SBA Executive Council shall appoint the 1L Associate Justices along with the elected 1L class representatives. 1L class representatives will only interview

and appoint SBA members applying for the associate justice position from among their own class

- (2) The Chief Justice shall be present during the interview 1L interview process. The Chief Justice shall not have a vote in the selection process but shall consult with the SBA Board members prior to deliberations and appointments.
- (3) 1L Justices shall be appointed within 10 class days after the election of the 1L Representatives to the SBA Board.

Section 2.

a) A Justice retains his or her position for the term of office unless he or she:

- (1) resigns from office;
- (2) ceases to be a member of the SBA;
- (3) is dismissed by the Honor Council in accordance with this Constitution; or
- (4) is recalled in an election held in accordance with this Constitution.

b) Within fourteen days of the creation of a vacancy on the Honor Council, the President shall appoint, with the consent of a majority of the SBA Board, an SBA member to fill such vacancy. During his or her term in office no Honor Council member shall hold any other elected office established by this Constitution, but will remain eligible for appointed positions.

Section 3. The duties of the Honor Council Justices shall include:

- a) interpretation of constitutional questions and issues arising under the SBA Constitution brought by any member of the SBA, faculty, staff or administration of the William & Mary School of Law;
- b) dismissal of any SBA official as defined in Article IX, Section 1 of this Constitution;
- c) adjudication of alleged Honor Code violations brought against any SBA member;
- d) administration of all elections, referenda, and recall votes arising under this Constitution;
- e) education of the SBA membership, faculty, staff, or administration at large regarding the Honor Code and the function of the Honor Council;
- f) availability to SBA members individually as a source of information about the Honor Code and the Honor Council;
- g) acting as liaison between the Honor Council of the William & Mary School of Law and the honor councils of other schools at the College of William & Mary.

Section 4. Regular Meetings

- a) The Honor Council shall hold a meeting at least once a month during the academic year.
- b) All non-confidential Honor Council meetings shall be open to the SBA membership.

Section 5.

- a) Any SBA member has the right to propose an amendment to the Honor Code in accordance with the procedures outlined in the Honor Code.
- b) The Honor Council may adopt administrative rules and procedures governing the conduct of Honor Code adjudications. Such rules and procedures shall not conflict with the Honor Code.
- c) The Honor Council shall be required to adopt bylaws under section (d) of this article within one year of ratification of the SBA Constitution. Once Honor Council bylaws are adopted, this subsection shall expire and be expunged from the SBA Constitution.
- d) The Honor Council, as a branch of the SBA and by authority of this Constitution shall adopt bylaws governing the conduct of the Honor Council in reference to matters not related to the Honor Code. Such bylaws shall not conflict with the SBA Constitution or the Honor Code. Any bylaws, or amendments thereto, shall be determined by a two-thirds majority vote of the full Honor Council, and shall be effective immediately upon approval. The bylaws and procedures shall be in writing and shall be made available to all SBA members.
- e) The Honor Council bylaws shall be separate and distinct from administrative rules and procedures governing Honor Code adjudications. Honor Code adjudications are confidential and shall only be made public according to the Honor Code.

ARTICLE IX. DISMISSAL FROM OFFICE

Section 1. Any SBA Board member or Honor Council Justice may be dismissed by action of the Honor Council. The Honor Council shall consider dismissal in accordance with its own procedures and the following rules:

- a) Dismissal charges against any SBA Board member or any Honor Council Justice, may be brought by presenting the Chief Justice with a complaint signed by any member of the SBA. If the charge is against the Chief Justice, the complaint shall be presented to an Associate Justice. The complaint shall be based on dereliction of duty or malfeasance in his or her official capacity and shall specify the objectionable conduct.
- b) The entire Honor Council shall determine, by a majority vote, (1) if the conduct alleged constitutes dereliction of duty or malfeasance in office, and (2) if the conduct alleged does

constitute dereliction of duty or malfeasance in office, whether probable cause exists that the alleged conduct occurred. The Chief Justice shall preside over this process and shall only vote in the event of a tie. If the charge is against the Chief Justice, the Deputy Chief shall preside over the process. If any Honor Council Justice is charged, that Justice shall not vote or be present for any part of the process in his or her official capacity. If the Honor Council finds that probable cause exists, the Chief Justice shall present the SBA Board member or Honor Council Justice with a copy of the complaint within one week of receipt and publish a date for public hearing to be held between two and four weeks from the date of receipt.

c) A public dismissal hearing shall be open to all SBA members and held in a location and at a time convenient to the SBA membership. If confidential information related to an Honor Council adjudication is involved in the dismissal hearing then the hearing shall be heard by the Honor Council only and shall not be public.

d) Dismissal by the Honor Council shall be immediate. The vacancy shall be filled in accordance with the SBA Constitution.

