

**POLICIES
OF THE
STUDENT BAR ASSOCIATION OF
UNIVERSITY OF THE PACIFIC, MCGEORGE SCHOOL OF LAW**

DRAFT 3/16/14

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CODE OF CONDUCT

The Student Bar Association (“SBA”) of Pacific McGeorge in Sacramento, California is not organized for the private gain of any person. The purpose of SBA is to provide a means for responsible and effective participation in the governance of student participation on campus; provide an official voice through which students’ opinions may be expressed; foster awareness of these opinions on campus, local, state, national, and international communities; assist in the protection of the rights and interests of the individual student and the student body; provide services and programs as deemed necessary by SBA to meet the needs of the student and campus communities; and stimulate the educational, social, physical, and cultural well-being of the Pacific McGeorge community.

Section 1.01 Respect for the Purpose. Board Members and Committee Members must be familiar with the general purpose, ideals, and goals of SBA. Board Members and Committee Members must actively contribute to the purpose, goals, and policy formation of SBA.

Section 1.02 Respect for the Law. Board Members and Committee Members must respect and obey all lawful authority and seek to change laws and regulations that are unfair, inappropriate, or unnecessarily punitive. Board Members and Committee Members must not engage in conduct that involves dishonesty, intentional deception, misrepresentation, or unlawful discrimination. Board Members and Committee Members must not use his or her office for material gain.

Section 1.03 Respect for Persons. SBA seeks to create an environment where all persons are treated equally and with respect. Board Members and Committee Members are expected to be responsive, courteous, and prompt in dealing with others, whether with other Board Members and Committee Members, employees of Pacific McGeorge, students, or members of the community.

Board Members and Committee Members must maintain high standards of personal conduct and function with integrity and discretion in their SBA related relationships with others. SBA regards a Board Member’s and Committee Member’s respectful behavior and interaction with others as a vital part of the duties of their position.

Section 1.04 Discrimination and Harassment. Board Members and Committee Members must treat other persons equitably, irrespective of gender, sexual orientation, race, disability, medical condition, cultural background, relation, marital status, age, or political conviction. Board Members and Committee Members must not engage in conduct that amounts to sexual, racial, or gender-based harassment. Board Members and Committee Members must not behave towards other persons in a manner that may reasonably be perceived as intimidating, overbearing, or unreasonable.

Section 1.06 External Activities and Public Comment. Public comment by Board Members or Committee Members in their capacity as private citizens is permitted. Where a Board Member or Committee Member comments publicly, he or she must establish when his or her personal viewpoints are different from official SBA positions.

Recognizing the difficulty of distinction between the official and non-official or personal capacities of Board Members and Committee Members, the Board Member or Committee Member shall refrain from personal conduct inconsistent with the duties and responsibilities of his or her office. While attending Pacific McGeorge related or SBA sponsored events, Board Members and Committee Members must not consume illegal drugs or excessively consume alcohol. If a Board Member or Committee Member is not of legal drinking age, he or she must refrain from alcohol consumption.

Section 1.07 Making Fair Decisions. When making a decision or voting on an issue, because the interests of students and Pacific McGeorge may be at stake, the principles of procedural fairness must be applied. Specifically, persons affected by the vote deserve to have the decision made without bias and based on considerations relevant only to the matter at hand. Board Members and Committee Members must at all times acknowledge that they were elected or appointed to represent specific constituencies.

Section 1.08 Conflict of Interest. Members shall be expected to conform to appropriate conflict of interest standards at all times. However, such persons shall retain their rights and privileges as students of Pacific McGeorge. Therefore, such persons shall be allowed to maintain membership in a Chartered Student Organization (“CSO”) applying for SBA funding as long as they are fully in compliance with conflict of interest standards, including refraining from voting on the item.

Board Members must not ask for or encourage the giving of any form of gift or benefit in connection with the performance of their duties. Receipt of gifts can be perceived as an inducement to act in a particular way, thus creating a real or apparent conflict of interest.

Section 1.09 Office Use. In taking on an SBA position, Board Members and Committee Members accept accountability for the proper use of SBA funds, equipment, and other resources over which they have authority or influence. Board Members and Committee Members have a responsibility to ensure that SBA's resources are managed effectively. In this regard, material, financial, and computerized resources should only be used for SBA purposes. Additionally, equipment, materials and facilities must be treated with appropriate care and secured against theft and misuse in order to ensure that the maximum level of resources are available to discharge SBA's functions.

CODE OF ETHICS

Section 1.01 Preamble. SBA is the official body representing the diverse issues, concerns, and needs of all students at Pacific McGeorge. SBA has adopted this Code of Ethics to live out the purpose of SBA and establish basic standards of ethical behavior for personal and professional life. Every SBA Board Member and Committee Member is a signatory to this Code of Ethics, which enumerated in this Code represent ten significant guiding ideals of SBA.

Section 1.02 Behavior Standards and Values. The following is a list of the expected behavioral standards and values of any SBA Board Member and Committee Member including but not limited to:

1. I value *Honesty*.

In practice:

- (a) I express my genuine opinion on issues even if my view is unpopular.
- (b) I only make commitments that I genuinely believe I can keep.
- (c) I disclose to SBA any affiliations with organizations that may affect my ability to be impartial, or with any friends or groups that have substantial business with SBA.
- (d) I abstain or recuse myself from the decision-making process in all situations in which I have determined a conflict of interest, or when I believe that I cannot exercise impartial judgment.

2. I value *Fairness*.

In practice:

- (a) I seek out diverse ideas/opinions and reserve judgment until I have all of the relevant information.
- (b) I treat all viewpoints with respect even if I do not personally agree with them.
- (c) I only take credit for work that I have done and acknowledge everyone who assists me in accomplishing tasks.
- (d) I observe the established procedures detailed in the Bylaws and Polices and demonstrate transparency in my decision-making process.

