

COLUMBIA LAW SCHOOL STUDENT SENATE

Resolution to Amend the Columbia Law School Student Senate By-Laws

PROPOSED: April 7, 2009

RESOLVED BY THE COLUMBIA LAW SCHOOL STUDENT SENATE, TWO-THIRDS OF SENATORS CONCURRING,

That the following amendments be made to the Student Senate By-Laws;

- 5 That the Student Senate Parliamentarian shall incorporate these amendments into the By-Laws and, with the revised Constitution, transmit these documents to the 2009–10 Executive Board and enter copies into the Senate's permanent records, and

That the Student Senate President shall transmit a copy of the revised Senate By-Laws and Constitution to the Deans of Faculty and Students.

- 10 *This resolution expires at the end of the 2008–09 academic year.*

COLUMBIA LAW SCHOOL STUDENT SENATE

— PROPOSED AMENDMENTS —

Proposed additions are indicated thus; proposed deletions are indicated ~~thus~~.
Comments that will not become part of the By-Laws appear in the margin.

THE COLUMBIA LAW SCHOOL STUDENT SENATE BY-LAWS

Section One — Spring Senate

5 A. Authority of Spring Senate. The Spring Senate ~~may~~shall consider, among other things, ~~matters pertaining to the following issues: adoption of rules for the following year's Senate, committee appointments, and budgetary and recognition issues.~~ The Spring Senate ~~shall be governed by these By-Laws and the Senate Constitution~~may elect not to consider any of these preceding issues by a majority vote of the Spring Senate.

10 B. Quorum Required. All meetings of the Spring Senate shall require a quorum of at least two thirds (2/3) of the Spring Senate.

C. Voting Thresholds. Votes of the Spring Senate shall pass if supported by a majority of Spring Senators present at a meeting at which a quorum exists, except when the Constitution or By-Laws require a higher percentage.

15 Section Two — Committees

20 A. Committee Reporting Requirements. A student representative of each Student-Faculty Committee, ~~and the Chair or a Co-chair of each internal Senate Committee,~~ shall report ~~orally~~ to the Senate on ~~the matters before their~~at Committee at ~~each the~~ soonest possible Regular Meeting of the Senate. ~~Additionally, the members of each Committee~~These individuals shall also submit a written report of their Committees' activity, ~~signed by all student members of the Committee,~~ to the outgoing Secretary within fourteen days before new officers are elected~~at least twice a year, at the end of each semester.~~ The incoming Secretary shall providegive copies of ~~the two most recent~~these reports to respective Committee members chosen in the fall~~each newly,~~ elected member of each Committee so that continuity in representation may be maintained.

B. The Columbia Law School Diversity Council. The Columbia Law School Diversity Council shall serve as the central space for discussion and action planning ~~to address-~~ing diversity issues in the Columbia Law School community.

30 1. The Council shall include thirteen members: 4 senators (one from each J.D. class and one LL.M. or J.S.D.), 3 faculty members, 2 administrators, and 2 students who are not also Senators. The Senate President and the Dean of Faculty or her designate shall serve ex officio.~~Composition: The Council shall consist of 3 faculty members, 2 administrators, 4 senators (one from each class) and 2 at-large student members. The Senate President and a representative from the dean's office shall serve in an ex-officio capacity. The 4 senators will only be required to serve on one other Senate committee. A Senator shall report orally to the Senate on the matters before the Committee.~~

35 2. Within five days after the election of 1L and LL.M./J.S.D. Senators, the Senate President shall issue a widely publicized call for Senate and student members of the Diversity Council. Senators and students interested in serving shall submit a candidate statement. The selection of Senate and student members and the process and selection of faculty and administrator members shall be determined by continuing Council members no later than October 15. Senate and student members shall serve until their graduation or until their successors are chosen and qualify, whichever is sooner. All other members shall serve until their successors are chosen and qualify. Vacancies shall be filled in the same manner as the original selection and by an individual from the same constituency as the member vacating the position.~~The Senators and student members shall be selected through an application process. The applications will be reviewed by Council members. The~~

READ ME FIRST!

Effective Date. Amendments take effect upon adoption by the Senate.

Technical Changes. Changes not intended to alter substance are not highlighted.

Section Titles. Section titles have been added to some sections. For ease of reading, these changes are not tracked.

Section One Spring Senate

Conforming change: Spring Senate not required to consider substantive business during the summer.

Substantive change: higher quorum (2/3) required of Spring Senate to do business. Resolves an ambiguity and acknowledges that the Spring Senate is not fully representative of the student body because 1Ls and LL.Ms are not yet elected.

Section Two (A) Committee Reporting

Conforming changes:

- 1) Internal Committee chairs report at Senate meetings.
- 2) Student-Faculty Committee members submit end-of-year written report of activities.
- 3) Written reporting requirement is annual, not semesterly.

Section Two (B) Diversity Council

All changes designed to give Council minimal amount of institutional structure. They are also intended to separate what the Senate can control (e.g., details pertaining to student members) from what it cannot (e.g., details pertaining to non-student members).