ARTICLE X. ELECTIONS

Section 1. No person shall be a candidate for any SBA office unless, at the time of the election, he or she is a SBA member and intend to be a full-time student during the entire term of the office for which he or she is a candidate. When filling a partially completed term, the person filling such term need only be a member of the SBA, in good academic standing, and intend to be an SBA member for the remainder of the term of the office which he/she is filling. Dismissal or recall from previous office does not preclude a person from running for a subsequent office.

Section 2. In order to become a candidate for the SBA Board, an SBA member shall notify the Honor Council no later than five class days preceding the election.

Section 3.

a) The SBA Executive Council shall be elected by secret ballot on a date in February as determined by the Honor Council in consultation with the current SBA Board. The candidate receiving a majority of the votes in that election shall be declared elected. If no candidate receives a majority of the votes cast on the first ballot, a second ballot shall be held on the following school day between only the two candidates who received the most votes. In the case of a tie in the second ballot, a new election between these two candidates shall be held within a week as prescribed by the Honor Council in order to provide an opportunity for the electorate to further evaluate their candidates. The candidate receiving a majority of the votes in that election shall be declared elected.

b) All officers under this section must be installed at least six weeks prior to the last day of spring semester classes.

c) An unsuccessful candidate for any executive office may have his or her name placed on the ballot as a candidate for a class representative position by giving written request to the Honor Council Chief Justice within 24 hours of the results of the election of the SBA Executive Council.

Section 4.

a) Each class shall elect representatives to hold office during the terms specified in the SBA Constitution. The current 1L and 2L classes shall elect their representatives within two weeks of the election of the executive officers as prescribed by the honor council, and those representatives shall be installed at the first SBA Board meeting after the election. All representatives under this section must be installed six weeks prior to the last day of spring semester classes. The incoming 1L class shall elect its representatives during the fourth, fifth, or sixth week of the fall semester as prescribed by the Honor Council in consultation with the SBA Board and these representatives shall be installed at the first SBA Board meeting after the election.

b) In the case of a tie on the first ballot, a second ballot shall be held on the following school day between only the two candidates who tie with the most votes. In the case of a tie in the second ballot, a new election between these two candidates shall be held within a week as prescribed by the Honor Council in order to provide an opportunity for the electorate to further evaluate their candidates. The candidate receiving a majority of the votes in that election shall be declared elected.

c) Current 3L SBA Board members who are not on the Executive Council shall remain in office until the end of the academic year.

Section 5. In the event of a permanent vacancy occurring in any office of the SBA Board, excluding the office of the President, the Honor Council shall conduct a special election within ten class days of the vacancy becoming permanent for the purpose of electing a new member to the Board. However, if fewer than thirty days remain in the term of the vacated office, the President shall appoint a successor. If the office of the President becomes vacant, the Vice President shall assume the Presidency, the position of Vice President shall be filled by a special election called by the Honor Council, unless fewer than thirty days remain in the term of office, in which case the successor President shall appoint a new Vice President. Any current SBA official may run for a vacated office. If elected, he or she must resign his or her former office. The respective office shall then be considered permanently vacant.

Section 6. The SBA President, with majority consent of the Board, shall have the authority to appoint SBA members to fill temporarily vacated SBA Board positions. A temporarily vacated

position is defined as a period in which the officer is unable to perform his or her official duties. No vacancy under this section may last longer than six weeks. If the vacancy lasts more than six weeks, the position will be declared permanently vacant.

Section 7. The election results, including the vote count, of all Spring semester elections shall be made available to the SBA no more than three days after the respective election. The results shall be posted by the SBA Secretary either on the SBA website, on a bulletin board accessible by the SBA, or in any other manner accessible to the SBA. The vote count of 1L elections in the Fall semester shall not be made public.

Section 8.

- a) Any person elected or appointed under this Constitution shall be subject to recall.
- b) A recall vote shall be called upon the presentation of a petition to the Chief Justice. If the Chief Justice is the subject of the petition, the Deputy Chief Justice shall receive the petition.
- c) The petition shall include the signatures of at least fifty SBA members if the recall is that of an SBA Executive Council member, SBA appointed position, or Honor Council Justice. If the recall is that of a class representative the petition shall include the signatures of at least one-eighth of the members of that class.
- d) Notice of the petition shall be given to the relevant constituency or the general membership within five class days of the petition's receipt. The vote must be held within ten class days after notice is effectuated.
- e) The entire SBA membership may participate in the recall vote of an SBA Board member, SBA appointed position, or Honor Council Justice. Every member of the relevant class may participate in the recall vote of a class representative.
- f) A two-thirds majority vote in favor of recall will remove the official from office only if a majority of the eligible SBA members vote in the recall vote. In the event of a successful recall vote, removal from office is immediate.
- g) In the event of successful recall, the recalled officer's official actions are not void, unless the action resulted from malfeasance.