3. I value *Flexibility*.

In practice:

- (a) I am willing to re-evaluate a prior decision in light of unforeseen circumstances in order to uphold the purpose of SBA.
- (b) I adapt my communication style to the situation and to accommodate the concerns of persons involved.

4. I value *Responsibility*.

In practice:

- (a) I seek to maintain integrity.
- (b) I can clearly articulate how my decision will advance SBA's core values.
- (c) I use SBA materials and resources solely for SBA related activities.
- (d) I take ownership for the decisions I make or fail to make, the actions I take or fail to take, and the consequences that result.

(e) I protect confidential information that has been entrusted to me.

5. I value *Communication*.

In practice:

- (a) I clearly convey messages and relay necessary information to my peers as soon as possible.
- (b) I ask clarifying questions if I disagree or do not understand.
- (c) I actively seek feedback from a diverse range of students and promote the purpose and goals of SBA.
- (d) I only act on behalf of SBA when I am authorized specifically to do so.

6. I value *Responsiveness*.

In practice:

- (a) I am available to all students and fellow Board Members and Committee Members and keep them informed on SBA projects and events.
- (b) I am ready to respond in a direct and respectful manner to issues that implicate the well-being, justice, and unity of our community.

7. I value *Collaboration*.

In practice:

- (a) I seek to work with others and divide responsibilities on tasks.
- (b) I encourage new ideas and share all relevant information with others.
- (c) I strive to reach consensus that best serves the students, SBA, and Pacific McGeorge.

8. I value *Commitment*.

In practice:

- (a) I continue to pursue worthy goals, regardless of their difficulty.
- (b) I have a clear set of objectives, a general time frame for accomplishment, and am willing to see difficult projects through to their completion.
- (c) I make every effort to recommend potential services when I am unable to fulfill a request.

9. I value *Professionalism*.

In practice:

- (a) I prepare for meetings by reading the necessary materials and arriving on time.
- (b) I make guests at meetings feel welcome and devote my full attention to their presentations.
- (c) I speak respectfully without profanity or sarcasm.
- (d) I conduct myself appropriately in the way I dress, speak, listen, and engage with others.
- (e) I approach directly those persons with whom I have a conflict or disagreement.

10. I value *Service*.

In practice:

- (a) I make a concerted effort to assist my peers in any capacity.
- (b) I focus on the needs of the greater student body before considering my personal interests.
- (c) I understand my role as a Board Member or Committee Member as service to the students of Pacific McGeorge.

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MEMBERSHIP FEES

Section 1.01 Increase in Membership Fees. The SBA fee collected by Pacific McGeorge is the Membership fee. The SBA fee is fifty dollars (\$50.00) per student, per semester.

The SBA fee can be increased consistent with Section 3.02 of the Bylaws, as described below.

A referendum to increase the SBA fee may be authorized by a two-thirds (2/3) vote of the Board Members then in office, or upon presentation of a petition bearing the signatures of twenty percent (20%) of the Membership, which shall be collected in ten (10) consecutive academic days during a single semester. The vote for the increase or decrease of the SBA fee may be part of a general election or held as a special election specifically for the purpose of the referendum. The referendum must be approved by a simple two-thirds (2/3) vote of the Membership consistent with Section 3.01 of these Bylaws.

Section 1.02 Decrease In Membership Fees. The SBA fee can be decreased consistent with Section 3.02 of the Bylaws, as described below.

A referendum to decrease the SBA fee may be authorized by a two-thirds (2/3) vote of the Board Members then in office, or upon presentation of a petition bearing the signatures of twenty percent (20%) of the Membership, which shall be collected in ten (10) consecutive academic days during a single semester. The vote for the increase or decrease of the SBA fee may be part of a general election or held as a special election specifically for the purpose of the referendum. The referendum must be approved by a simple two-thirds (2/3) vote of the Membership consistent with Section 3.01 of these Bylaws.

Section 1.03 Approval of Changes in the Membership Fee. If a referendum for the increase or decrease of the SBA fee is passed by the Membership, the SBA fee change request must be sent to the University's Board of Regents by April of the year proceeding the year the fee change will take effect, for approval.

EXPECTATIONS POLICY

Section 1.01 SBA Meetings.

- (a) SBA meetings shall be held on Wednesdays at 5:15PM. The Secretary shall be responsible for sending out the meeting dates and location(s) prior to the beginning of the academic year.
- (b) Board Members are expected to arrive at each meeting on time and stay until the end.
- (c) Board Members shall be responsible for coming to each meeting prepared having previously reviewed the agenda, minutes, sponsored activity grant requests, and any related documentation.
- (d) Board Members shall be required to submit reports to the Representative at Large once a month consistent with these Bylaws and Policies.
- (e) Board Members shall have a basic understanding of Robert's Rules of Order, as amended.
- (f) Board Members must not use cell phones or other electronic means to communicate about SBA related business, whether agendaized or not, during SBA meetings.

Section 1.02 SBA Committee Meetings.

- (a) SBA committee meetings shall be held at a consistent time, on a consistent basis, in accordance with Section 6.03 of SBA's Bylaws.
- (b) Committee Members are expected to arrive at each meeting on time and stay until the end.
- (c) Committee Members shall be responsible for coming to each meeting prepared, having previously reviewed the agenda, minutes, and any related documentation.

Section 1.03 Service Hours.

- (a) Service hours are defined as engaging with the Membership by answering questions, soliciting feedback, sharing information, promoting events, responding to emails, and making phone calls. Service hours also include service to SBA through attendance at SBA hosted events or CSO events or activities that have received sponsored activity grant funding from SBA. Lastly, service hours include time spent performing any position-specific duties listed in these Bylaws and Policies. Attendance at SBA meetings does not constitute service hours.