Substantive changes:

- 1) Student member selection process specified; faculty and admin process left to Council members.
- 2) Student member term of office specified (1 year); faculty and admin term of office left unspecified.
- 3) Vacancy process specified.

COLUMBIA LAW SCHOOL STUDENT SENATE

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~~Council is responsible for notifying candidates of their decision. Faculty and administrator members shall be selected by consensus of the Council members.~~

3. The Council shall ~~determine its own by laws but must meet~~ at least once ~~per each semester and may prescribe other internal rules consistent with these By-Laws and the Senate Constitution.~~

C. Standing Committees. The Senate shall have the following standing committees:

1. The Student and Academic Affairs Committee shall be responsible for identifying and coordinating issues of student representation to the law school and University administration, including, but not limited to, academic affairs, building and planning. It shall also be responsible for addressing the unique issues and concerns of transfer and joint-degree students as they may arise. ~~The President will serve as Chair of the Student Issues Committee.~~

2. The Student Life and Social Activities Committee shall organize and publicize all Senate social events ~~including happy hours, bagel hours, movie nights and dances~~. Certain duties may be delegated to subcommittees, but the Student Life Committee shall retain ultimate responsibility for these events. The Committee shall follow an alphabetical rotation system for the entire Senate when assigning duties associated with its events or any other system that they deem appropriate. If a Senator is unable to work her or his turn at an event, she or he shall work the next turn at an event, and the next person on the Senate list, alphabetically, will take her or his place. ~~The Committee shall be presided over by the Vice President.~~

3. The Budget Committee shall allocate and distribute the funds generated by the Student Activity Fee to Law School student groups.

a. Composition. ~~The Treasurer shall preside over the Budget Committee as Chair, and the~~ Committee shall consist of at least ~~eleven~~ other elected members, at least three (3) from each J.D. class and at least one (1) LL.M. or J.S.D. The Senate shall elect Committee members at the first Senate meeting in the ~~F~~fall after first-year and LL.M. and J.S.D. Senators are elected. All Senators shall be given notice of the Budget Committee election on the night after first year Senate elections are held.

b. Budget Procedures. Before the budgeting process begins, the Treasurer shall present to the Senate the detailed procedures ~~which~~ that will be used by the Budget Committee to allocate funds to student groups and the structure of the standardized forms ~~which~~ that will be used as funding applications and funding appeals.

c. Application for Funds. At the beginning of each semester, the Budget Committee shall solicit funding requests from all recognized Law School organizations. Each organization shall be informed of the application and appeals process. This information shall include the standards ~~which~~ that the Budget Committee will follow in allocating funds. In addition, each organization shall be informed of the fact that the Senate has final authority on budgetary matters. The Budget Committee shall distribute a standard funding request form to be used as the application for funding by every group requesting funds. The recognized organizations shall be given at least one week after notification to submit funding applications. Other organizations or individuals may also submit funding requests.

d. Allocation. The Budget Committee members shall have one week to review funding request applications. In drafting an allocation budget proposal, the Budget Committee shall take into account, among other things, the size of the organization, its past performance, its fiscal responsibility, whether or not it receives funds from other sources, whether or not its programs will be held at the Law School, and the impact of the organization's events and programs on the Law School community. The Committee shall not discriminate against groups on the basis of their political, social or religious goals or beliefs. The Committee shall not allocate funds to any organization ~~which~~ that is not open to every member of the Law School community, nor shall it allocate funds to any event ~~which~~ that is not open to every member of the Law School Community. Organizations and individuals receiving funds from the Senate shall be under an obligation to publicize all events of the organization in a manner

COLUMBIA LAW SCHOOL STUDENT SENATE

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reasonably calculated to give notice to all members of the Law School community.

5 e. Approval of the Allocation Budget. When the allocation budget proposal is completed by the Budget committee, a copy of the proposal shall be distributed to the Senate before the next general meeting. The Senate may accept, reject or amend the allocation budget by majority vote of the Senators present.

10 f. Appeals Process. After the Senate approves the budget, the Treasurer shall distribute the allocation budget to the student body. If a group is dissatisfied with its allocation, the group may appeal to the Senate. The appeal must be made within one week of the notification of the allocation budget and considered by the Senate at the next general meeting. The appeal shall be made on the standard appeals form ~~which~~that shall be made available by the Treasurer. After the Senate considers and votes upon all appeals submitted pursuant to this section, the allocation budget shall be final.

15 g. Distribution of Funds. Following the Senate approval of the allocation budget, the Treasurer shall distribute the allocated funds to each organization. All organizations receiving funding from the Senate shall be required to keep receipts of their expenses and an accurate ledger.