ARTICLE XI. GENERAL MEMBERSHIP

Section 1. The meetings of the SBA Board shall be open to all SBA members.

Section 2. An SBA member may bring an issue before the Board of Directors by submitting a request to any Board member, or by personally raising the issue at any regular board meeting.

Section 3. A general membership meeting, in which all SBA members in attendance may vote, may be called by the SBA Board or upon petition to the SBA President by any SBA member. A petition for a general membership meeting must be signed by fifty SBA members and must be submitted ten class days prior to the time the meeting is to be called.

Section 4. One-fourth of the SBA membership constitutes a quorum at any general membership meeting. If no quorum is present, no vote taken may be deemed binding on the SBA Board. However, in the absence of a quorum, non-binding advisory votes may be taken. An affirmative vote of two-thirds of the full SBA Board may move the issue to referendum.

Section 5. All general membership meetings must be preceded by adequate notice of subject, time, place, and the binding effect of any such vote(s) to be taken. Notice of meetings shall be openly posted.

ARTICLE XII. REFERENDA

Section 1. A referendum is appropriate for any matter which may otherwise be submitted to the SBA Board or a general membership meeting.

- a) The SBA President with an affirmative two-thirds vote of the SBA Board may call a referendum.
- b) Any member of the SBA may petition the President to call a referendum. The member requesting the referendum must submit a petition signed by fifty SBA members to the SBA President. The President must notify the Honor Council of any requested referendum within ten class days after receiving the petition. If there are insufficient days left in the semester, the requirement to notify the Honor Council carries over to the following semester.

Section 2. All referenda shall be administered by the Honor Council.

Section 3. Results of a referendum in which a majority of the SBA members vote shall be binding on the SBA, regardless of any prior action on the issue by the SBA Board or the general membership.

Section 4. All referenda must be preceded by adequate notice of subject, time, place, and the binding effect of any vote taken therein.

ARTICLE XIII. REVENUE AND FINANCE

Section 1. The administration of SBA funds shall be the responsibility of the Treasurer.

Section 2. It shall be the duty of the Treasurer, in consultation with the SBA Executive Council, to prepare and submit a unified request for funding to the appropriate body. The unified request must be approved by the SBA Board before submission. Upon receiving the annual disbursement the SBA Board shall have the power to create and execute a unified operating budget. The SBA Board shall have the power to expend funds from its annual operating budget and to allocate funds from the same budget to student organizations at the William & Mary School of Law.

Section 3. All SBA members pay dues through an attachment to tuition. Any proposed increase or decrease in these mandatory SBA dues for the following academic year must be approved by a majority referendum vote of all members of the SBA.

ARTICLE XIV. BYLAWS.

Section 1. The SBA Board shall adopt bylaws governing the conduct of the SBA Board business. Such rules and procedures shall not conflict with the SBA Constitution or the Honor Code. Any bylaws, or amendments thereto, shall be determined by a two-thirds majority vote of the full SBA Board, and shall be effective immediately upon approval. The bylaws and procedures shall be in writing and shall be made available to all SBA members. The SBA Board, by a two-thirds vote of the entire Board, may adopt, amend, and repeal bylaws. The SBA Bylaws shall be considered to be amended or repealed by passage of any measure by the SBA membership to the extent of any inconsistency between the measure and the existing SBA Bylaws.

Section 2. The SBA Board shall be required to adopt bylaws under section 1 of this article within one year of ratification of the SBA Constitution. Once SBA bylaws are adopted, this subsection shall expire and be expunged from the SBA Constitution.

ARTICLE XV. AMENDMENTS

Section 1. Any SBA member may propose an amendment to this Constitution by submitting a written copy of the proposed amendment signed by at least fifty SBA members to the Secretary. The Secretary shall send an official copy to the Honor Council, and shall print, post, and make available copies of the proposed amendment to the SBA members at least two weeks prior to a vote by the membership on the proposed amendment. The Honor Council must hold a vote among the SBA general membership on the proposed amendment within twenty class days after submission of the proposed amendment to the Secretary.

Section 2. A proposed amendment shall become valid as part of the Constitution when ratified by two-thirds of the members voting, provided that at least a majority of the general membership votes.

ARTICLE XVI. RATIFICATION

Section 1. Ratification of the 2009 SBA Constitution shall be effected by referendum. All members of the SBA shall have the right to vote either to approve or reject this Constitution at the referendum. The referendum shall be administered by the Honor Council. One half of the members of the SBA shall constitute quorum for the referendum. The SBA Constitution shall take effect immediately if two-thirds of the SBA members voting approve its adoption, provided that at least a majority of the general membership votes.