- (b) All Board Members shall be required to complete six (6) service hours a month, excluding the months of May through August, December, and January, in accordance with these Bylaws and Policies.
- (c) All Board Members must reflect those hours in their report to the Representative at Large consistent with Section 1.01(d) of this Policy.

Section 1.04 Other Provisions.

- (a) Board Members and Committee Members shall be required to sign a Code of Conduct, Code of Ethics, and Conflict of Interest Form at the beginning of their term and adhere to them during their term.
- (b) Board Members and Committee Members shall be knowledgeable of the SBA Bylaws and Policies and adhere to these guidelines throughout their term.
- (c) Board Members and Committee Members shall be expected to check their email at least once a day to ensure they are up to date on SBA activities. Board Members and Committee Members are expected to respond to emails in a timely manner in the absence of unusual circumstances.

PRIVILEGES AND SERVICES POLICY

Section 1.01 Manuals. All Board Members and Committee Members shall receive copies of the SBA Bylaws and Policies.

Section 1.02 Office Services.

- (a) All Board Members and committees shall have mailboxes accessible to students.
- (b) SBA shall keep the archives of SBA, including past agendas, minutes, financial records, correspondence, and other appropriate material available in the SBA Office for inspection by Board Members, Committee Members, and the Membership consistent with these Bylaws and Policies.
- (c) SBA equipment and supplies shall be used for official business only.

Section 1.03 Key Access. SBA Board Members will be given access to the Office. Keys shall not be shared with any unauthorized individuals.

All keys shall be returned at the end of the Board Member's term and the locks will be changed at least every four (4) years.

SHARED GOVERNANCE POLICY

This policy has been developed to outline SBA's commitment to ensuring that the interests of students are properly presented and considered through decision-making processes that may affect the quality, affordability, and access to law school. SBA should encourage other members of the Pacific McGeorge community, including faculty, staff, and administration, to participate in the shared governance of SBA.

Section 1.01 Definitions.

- (a) SBA defines shared governance as one of the key elements of quality of higher education. The term refers to governance of higher education institutions in which responsibility is shared by students, faculty, staff, and administrators. It does not extend to internal management decisions carried out under policy guidelines. Under shared governance, each party is encouraged to think on behalf of the good of the institution as a whole and work to reach agreement with the other parties before making decisions.
- (b) SBA emphasizes the importance of student involvement in decisions that will directly affect quality, affordability, and access to law school. SBA is responsible for helping facilitate shared governance on three levels: SBA, Pacific McGeorge, and the ABA.

Section 1.02 Shared Governance of SBA.

- (a) SBA encompasses a variety of committees, all closely tied to the operations of SBA.
- (b) These committees include but are not limited to:
 - i. Barrister's Ball Committee
 - ii. Career Development Committee ("CDO Committee")
 - iii. Diversity Committee
 - iv. Elections Committee
 - v. Intramural Sports Committee
 - vi. Mentorship Committee
 - vii. Public Relations Committee
 - viii. Sustainability Committee
 - ix. Wellness Committee

Section 1.03 Shared Governance of Pacific McGeorge.

- (a) SBA promotes the shared governance on the Pacific McGeorge campus by expanding the role that students play in the decision-making process while respecting Pacific McGeorge's traditional authority over academic affairs and internal governance.

- (b) SBA encourages the Pacific McGeorge campus to request student participation in University-wide committees, boards, taskforces, etc.
- (c) The SBA President or designee, in consultation with the Vice Presidents, shall appoint student representatives to committees which match their interests, skills, and availability, in order to ensure commitment from both the student and the committee in fostering shared governance and allowing the student voice to be heard. These appointments must be approved by the Board Members by a simple majority vote.
- (d) These University-wide committees, boards, and taskforces may include:
 - i. Admissions Policy Committee
 - ii. Budget and Planning Committee
 - iii. Code of Student Responsibility Committee
 - iv. Curriculum Committee
 - v. Diversity Affairs Committee
 - vi. Employment, Promotion, and Tenure Committee
 - vii. Faculty Development Committee: Teaching Methods and Bar Examination
 - viii. Grading and Advancement Committee
 - ix. Honors and Awards Committee
 - x. International Studies Committee
 - xi. Journals Committee
 - xii. Recruitment Committee
 - xiii. Sabbatical Leave Committee
 - xiv. Sprankling Award Selection Committee
 - xv. Orientation Committee
- (e) University-wide committees, boards, and taskforces, etc. that are interested in Student Representatives should inform the SBA President.

Section 1.04 Shared Governance of ABA.

- (a) System-wide shared governance refers to the shared representation at the ABA level in the decision-making process.
- (b) The SBA President, or designee, will serve as the ABA Liaison for SBA and Pacific McGeorge consistent with Section 5.01 of the SBA Bylaws.
- (c) SBA may partner with other campuses within the ABA to further shared governance goals.
- (d) SBA will work to keep its constituents informed of and involved in ABA events and projects.

Section 1.05 Responsibility of Student Representatives.

- (a) Student Representatives appointed by SBA serve a critical role in the shared governance processes of Pacific McGeorge. It is through each individual's participation, original thoughts, and personal philosophies that the collective voice of the students is heard.
- (b) It shall be the duty of a Student Representative to attend all respective committee meetings to provide a voice and to bring critical issues and information back to SBA. Student representatives are expected to attend all meetings, arrive prepared and on time, stay until the end of the meeting, and actively participate in decision-making processes.

Section 1.06 Removal of Student Representatives.

- (a) If a Student Representative misses two (2) meetings of the committee, board, taskforce, etc. the student may be removed by the Board Members by a simple majority vote.
- (b) If a Student Representative is not fulfilling their duties as a member of the committee, board, taskforce, etc. to the satisfaction of SBA, the student may be removed by the Board Members by a simple majority vote.
- (c) Any Student Representative may resign by giving written notice to the Vice President of SBA. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective.
- (d) The Vice Presidents should remain in contact with Student Representatives and the chairs or heads of committees, boards, taskforces, etc. in order to ensure the highest quality of student representation.