20 h. Audits. The Budget Committee shall conduct at least one (1) audit each year. The procedures for conducting audits shall be outlined in the approved Budget Guidelines and shall, among other things, govern the requirements for disclosure by organizations ~~which~~that have received Senate funds. All student groups subject to an audit shall be notified at least one week in advance. The Budget Committee shall afterward conduct an audit to determine whether allocated funds were spent in a manner consistent with both the intentions stated by the organization in its Fall funding request and the Budget Allocation guidelines under which the allocation was made. The Budget Committee may audit a sub-set of student groups chosen at random, and other group(s) may be chosen for audit if a majority of the Budget Committee, in its sole discretion, determines there is a reasonable suspicion of violation(s) of the Budget Guidelines. Factors that the Budget Committee will consider in its decision to audit group(s) include, but are not limited to, failure to return unspent Senate funds, failure to maintain an existing positive account balance, and failure to prevent an increase in the amount of an existing negative account balance.

25 30 35 40 45 50 i. Other Funding Requests. The Budget Committee must be convened to hear new requests for funding from individuals, new organizations, or recognized organizations. The Committee may, at its discretion and without prior Senate approval, disburse funding awards up to a maximum amount specified by the budget guidelines (the "Ad Hoc Limit"). The Senate Treasurer shall promptly disclose all such disbursements to the full Senate. For requests exceeding the Ad Hoc Limit, the Committee shall make a recommendation to the Senate, which must approve the disbursement. After election of officers and before the Fall Elections, the Executive Board, on behalf of the Spring Senate, may approve disbursements of up to double the Ad Hoc Limit. Groups that receive funding under this subsection shall be subject to the same standards and auditing procedures as those groups receiving funding during the Fall and Spring budget cycles. ~~If the majority of the Committee members are in agreement, the Committee shall make a recommendation to the Senate which the Senate may accept, reject or modify. Groups which receive budget allocations outside the regularly scheduled Fall and Spring budget allocation meetings are subject to the same standards and auditing procedures.~~

55 j. Access to Information. The budget process shall be open to student scrutiny. The Budget Committee shall publicize and explain the budgetary process. Committee meetings shall be closed, but the Committee must keep substantive records.

60 4. The Graduation Committee shall be responsible for coordinating all activities of the graduating class relating to commencement, including, but not limited to, the selection of the graduation speaker. ~~The outgoing Graduation Committee~~

Section Two (C)(3)(i) Ad Hoc Funding

Conforming change: Committee permitted to award ad hoc funding without Senate approval up to an amount specified in the Budget Guidelines (approved annually by the Senate and currently \$500).

Substantive change: E-Board permitted to approve ad hocs up to 2x the above amount during the Spring Senate. This will reduce the need for a logistically difficult meeting of the Spring Senate to approve funding requests below this amount.

COLUMBIA LAW SCHOOL STUDENT SENATE

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shall meet with the incoming Graduation Committee after the latter has been formed.

5 a. Co-chairs. The Committee shall be chaired by two 3L Senators. **Within fourteen days after new officers are elected,** ~~the incoming Senate President and Treasurer, with the advice and consent of the outgoing Senate President and outgoing Co-chairs of the Graduation Committee, shall select two rising-~~ 3L members of the incoming Senate who shall serve as Co-chairs of the Committee beginning the day after Commencement Day. **The outgoing Co-chairs shall report to the incoming Senate President and Treasurer on financial matters related to committee activities through Commencement Day.** Vacancies shall be filled by a 3L or LL.M. Senator selected by a majority of 3L and LL.M. Senators. ~~A member or members of the Senate in the graduating class of the Committee shall act as Chair. If the Chair is not reelected to the Senate in her or his year of graduation, then the President shall appoint a new Chair for the Committee.~~

10 b. Members. **Within five days after the election of 1L and LL.M./J.S.D. Senators,** the Senate President shall issue a widely publicized call for members of the Graduation Committee. Students interested in serving shall submit a candidacy statement. The number and identity of Committee members shall be determined by the Senate President and the Co-chairs of the Graduation Committee **no later than October 15.** At least four members shall also be Senators, including at least one 1L or 2L Senator. At least two thirds of members shall be 3Ls or LL.M.s. All members are subject to removal for cause as provided in Section 6 of Article III of the Constitution. ~~Each Spring, the President of the Senate shall, in a manner reasonably calculated to give notice to all students at the Law School, announce that members will be selected for the upcoming year's Graduation Committee (the Graduation Committee for the current second year class). Students who wish to serve on the Graduation Committee shall submit a candidacy statement. The President of the Senate and the Chair or Chairs of the current year's Graduation Committee (the Graduation Committee for the current third year class) shall then select the members of the Graduation Committee. The number and identity of the Committee members confirmed by no later than March 15 of the year preceding the graduation. At least four members of the new Committee shall be from the Senate, and at least one member of the Committee shall not be from the upcoming year's graduating class, but no more than one third of the Committee shall be from a class other than the upcoming year's graduating class. All members of the Committee are subject to removal for cause in the manner set forth in Section 4 of Article III.~~

20 c. Speaker Selection Procedure. The procedure for selecting the non-student graduation speaker shall be as open and participatory as possible.

25 i. Open Nominations. The Committee will ask all students to submit suggestions for possible speakers. The call for speaker suggestions will be widely publicized. Suggestions will be taken during a time period sufficiently long to allow students to participate. Students may include, with their suggestions, reasons for suggesting a particular speaker and any other information that might aid the Committee in selecting a speaker.

30 ii. Selecting a Speaker. The Graduation Committee will, each year, decide on a method for selecting the speaker and will promulgate rules to guide their decision. After considering all suggestions, the Committee will select a first-choice speaker and will extend an invitation to that speaker. If the first-choice speaker does not respond or declines, the Committee will select another speaker and extend an offer. This process will continue until a speaker accepts an invitation to speak at graduation.

35 d. Student Speakers. Three graduating students shall be elected to speak at the graduation ceremony. If the President of the Senate is a graduating student, one of the graduating speakers will be the President of the Senate. One of the student speakers shall be a graduating LL.M. or J.S.D. student chosen by graduating LL.M. and J.S.D. students. LL.M. and J.S.D. students will not vote to elect the other student speakers.

Section Two (C)(4)(a) Grad Committee Co-chairs

Conforming changes:

- 1) Selection process delayed to April (same timing as Orientation Co-chair selection).
- 2) Outgoing Co-chairs report to incoming President and Treasurer on money matters until Commencement.

Substantive change: selection process revised to include input from incoming President and Treasurer. Acknowledges close working relationship between the Graduation Co-chairs and incumbent officers.

Section Two (C)(4)(b) Grad Committee Members

Conforming change: selection process delayed to fall semester (same timing as internal Committee selection). This is intended to enhance 1L and LL.M. participation.

COLUMBIA LAW SCHOOL STUDENT SENATE

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5 *i. Selection.* Speaker selection shall occur in a process highly analogous to Senate elections. Details will be determined by the Committee and adequate notice given at least four weeks in advance of graduation day, and shall include, at a minimum, open self-nominations, a primary election, and a final election.

10 *ii. Format.* At least four weeks in advance of graduation day, the Committee shall determine ~~and adequately post~~ the details of the speaking format, ~~which. Said format shall include, at a maximum,~~ that each student speaker will be permitted~~allowed~~ to speak for ~~at most up to~~ five minutes on any topic befitting a law school graduation ceremony~~the speaker desires~~.

15 *e. Other Activities.* The Committee will work with the Administration to plan events for its graduating class. The Committee will solicit assistance from volunteers. Any student can assist the Committee with this planning without restriction and without need to present a candidacy statement. All such activities of the Committee will be widely publicized so that students will be able to participate broadly.

20 5. ~~The Senate Newsletter Committee shall be responsible for producing and distributing at least weekly during each academic term that the Law School is in session a newsletter for the purposes of keeping the student body of the Law School apprised of relevant happenings and of fostering a sense of community at Columbia Law School.~~ The Orientation and Admitted Students Committee shall be responsible for coordinating orientation events and programs for entering first year students as well as planning Senate related activities during Admitted Students Days.

25 a. Composition. The Committee shall consist of a 2L Co-chair and a 3L Co-chair, and may include additional members.

30 b. Co-chairs. Within fourteen days after new officers are elected, the incoming President, with the advice and consent of the incoming Executive Board and in consultation with the outgoing 3L Co-chair, shall choose a rising-2L and rising-3L who shall serve as Co-chairs until their successors are selected. Vacancies shall be filled in the same manner and by a student from the same class as the individual vacating the position.

35 6. The Community Action Committee shall function as the Senate provider of community-related activities. It shall be among their duties to organize at least one blood drive each academic year. The Community Action Committee shall consist of at least three members. The chair of the committee shall represent the Senate in any public interest coalitions and discussions.

40 7. The Law School Student Organization Recognition Committee shall be responsible for implementing the law school student organization guidelines and for officially recognizing student organizations. ~~The Parliamentarian shall preside over this Committee as Chair.~~

45 8. The Housing and Facilities Committee shall be responsible for serving as a liaison and source of information on housing and building facilities issues between the student body, the Law School administration, and the University housing offices.

50 9. The Computers and Library Committee shall be responsible for identifying and coordinating issues involving the computers and library operations of the law school and bring them to the attention of the relevant faculty and administration. The committee shall also be responsible for maintaining the Senate databases and websites, as well as posting changes to the Senate Constitution. This Committee shall consist of at least three members of whom one shall also be an appointed representative to the Student/Faculty Computers and Library Committee.

Section Two (C)(5) Orientation Committee

Substantive changes undo changes made last year by replacing Newsletter Committee with Orientation the Committee. The new Orientation Committee is designed to mimic this year's:

1) Two Co-chairs are required (a 2L and 3L); other members optional.

2) Co-chairs selected by incoming E-Board, in consultation with outgoing 3L co-chair. Acknowledges the close working relationship between these individuals.