Section 1.07 Responsibilities of SBA.

- (a) SBA is responsible for communicating with the administration of Pacific McGeorge to determine what current University-wide committees need student representation; what the purpose of those committees are; and the meeting time, date, and contact person for each committee.
- (b) SBA is responsible for providing the Student Representatives with appropriate training and expectations to ensure both the committee and the student are held accountable. SBA will follow up with both the student and committee to evaluate the effectiveness of the appointment and make adjustment as necessary to ensure effective shared governance.

ELECTIONS COMMITTEE POLICY AND PROCEDURES

Section 1.01 Purpose. The Elections Committee shall be responsible for ensuring fair and equitable elections and appointments to SBA consistent with these Bylaws and Policies.

Section 1.02 Powers and Duties.

- (a) The Elections Committee shall organize, implement, and conduct all elections for SBA.
- (b) The Elections Committee shall coordinate the supervision and control of all elections of SBA, conduct a mandatory meeting for all candidates prior to the commencement of the official campaign period, announce election tabulations and results, hold recounts, and make public all decisions on election disputes.
- (c) The Elections Committee shall be responsible for interpreting provisions of the Election Code and for ruling on disputes of election procedures between candidates.
- (d) The Elections Committee shall obtain certification of each candidate's eligibility to run for office and maintain incumbency in accordance with the Bylaws and Policies.

Section 1.03 Appointment Consultation Procedures. In the event of a vacancy in an SBA EO position or Representative position, the President must consult with the Elections Committee before doing so. The Elections Committee shall use the following procedures for advising the President on his or her appointment.

- (a) In the event of an EO vacancy the Elections Committee shall:
 - i. Meet with the President to discuss the currently serving Board Members and assist the President in deciding which Board Member would be best suited to fill an EO position.
 - ii. If there are no willing currently serving Board Members, or no willing currently serving Board Member receives approval by a two-thirds (2/3) vote of the Board Members then in office, then the vacancies in EO positions may be filled in accordance with the procedures to fill a Representative position vacancy as described below.
- (b) In the event of a Representative Member vacancy the Elections Committee shall:
 - i. Solicit the Membership for interested applicants,
 - ii. Require each applicant to submit a resume and statement of interest,

- iii. Select between two (2) and ten (10) applicants to interview for the vacant position, and
- iv. Select between one (1) and five (5) applicants to suggest to the President as their appointment.

In the event that the President does not accept a recommendation from the Elections Committee, the Elections Committee shall retain the right to make an alternate recommendation directly to the Board Members.

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ELECTION CODE

Section 1.01 Eligibility for Office. A candidate for office must be part of the Membership and meet any other requirements set forth in these Bylaws and Polices.

Section 1.02 Nominations for Office.

- (a) Petitions shall be provided by SBA and shall be available no less than thirty (30) days prior to the election and must be returned no less than fifteen (15) days prior to the election. If either of these dates should fall on a holiday, furlough, or weekend, the following academic day shall take the place of that date.
 - i. A “Petitions Meeting” shall take place the same day that petitions become available. All election forms will be distributed at the Petitions meeting. Candidates will also receive SBA’s Code of Conduct, Code of Ethics, and Election Code; the Pacific McGeorge Code of Student Responsibility; and will have an opportunity to ask questions of the Elections Committee.
 - ii. Any candidate who does not attend the “Petitions Meeting” must contact the Elections Committee prior to the “All-Candidates Meeting” to receive the election forms and SBA’s Code of Conduct, Code of Ethics, and Election Code and the Pacific McGeorge Code of Student Responsibility.
 - iii. A candidate may run for only one (1) office each election.
- (b) The names of the candidates to be used in preparing the ballot shall be as they appear on the petition.
- (c) Fifty (50) student signatures of the Membership are required on the Nomination Petition for the position of President.
- (d) Thirty-five (35) student signatures of the Membership who are in the same cohort (day or evening) as the candidate are required on the Nomination Petition for the positions of Vice President.
- (e) Thirty-five (35) student signatures of the Membership of SBA are required on the Nomination Petition for the positions of Secretary, Treasurer, and Representative at Large.
- (f) Twenty (20) student signatures of the Membership who are in the same cohort (1D, 1E, 2D, 2E, 3D, 3E, or 4E) as the candidate are required on the Nomination Petition for a Representative position.
 - i. The Elections Committee will provide a count of the Membership in each cohort

- ii. If a cohort has less than forty (40) students, then a petition nominating a candidate for a Representative position for that cohort must be signed by half of the students in that cohort.
- (g) Write-in Candidates must complete the Write-in Candidate Form and notify the Elections Committee of their write-in candidacy prior to the start of the election.
- i. Write-in candidates will be subject to the same campaign guidelines as candidates who are on the ballot, with additional restrictions.
 - ii. Write-in candidates may not participate in formal campaigning.
 - iii. Write-in candidates may participate in informal campaigning.
- (h) A slate is defined as two (2) or more candidates who choose to advertise their candidacy on the same campaign materials. Individuals choosing to participate on a slate must fill out the Slate Recognition Form.
- i. Individuals on a slate will be held equally responsible for all campaign materials, violations, and other election related actions of the slate.

Section 1.03 Campaigning.

- (a) An “All-Candidates” meeting shall take place within three (3) days of petitions being submitted. Attendance by all candidates is mandatory, unless a written notice naming the individual who shall be serving as proxy is delivered to the Elections Committee or designee prior to the beginning of the “All-Candidates” meeting.
- (b) At the “All-Candidates” meeting candidates must sign a statement indicating: receipt of SBA’s Code of Conduct, Code of Ethics, and Election Code and the Pacific McGeorge Code of Student Responsibility and accepting responsibility for its content, the office they seek, and adherence to all other policies and procedures pertinent to the election.
- (c) Formal campaigning is defined as the distribution, publication (including all web based social networking websites, personal web-pages, online advertisements, etc.) or exhibition of any material advocating the candidacy of any individual or group of individuals. Formal campaigning may occur immediately after the “All-Candidates” meeting through the close of the election. Informal campaigning is defined as a candidate speaking to an individual, group, or gathering about their candidacy, or responding to questions in person about their candidacy. Informal Campaigning may occur at any time.
- (d) Any use of amplified sound equipment shall be in accordance with Pacific McGeorge’s policies and procedures.
- (e) Any event held on campus shall be in accordance with Pacific McGeorge’s policies and procedures.
- (f) No campaign materials may be distributed on or in vehicles.

(g) No formal or informal campaigning can occur within twenty-five (25) feet of a polling station or ballot box unless the material was placed within the twenty-five (25) foot radius before election began.

(h) Regarding the use of posters and handouts in conjunction with campaigns, the following restrictions shall also apply:

- i. Each candidate may post a maximum of three (3) 18 inch x 24 inch posters, ten (10) 8.5 inch x 11 inch posters, and one (1) 4 foot by 6 foot banner.
- ii. Posters and handbills may only be affixed to public bulletin boards and designated public posting places. Areas that are not permissible posting areas include doors, railings, sidewalks, walls, stairs, whiteboards, classrooms, Pacific McGeorge structures and buildings, trees and windows. Restricted boards may be used only with proper permission.
- iii. There shall be no limit to the number of campaign materials that may be handed out or used for purposes other than posting during elections.
- iv. Under no circumstances shall campaign materials be distributed in any classroom where instruction is underway or in the library.
- v. Campaign materials shall not use the SBA official logo(s).

(i) Regarding the use of digital campaigning, the following restrictions also apply:

- i. The website, forum, social network, etc. must be controlled by the candidate for who it campaigns.
- ii. The website, forum, social network, etc. must make it clear that it is for the purpose of campaigning or that an individual post, material, content is for the purposes of campaigning (if the website, forum, social network, etc. has a function other than campaigning).
- iii. The website, forum, social network, etc. may not be affiliated with Pacific McGeorge and may not link to any of Pacific McGeorge's online websites, forums, social networks, etc.
- iv. The website, forum, social network, etc. may not be affiliated with SBA and may not link to any of SBA's online websites, forums, social networks, etc.
- v. No candidate may repost, post on, link to, share, or in any way edit another candidate's digital campaigning material without his or her consent.

(j) Any campaign material or literature not specifically described in this section must be

submitted to the Elections Committee for approval prior to use. Approval of campaign material or literature not specifically described is at the discretion of the Elections Committee.

- (k) All campaign material or literature shall be removed by the candidate within twenty-four (24) hours of the final tallying of election results.

Section 1.04 Spending Limits and Procedures. Materials used for campaigning shall not exceed Three hundred dollars (\$300.00) per candidate. Candidates may not transfer unused funds to other candidates. However, a slate of candidates, consistent with Section 1.02(h) of this policy, may pool their funds and poster allotments.

Candidate may use materials that are purchased, borrowed, rented, or received as a gift or donation. Candidates must provide a copy of a statement of expenses and receipts for all materials used to the Elections Committee prior to the close of voting. Any material that was borrowed, received as a gift or donation, or is missing a receipt will be assigned its fair market value by the Elections Committee, for purposes of totaling each candidate's expenditures.

Any candidate may request a review of a candidate or slate's campaign expenditures as follows:

- (a) Requests for a review must be made in writing and submitted to the Elections Committee no later than two (2) academic days after the election results are posted.
- (b) Requests for a review may only be filed by a candidate, or by his or her written designee, and only for his or her respective position or a slate including a candidate for his or her respective position.
- (c) A review, when deemed necessary, must occur no later than five (5) academic days following posting of the preliminary results.
- (d) A candidate under review shall have the right to appear before the Elections Committee during its deliberations. Candidates shall be notified of any review filed against them and of the hearing electronically and telephonically at least twenty-four (24) hours prior to the hearing.
- (e) The accuser, the candidate, or the person charged may be present at this hearing and may present evidence limited to campaign expenditures and no other campaign violations. Other campaign violations may be heard at a separate hearing consistent with Section 1.09 of this policy.
- (f) If a candidate is found to have exceeded the three hundred dollar (\$300.00) limit they will be disqualified, and the candidate for that office with the second highest vote total shall be named as the winner of the election.

Section 1.05 Voting.

- (a) All individual of the Membership, including graduating individuals of the Membership, are eligible to cast one (1) vote for candidates for each EO position and one (1) vote for their respective Representative position.
- (b) Voting shall be supervised by the Elections Committee.
- (c) Voting in elections shall occur for a minimum of two (2) consecutive academic days but no more than five (5) days. The dates and hours for voting should provide an opportunity to vote for both day and evening students and shall be determined by the Elections Committee and approved by SBA.
- (d) Polling places may be located at various sites during election days. Locations and times of operation shall be determined by the Elections Committee and approved by SBA.
- (e) Notice of elections shall be announced and advertised at least two (2) weeks prior to the election.

Section 1.06 Ballots.

- (a) Positions on the ballot shall be chosen by lottery at the “All-Candidates” meeting.
- (b) Special referendums may be placed on the ballot, in accordance with these Bylaws and Policies.
- (c) A candidate's name shall not be removed from the ballot after it is finalized. A candidate must inform the Elections Committee before withdrawing from the election.

Section 1.07 Ballot Counting and Results.