COLUMBIA LAW SCHOOL STUDENT SENATE

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Section Three — Attendance Policy

5 A. Attendance Requirements. ~~Three (3) unexcused absences by any Senator from any~~ Attendance is required at all Regular, Special or Emergency Senate meetings, internal Senate Committee meetings, Student-Faculty Committee meetings, and other events or meetings designated as compulsory, ~~per~~ as provided in Section 4 of Article VI of the Constitution. Absences may be excused only as provided in subsection B of this Section. Three unexcused absences or ten total absences by any Senator in a single academic year ~~may~~ shall result in ~~immediate~~ the Executive Board's review of the Senator's continued membership in the Senate as provided in Section 6 of Article III of the Constitution by the Executive Board. Attendance at Committee Meetings shall be taken at the discretion of the Committee Chair(s) and reported to the Secretary. Additionally, any combination of unexcused and excused absences totaling ten per academic year may result in like review by the Executive Board at its discretion.

10 B. Absences Excused. ~~A~~ Senator's absence shall be excused only when notice of the absence ~~excuse~~ is given to the Secretary ~~in advance of~~ before the event or meeting to be missed or, if advance notice is not possible, as soon ~~thereafter~~ as practicable thereafter if advance notice is impossible. Valid excuses ~~shall include, but are not be limited to: an out-of-town job interviews, illness, or illnesses and personal emergencies~~ problems. Unless excused by the Executive Board in advance of a meeting, interviews in the New York City area shall not be excused for Regular Senate Meetings. Absences caused by ~~due to~~ a scheduled class, either regular or make-up; a scheduled review session; or a Student-Faculty Committee ~~M~~meeting shall not be counted for the purpose of ~~against~~ the total number of absences, either excused or unexcused, allowed in subsection A of this section, provided that notice of the absence is given to the Secretary before the event or meeting to be missed or, if advance notice is not possible, as soon as practicable thereafter. Questions of excusability shall be decided by the Executive Board. ~~However, notice of such academic or Committee obligation must be given to the Secretary in advance. When other questions exist the Executive Board shall determine by majority vote the excusability of any absence.~~

30 Section Four — Expenditures

A. Day-to-Day Expenditures. Day-to-day Senate expenditures must receive prior authorization as follows:

- 35 1. Those totaling fiftyseveny-five (75) dollars or less must receive prior authorization from a member of the Executive Board, who shall report the expenditure to the Executive Board at its next meeting.
2. Those totaling between fiftyseveny-five (75) and one hundred fifty (150) dollars must receive prior authorization from a majority of the Executive Board, which shall report the expenditure to the Senate at its next meeting.
- 40 3. Those totaling one hundred fifty (150) dollars or more must receive prior authorization from a majority vote of the Senate.

45 B. Private Inurement. Only the President or the Treasurer shall have the power to sign checks and spend funds from the Senate bank account. Neither officer shall make out a check to herself or himself. No person shall cause funds from the Senate account to inure to her own benefit, except as reimbursement for reasonable expenses incurred on behalf of the Senate and in furtherance of its purposes.

Section Five — Referenda and Elections ~~Voting Procedures~~

50 A. Election Commission Authority. The Election Commission shall administer constitutional referenda and all elections of Student Senators and the Law School's representative or representatives to the University Senate. The Commission may prescribe rules consistent with these By-Laws and the Senate Constitution that are necessary to ensure orderly and accurate voting. A majority of Commissioners shall constitute a quorum to conduct business, tabulate ballots, certify results, and adjudicate disputes under Section 4 of Article IV of the Constitution. The Senate may reverse a decision of the Election Commission by a two-thirds (2/3) vote. ~~set the election or referendum~~

Section Three Attendance Policy

No substantive changes intended.
Section reorganized and redundant verbiage deleted to enhance readability, which was previously lacking.

Section Four Expenditures

Substantive change: day-to-day expenditure amounts increased and reporting requirements added.

Original numbers were chosen in 1990, when these By-Laws were first drafted. NB: \$50 (1990) = \$82 (2008); \$100 (1990) = \$165 (2008).

Conforming change: checks and spending clause deleted as irrelevant; private inurement clause enhanced.

COLUMBIA LAW SCHOOL STUDENT SENATE

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~~date and make the ballots. Candidate names will appear in alphabetical order on the ballots.~~

5 B. Polling Station. Any current **or former Senator** who is not also a candidate may staff the polling station and at least two persons shall staff the polling station at all times during polling hours. No electioneering shall be permitted **within fifty feet** of the polling station. Anyone in violation of this rule shall first be warned and, if the violation persists, shall be subject to review by the Election Commission as provided in Section 4 of Article IV of the Constitution. ~~Any Senator is eligible to work at the voting station, provided that she or he is not a candidate in that election.~~