- (a) To win a position, a candidate must receive a plurality of the valid votes cast for that position.
- (b) In the event of a tie, the Elections Committee will hold a run-off.
 - i. The run-off must be held on the next academic day following the final tallying of election results.
 - ii. Voting will occur from noon to one o'clock (12:00 – 1:00PM) and from four thirty to six thirty (4:30 – 6:30PM) on the next academic day following the final tallying of election results.
 - iii. The results of the run-off will be tallied consistent with Section 1.07(d) of this policy directly following close of the polls at six thirty (6:30PM) on the next academic day following the final tallying of election results.

- (c) The Elections Committee shall establish the method of counting the ballots prior to the first day of elections.
- (d) Tallying of election results shall be conducted in public view no later than two (2) calendar days after the close of the polls on the last day of elections. Any person who wishes to observe may do so, but must stay behind a clearly marked partition. Only Members of the Elections Committee and the Dean of Pacific McGeorge, or his or her designee, may be behind the partition.
 - i. The Elections Committee shall be vested with the responsibility of announcing and posting the preliminary results and tabulations of the election by submitting the results to the SBA President and the Dean of Pacific McGeorge, or his or her designee, no later than two (2) calendar days after the close of the polls on the last day of elections.
- (e) An election shall be considered closed and the results final six (6) academic days after the preliminary results have been posted.

Section 1.08 Recounts.

- (a) Requests for a recount must be made in writing and submitted to the Elections Committee no later than two (2) academic days after the preliminary results are posted.
- (b) Requests for a recount may only be filed by a candidate or by his or her written designee, and only for his or her respective position.
- (c) A request for a recount must describe, in detail, the reason for such a request.
- (d) Only one (1) recount per position will be made, unless the result of the recount determines a different winner, or if the Elections Committee votes to hold an additional recount. In the case that a recount determines a different winner, one (1) final recount will be made.
- (e) A recount, when deemed necessary, must commence no later than five (5) academic days after the preliminary results are posted.
- (f) In the event of a tie following a recount, the tie will be broken consistent with Section 1.07(b) of this Policy.
- (g) In the event that a recount occurs, only those ballots which were counted in the previous count shall be considered valid for a recount. The Elections Committee shall ensure that all ballots are included in the initial tabulation.
- (h) Ballots shall be retained until the election is closed consistent with Section 1.08(e) of this policy.

Section 1.09 Disputes.

- (a) The Elections Committee shall be responsible for adjudicating all disputes related to SBA elections.
- (b) All disputes regarding any violations by candidates must be submitted to the Elections Committee the same day as the alleged violation, unless the violation is alleged to have occurred after six o'clock (6:00PM). in which case the dispute must be submitted by noon (12:00PM) the following day.
- (c) All other disputes regarding elections, must be in writing, dated, signed by a candidate, and submitted to the Elections Committee.
- (d) A candidate charged with a campaign violation shall have the right to appear before the Elections Committee during its deliberations. Candidates shall be notified of any disputes filed against them and of the hearing via e-mail and telephone at least twenty-four (24) hours prior to the hearing.
- (l) The accuser, the candidate, or the person charged may be present at this hearing, or by proxy, if written notice naming the individual who shall be serving as proxy is delivered to the Elections Committee or designee prior to the beginning of the hearing.

Section 1.10 Penalties.

- (a) A campaign violation shall result in an official reprimand from the Elections Committee. The candidate shall take corrective action, as instructed by the Elections Committee, within twenty-four (24) hours of notification.
- (b) Disqualification may occur upon proof of any of the following violations:
 - i. A repeated offense by a candidate after having been notified, adjudicated, and reprimanded by the Elections Committee;
 - ii. Three (3) reprimands from the Elections Committee for any offenses;
 - iii. Willful destruction or defacement of another candidate's campaign materials by the candidate; or
 - iv. A violation of SBA's Code of Conduct, Code of Ethics, Election Code, or a violation of the Pacific McGeorge Code of Student Responsibility.
- (c) All candidates are responsible for his or her own campaign materials, actions, and/or the actions of supporters if the candidate reasonably knew or should have known of the supporter's actions.

SPONSORED ACTIVITY GRANT FUNDING POLICIES AND PROCEDURES

Section 1.01 Eligibility for Sponsored Activity Grant Funding.

- (a) Organizations receiving funding must be officially recognized as Chartered Student Organizations (“CSO”) by the Office of Student Affairs.
- (b) Funding will be allocated to CSOs for individual events or programs that will most directly benefit the Membership.
- (c) Events or programs must appear on the Pacific McGeorge student calendar consistent with the policies and procedures of the Office of Student Affairs
- (d) Events or programs should be on campus, open, and free of charge to all Pacific McGeorge students. However:
 - i. Where a CSO cannot realistically hold the event on campus, SBA will consider allowing an off campus location.
 - ii. Where a CSO cannot realistically or reasonably provide a valuable service to students without charging a fee, will SBA consider allowing an admission charge.
 - iii. SBA must approve any admission charges prior to the event.
- (e) Applications must be submitted/received in the Treasurer’s Mailbox in the SBA Office not less than four (4) academic weeks prior to an event or program requesting an amount exceeding \$500.
 - i. A review of the application is guaranteed up to at least two (2) academic weeks before the event date.
- (f) Applications must be submitted to the Treasurer’s Mailbox in the SBA Office not less than two (2) academic weeks prior to an event or program requesting an amount not exceeding \$500.
 - i. A review of the application is guaranteed up to at least one (1) academic week before the event date.
- (g) Late applications will not be considered.
- (h) No more than \$3,000 shall be given to any organization in one (1) school year.
 - i. No more than \$6,000 is to be allocated for a single event, regardless of the number of clubs applying for funds.