10 C. Voting and Voting Threshold. Eligible voters may vote only once. When returning marked ballots, voters shall present valid Columbia identification and have their names checked off a list of currently enrolled Columbia Law School students. A plurality of votes shall be sufficient to elect Student Senators. Election of the Law School's representative or representatives to the University Senate shall be governed by the University Statutes and University Senate Elections Code. ~~No electioneering is permitted within 50 feet of the voting station. Someone engaging in this activity shall be warned to cease by those Senators working at the voting station. If the candidate persists in this activity after being warned, then the Election Commission may disqualify the candidate for impropriety as is provided in Section 4 of Article IV of the Constitution.~~

20 D. Tabulation of Ballots. Ballots shall be collected in a sealed container that may be unsealed only at the time of tabulation. Tabulation shall be performed by members of the Election Commission in a secure location and may not commence until all voting has ended. Commissioners shall first compare the number of ballots cast with the number of names checked off the list of currently enrolled Columbia Law School students. If a discrepancy of more than five percent exists, the Election Commission shall declare the vote invalid and administer a new referendum or election. ~~Ballots shall be collected in a sealed box which shall not be opened until the time of tabulation. Votes shall not be tabulated at the voting station until the station has been closed and all voting has ended. A plurality of the votes shall be sufficient to elect any candidate to a position, excepting University Senator, which shall be subject to the rules of the University Senate.~~

30 E. Announcement of Results and Recount Requests. The Election Commission shall announce the results of referenda and elections to the entire student body within twenty-four hours after all voting has ended. Within twenty-four hours after results are announced, any candidate may request a recount, which shall be completed within twenty-four hours thereafter. ~~When returning the ballot, the voter shall present a valid CUID and have her or his name checked off a list of Columbia Law School students. No voter may vote more than once.~~

40 F. Certification of Results. **Within twenty-four hours after the recount request deadline, the Election Commission shall certify in writing that the referendum or election was held in accordance with the Senate Constitution and these By-Laws and that the results are correct and accurate.** ~~Within seven days thereafter, the ballots shall be destroyed. The certified tabulation shall be retained by the Senate Parliamentarian and entered into the Senate's permanent records. Before counting the votes, the Election Commission shall count the number of ballots cast and the number of names checked off the list of students. If a discrepancy of more than five percent (5%) of the total number of ballots exists, the vote shall be declared invalid. The Senate retains the power to invalidate a vote upon a showing of a lesser discrepancy, by a vote of two-thirds (2/3) of the Senate membership.~~

50 G. ~~The Election Commission shall tabulate the results of the vote within twenty-four (24) hours of the close of polling. Following the tabulation, the results shall be posted on the Senate bulletin board.~~

55 H. ~~Any candidate may request a recount within twenty four (24) hours of the posting of the results. The recount shall take place within twenty four (24) hours of the request.~~

I. ~~Upon the expiration of the 24-hour recount deadline, the ballots shall be destroyed. The final vote counts for each candidate shall be retained for future reference by the Parliamentarian of the Senate.~~

Section Five Referenda and Elections

Except as noted below, no substantive changes intended. Section reorganized and redundant verbiage deleted to enhance readability, which was previously lacking.

Substantive changes:

- 1) Current **and former** Senators permitted to work polling table to increase pool of eligible volunteers.
- 2) Non-electioneering zone expanded from 15 to 50 feet, as required for University elections.
- 3) Election certification requirement added.

COLUMBIA LAW SCHOOL STUDENT SENATE

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~~J. The Election Commission may not render any decision on any alleged impropriety regarding the qualifications of legitimacy of a candidate unless quorum of the Election Commission partakes in the decision-making process.~~

Section Six — Requirements for Student Organizations

5 A. Purpose. The Columbia Law School Student Senate (“the Student Senate”) seeks to encourage the existence of a diverse offering of activities and associations that augment a student’s law school experience. Student organizations provide important opportunities to students during their law school careers to participate in interesting events and projects and exercise positions of leadership that may both enrich and enlighten their Columbia legal education.

10 B. Guidelines. A recognized student organization shall be responsible at all times for following the guidelines set forth in this Subsection (B) (collectively, the “Guidelines”), the violation of which may subject the student organization to penalties determined at the reasonable discretion of the Student Senate, including, but not limited to, the revocation of recognition or Student Senate funding.

15 1. Beneficial Purpose. The purpose of the organization shall be sufficiently related to the law school community ~~so as to benefit students of the law school and its activities~~ sufficiently unrelated to the purpose of any other recognized organization so as to offer a distinct benefit to a substantial number of law school students. Activities of the organization shall ~~benefit~~ be beneficial to the law school community.

20 2. Constitution. All recognized organizations shall adopt an official constitution. The organization’s constitution and any amendments or by-laws thereto shall be ratified by its membership. At a minimum, the constitution shall explicitly state the following:

- 25 a. The organization’s name,
- b. The organization’s purpose,
- c. The requirements for membership ~~or~~ and leadership, ~~if any,~~
- d. The procedure for selecting and removing leadership,
- 30 e. The duties of leadership, ~~if any,~~
- f. The procedure for arriving at decisions, and
- g. ~~An affirmation that the organization’s membership and leadership policy is in accordance with the Student Senate~~ The Nondiscrimination Policy set forth in Subsection (B)(5) below.

35 3. Membership. Membership shall be open and limited to all Columbia Law School students, but may be conditioned upon certain reasonable criteria not in violation of the Nondiscrimination Policy set forth in Subsection (B)(5) below.

40 4. Leadership. Leadership shall consist of those members elected or otherwise selected according to the organization’s constitution to organize and direct the organization. The leadership shall be responsible to the Student Senate for adherence to the Guidelines and shall otherwise remain answerable for the activities of the organization.

45 5. Nondiscrimination Policy. Membership and leadership shall be open to all Columbia Law School students without regard to race, ethnicity, color, national origin, age, handicap or disability, sex, gender, sexual orientation, marital status, religion, political affiliation, or the general exercise of a student’s right of free speech or association. Any group which selects a team to participate in an organized competitive activity is deemed to have a membership and leadership which is open to the entire student body so long as all students are allowed to apply or tryout for membership on the team.

Section Six (B)(1) Beneficial Purpose of Student Organizations

Substantive change: purpose of recognized organizations required to be sufficiently unrelated to that of other recognized organizations so as to offer a distinct benefit to a substantial number of law students. Intent is to prevent further student group balkanization.

COLUMBIA LAW SCHOOL STUDENT SENATE

Proposed additions are indicated thus; proposed deletions are indicated ~~thus~~.
Comments that will not become part of the By-Laws appear in the margin.

6. Budget Guidelines. The organization shall utilize any funds allocated to it by the Student Senate in accordance with the requirements set forth in the Student Senate Budget Guidelines.

5 7. Political Fundraising. The organization shall not give any funding from the Student Senate to political parties, PACS, or political campaigns, nor shall such funds be used in connection with fundraising activities to support political parties, PACS, or political campaigns.

8. Commercial Activity. An activity shall not be carried out for the pecuniary benefit of its members.

10 9. Mandatory Meetings. The leadership of the organization shall be responsible for sending at least one representative to all mandatory meetings pertaining to student organizations called by either the Student Senate or Office of Student Services.

15 10. Compliance. The organization shall not violate any relevant University or Law School regulations, or any applicable federal, state, or local law.

11. Non-Senate Recognition. Any recognized student organization becomes subject to the supervision and authority of the Student Senate and may not seek or retain recognition by any other division or office of the University.

20 C. Recognition process. Any group of Columbia Law School students desiring recognition by the Student Senate as a student organization must petition according to the procedures set forth under this subsection. Any decisions made by the Recognition Committee (“the Committee”) or the Student Senate to confer or deny recognition shall be based solely on the Guidelines set forth in Subsection (B) above and the procedures set forth below.

25 1. Recognition of New Organizations or Organizations Submitting Revised Constitution or By-laws~~a~~. ~~Any~~ organizations not currently recognized by the Student Senate and all other~~under these by-laws or~~ organizations that have altered their constitution or by-laws since their last submission to the Student Senate must apply for recognition under this Subsection ~~(C)(1)~~.

30 ~~a~~b. Submission of Documents. Recognition of an organization under this subsection is contingent upon timely submission of the following ~~items~~ to the Student Senate Parliamentarian:

i. A constitution meeting the requirements under Subsection (B)(2) above.

35 ii. A list of The names and email addresses of at least twelve (12) seven (7) current members, which shall comprise of at least two (2) members currently serving as leaders of the organization including at least two (2) leaders responsible for the organization’s finances and record keeping. The Committee may waive any part of this requirement upon a group’s showing that its beneficial purpose does not require a standing membership.

40 iii. A completed application for recognition, as provided by the Student Senate.

45 ~~b~~e. Approval. Except as provided under Subsections (C)(1)~~(c)~~ for appeal, recognition shall be contingent upon the favorable recommendation of the Committee ~~and followed by majority approval of the Student Senate~~.

50 ~~c~~d. Appeal. An organization failing to receive a favorable recommendation ~~from by the Committee for recognition~~ shall be notified of ~~such a~~this decision and permitted at least one~~shall be granted an~~ opportunity to submit a revised application. If the revised application also fails to receive a mitigate or appeal any unfavorable recommendation from with the Committee prior to the presentation of such recommendation before the Student Senate. If an organization’s efforts to resolve any disagreements with the Committee prove unsuccessful, the organization may appeal this decision to the Student Senate, which may confer recognition by a majority vote.

**Section Six (C)(1)
Requirements of New
Student Organizations**

Substantive change: twelve members required. Provision waivable by Committee. Intent is to prevent student group balkanization.

COLUMBIA LAW SCHOOL STUDENT SENATE

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5 2. ~~Automatic Renewal of Recognition for Currently Recognized Organizations~~
~~Automatic Renewal~~. Any organization currently recognized by the Student Senate
that, and which has not altered its constitution or by-laws since ~~its~~~~their~~ last sub-
mission to the Student Senate, shall have its recognition automatically renewed
upon annual submission of the following to the Student Senate Parliamentarian:

a. A copy of the organization's unchanged constitution and/or by-laws.