- ii. No CSO shall receive sponsored activity grant funding during the summer semester.
- (i) SBA shall review all funding allocations. Funding allocations must be approved by a simple majority vote, unless the allocation is for more than \$1,000.00 then it must be approved by a simple two-thirds (2/3) vote.
- i. The Treasurer shall review all applications and make recommendations to SBA.
 - ii. The Treasurer will provide the Secretary with the following information to include in the materials received by the Board Members prior to an SBA meeting.
 1. Name of activity
 2. Date of activity
 3. Club(s) hosting activities and requesting funds
 4. Total sum requested
 5. Total sum required to host the event
 6. Use of SBA funds
 7. Expected attendance
 8. Location
 9. Whether the event is free and open to all students
- (j) Funding will be allocated in six (6) categories: entertainment, facility charges, publicity, food and drink, supplies, and miscellaneous.
- i. **Entertainment.** Funds may be used to pay an honorarium to any performer, event official, speaker, or performance group, and may include travel expenses, one (1) night's lodging, and the state regulated meal per day cost (meal per diem).
 - ii. **Facility Charges.** Funds may be used for rental fees, security, technician needs, and cleaning fees.
 - iii. **Publicity.** Funds may be used for the printing of material and the publicity of an event or program sponsored by the organization. A copy of any publicity, including flyers or brochures, shall be submitted with an expense form. All publicity for the funded event must give credit to SBA, using the approved, official logo of SBA as seen below:

[insert logo image]
 - iv. **Food and Drink.** Funds may be used for food and drink that is non-alcoholic and consistent with Pacific McGeorge's food policy.

- v. **Supplies.** Funds may be used only for materials in conjunction with a specific program or event. If the items are reusable they should be returned to SBA after the event.
 - vi. **Miscellaneous.** Additional funds may be granted for items not otherwise mentioned in the above categories. The allocation of funds through this category shall be at the discretion of the Board Members and must be consistent with the funding guidelines and fiscal policy of SBA.
- (k) SBA specifically shall not fund the following: operational costs (i.e., office supplies, booth supplies, general printing), clothing, personal gifts, insurance, and postage.
- (l) Funds shall be dispersed and accounted for consistent with Section 1.04 of this Policy.

Section 1.02 Start Up Funds.

- (a) SBA will approve requests for \$150.00 or less in start-up funds to CSOs who apply for such funds within the month of August.
- (b) The monies must be used to recruit new members.
- (c) The CSOs receiving the funding shall submit a Completed Expense Form to the SBA Office within thirty (30) days of the allocation of start up funds. Copies of all reimbursement forms and all receipts must be attached. Exceptions may be made if the Treasurer receives and approves a formal request made by the CSO.

Section 1.03 Events for Profit, Charity, or Scholarships. If an event makes a profit the CSO will be required to refund SBA the full amount of money granted or the full profit, whichever is less. The CSO must refund SBA whether or not the profit is for the CSO, charity, or a Pacific McGeorge Scholarship. If an event intends to make a profit but is unsuccessful in doing so, the CSO is not required to refund SBA.

Section 1.04 Appeals, Amendments, and Disbursement of Funds.

- (a) CSOs that are dissatisfied with the total amount allocated to the event by SBA should file an appeal.
 - i. The Treasurer will evaluate the appeal and decide if a different allocation should be made.
 - ii. Should the Treasurer find a different allocation should be made, the Treasurer will make that recommendation to the Board Members. The Board Members may approve a change in funding by a simple majority vote.

- iii. An appeal may not be filed for a late application, but an appeal may be filed for a timely application even if the event has passed.
- (b) CSOs that are satisfied with the total amount allocated, but would like to divide the amounts differently amongst the categories of one event or between events should file an amendment.
- i. The Treasurer will evaluate the amendment and decide if it should be approved in whole, in part, or if the original allocation still stands.
 - ii. Should the Treasurer find a different allocation should be made, the treasurer will make that recommendation to the Board Members. The Board Members may approve a change in allocation by a simple majority vote.
- (c) The CSO receiving the funding shall submit a Completed Expense Form to the SBA Office within forty-five (45) days after the event occurs or by the last day of the academic year, whichever comes first. Exceptions may be made if the Treasurer receives and approves a formal request made by the organization.
- (d) Any monies unspent by the CSO after the thirty (30) day period (unless extended by the Treasurer) shall be transferred back to SBA.
- (e) Violations of this policy shall be determined by the Treasurer. If it is determined that a violation of the this policy has occurred, the violator(s) shall be informed of this by the Treasurer and SBA may place sanctions on the current and/or future allocations.
- (f) Monies shall be allocated on a rolling bases until the funds are extinguished.

ADVERTISEMENT POLICY

The following applies to all SBA funded material that bears the SBA Logo:

Section 1.01 Advertisement Approval Process. All advertisements for SBA events must display the SBA logo.

[insert logo here]

All advertisements must be submitted to SBA for approval before being published. The President shall have the power to approve all submissions. If the President fails to approve or disapprove of a submission within ten (10) days of submission it is automatically approved.

Section 1.02 Restricted Material.

- (a) SBA will not approve advertisements that contain the following:
 - i. Exams, papers, or any other academic work designed to encourage student cheating; or
 - ii. Inappropriate behavior, such as excessive or illegal consumption of alcohol.
- (b) SBA reserves the right to refuse an advertisement that is considered to have inappropriate subject matter including prejudicial, obscene, sexist, racist, or any other content considered by SBA to be unsuitable.

Section 1.03 Other Provisions.

- (a) Additionally the words "[Name of Advertiser] promotes responsible drinking" must be included in any ad that mentions alcoholic beverages, and those words must be prominently displayed and readable.
- (b) All subject matter is contingent on the approval of SBA. This includes form size, and text of the advertisements. Also subject to approval are the illustrations and typography used in ads.
- (c) SBA reserves the right to request that additional information be used in the advertisement including, but not limited to the following: business name, business address, web address, business phone, fax numbers, e-mail address, and affiliation.

TRANSPARENCY POLICY

It is the intention of SBA to operate within a legal and transparent framework at all times. SBA will follow all applicable laws, Pacific McGeorge Policies, University Policies, and these Bylaws and Policies in regards to providing information to the Membership.

ARTICLE 1: Access to Agendas and Meetings

Section 1.01 Availability of documents. A copy of the agenda of any Board Meeting will be posted at least forty-eight (48) hours before a meeting and available at the meeting for any person requesting it.

Section 1.02 Membership participation. Every agenda shall provide an opportunity for the Membership to directly address SBA on any item affecting legal education at the campus or ABA level provided that no action shall be taken on any item not appearing on the agenda.

Section 1.03 Accessibility to meetings. SBA and its committees may not conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of race, religion, color, national origin, ancestry, political conviction, gender, sexual orientation, marital status or relation, or which is inaccessible to disabled persons.

ARTICLE 2: Disclosure of Information

Section 2.01 General Information. SBA shall make the following information available to the public on the official website of the organization and in other forms as reasonably requested:

- (a) Updated Budget
- (b) Bylaws and Policies
- (c) Forms
- (d) List of Board Member positions and committees
- (e) Name of currently serving Board Members and Committee Members and their Pacific McGeorge e-mail address
- (f) Resolutions adopted by SBA

Section 2.02 Other Records. As part of SBA's transparency objectives, the following records have been determined to be available to the public upon request though some of the following documents may or may not be posted on SBA's official website:

- (a) Agendas and minutes of SBA
- (b) Agendas and minutes of SBA committees
- (c) Board Member Reports
- (d) Election Results
- (e) Any other documents deemed by formal action of SBA to be subject to public disclosure

**ARTICLE 3:
Archives**

Section 3.01 Purpose of SBA Archives. SBA shall maintain an official archive consisting of historical records, as well as those vital records the organization is required by law to maintain in perpetuity. The purpose of the archives is to preserve materials that document the history of the organization and decision-making processes and to make these materials available to interested students and other researchers.

Section 3.02 Access to SBA Archives. Limitations on access to the records by archive users will be enforced consistent with this policy and with all applicable laws. Records transferred to archives remain the property of SBA and are administrative records, not general library materials. Records become part of the archive's holdings upon their transfer.

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RECORDS MANAGEMENT POLICY

SBA recognizes that sound business practices call for the orderly management of records relating to the conduct of its affairs, together with a documented records retention and destruction schedule congruent with all applicable laws and regulations.

This statement identifies the major record compliance standards, establishes a comprehensive records management policy, and provides for a records retention schedule, and an implementation process.

It is recognized that SBA is evolving and the scope and extent of this policy will need to keep pace with that evolution.

DESCRIPTION OF RECORDS	MANNER OF RECORD KEEPING	DISPOSITION PERIOD
Formation Records		
Formation documents including a purpose statement, bylaws, and policies	Maintain in hard form in the SBA Office and post on official website	Permanent
Board meeting documents such as minutes, agendas, and related documents	Maintain in hard form in the SBA Office and may or may not post on official website	Hard copies available in the SBA Office for at least five (5) years, available electronically for at least ten (10) years, then archived
Financial documents including budgets	Maintain in hard form in the SBA Office and post on official website	Hard copies available in the SBA Office for at least five (5) years, available electronically for at least ten (10) years, then archived
Election documents including election petitions and vote tallies	Maintain in hard form in the SBA Office	Hard copies available in the SBA Office for three (3) years, then archived
Transactional Records		
Board and committee reports	Compile and file by term	Hard copies available in the SBA Office for at least five (5) years, available electronically for at least ten (10) years, then archived
Resolutions	Maintain in hard form in the SBA Office and may post on official website	Hard copies available in the SBA Office for at least five (5) years, available electronically for at least ten (10) years, then archived
<i>continued</i>	<i>continued</i>	<i>continued</i>

Agreements, contracts, leases, and other documents of obligation	Compile and file by term	Hard copies available in the SBA Office until expiration, available electronically for at least three (3) years after expiration, then archived
Publications		
Pamphlets, promotional materials and related publications	Compile and file by term	Hard copies available in the SBA Office for three (3) Formal campaigning may occur immediately after the "All-Candidates" meeting through the close of the election. years or until revised, whichever comes first, then archived
Temporary Communications		
Any records intend only for routine communication including e-mails or text messages or phone calls	Held with the individual involved in the communication	No retention

OTHER PROVISIONS

Section 1.01 Assistants to the President. The President may appoint as many as five (5) students to assist in special projects as deemed necessary.

Section 1.02 Endorsement of Documents; Contracts. Subject to the provisions of applicable law, any note, mortgage, evidence of indebtedness, contract, conveyance, or other instrument in writing and any assignment or endorsements thereof executed or entered into between SBA and any other person, when signed by the President, with at least two (2) other signatures belonging two (2) either the Day Vice President, Evening Vice President, or Treasurer of SBA shall be valid and binding on SBA in the absence of actual knowledge on the part of the other person that the signing officers had no authority to execute the same. Any such instruments may be signed by any other person or persons and in such manner as from time to time shall be determined by SBA and, unless so authorized by SBA, no Board Member, Committee Member, or agent, shall have any power or authority to bind SBA by any contract or engagement or to pledge its credit or to render it liable for any purpose or amount.

Section 1.03 Policy Manual and Operating Policies and Procedures. SBA Policies may be changed or updated by an action item following at least one (1) informational item at a prior meeting. The policy changes must be approved by a majority vote of the Board Members then in office.

SBA Bylaws may be changed or updated by an action item following at least two (2) informational items at prior and respective meetings. The Bylaw changes must be approved by a two-thirds (2/3) vote of the Board Members then in office.

Once SBA has approved a new operating policy or procedure the Secretary will be responsible for forwarding an updated copy of the SBA Policies to the Board Members, Committee Members, and appropriate staff, faculty, and administration of Pacific McGeorge. The Secretary will also make the SBA Policies, as amended, available to the Membership.