10 bi. A list of The names and email addresses of at least twelve (12) ~~seven (7)~~
current members, which shall comprise of at least two (2) members currently
serving as leaders of the organization, and the leaders' contact information in-
cluding at least two (2) leaders responsible for the organization's finances and
record keeping. The Parliamentarian may waive any part of this requirement
upon a group's showing that its beneficial purpose does not require a standing
membership.

15 cii. An ~~signed~~ affirmation, ~~provided by the Committee~~, that the organization's
documents are unchanged since their last submission to the Student Senate
and that the organization shallwill continue to abide by them~~the constitution~~
and by-laws previously submitted to the Student Senate.

20 b. ~~Changes to Governing Documents~~. Any organization currently recognized
by the Student Senate which has altered its constitution or bylaws since their
last submission to the Student Senate shall apply for recognition as stated un-
der Subsection (C)(1).

D. Grievance and Revocation of Recognition

25 1. Accountability. A recognized organization shall be held accountable by the
Student Senate for its adherence to both its own constitution and by-laws and the
Guidelines under Subsection (B) (collectively, the "Governing Documents"). This
Subsection provides for a grievance procedure to enforce such accountability.

30 2. Grounds for Penalty. A recognized student organization may have its recogni-
tion denied or revoked, or be subject to penalty specified by the Committee, either
for failure to meet the requirements for recognition under Subsections (C)(1) or
(C)(2), or, in the alternative, through the process described in this Subsection (D).

35 3. Other Authorities. Notwithstanding any penalties assessed by the Student Sen-
ate, members of an organization, as well as students submitting perjured grievance,
may remain subject to sanctions from other bodies, such as the University, the
Law School, or the Attorney's Bar.

4. Grievance Procedure

a. Standing. Any student currently enrolled at Columbia Law School may
submit to the Student Senate a grievance against a recognized organization al-
leging a violation of the Governing Documents.

40 b. Investigation. Upon notice of grievance, the Committee shall investigate
and determine the merit of such grievance.

45 c. Dismissal. If the Committee determines the grievance to be without merit,
it may dismiss the complaint without approval by the Student Senate. How-
ever, the complaining student may appeal any such decision to the Student
Senate, which may either dismiss the complaint or require the Committee to
reconsider the grievance pursuant to the procedures outlined below. The de-
cision upon appeal to the Student Senate shall be final and binding.

50 d. Conformity. If the Committee determines the grounds for such grievance
are of merit, the Committee shall first meet with the accused organization in
an effort to resolve any such noncompliance. The organization may remedy
its noncompliance either by agreeing to conform its practices to the Govern-
ing Documents and make necessary reparations, if any, or, where such non-
compliance does not otherwise violate the Guidelines, by revising the consti-
tution or by-laws of the organization. Any such alteration of the organiza-
tion's constitution or by-laws, however, shall subject the organization to the
55 recognition procedure described under Subsection (C)(1).

Section Six (C)(2) Requirements of Existing Student Organizations

Substantive change: twelve members
required. Provision waivable by
Parliamentarian. Intent is to prevent
student group balkanization.

COLUMBIA LAW SCHOOL STUDENT SENATE

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5 e. Hearing. If the organization denies the validity of the grievance, which, if accurate, would otherwise be of merit, the Committee shall hear from both the organization and the complaining student and shall reach a determination based upon the testimony of the parties and a preponderance of the evidence, if any. Following such determination of the merits of the grievance, the Committee shall make its own recommendation for resolution, which may include dismissal of the grievance, revocation of the organization's recognition, or other reasonably appropriate penalty.

10 f. Penalty. If the Committee determines the complaint to be of merit, it may recommend a reasonably appropriate penalty to the Student Senate, which may invoke such penalty or fashion a more appropriate penalty by a majority vote, which decision shall be final and binding. The accused organization shall have the right to plead its case before the Student Senate before such a vote is taken.

15 g. Bad Faith. If at any time the Committee or the Student Senate believes an organization to be acting in bad faith during this procedure, such bad-faith action may submit the organization to additional penalty.

20 h. Term of Penalty. A determination by the Student Senate to revoke recognition of an organization shall remain in effect for the academic year in which such determination is made. The organization for which recognition is revoked shall be permitted to reapply for recognition in the following academic year(s). However, in making a determination on such an organization's application for recognition, the Committee and the Student Senate may take into account any prior adverse decisions against the organization.

25 E. Entering Defunct Status

1. Deadline For Recognition Requests. In coordination with the Senate Budget Committee, the Chair of the Recognition Committee shall set a recognition deadline around the middle of the second week of the fall semester. Student groups may apply for belated recognition at any time during the semester.

30 2. Suspension of Account. Student Services shall suspend the account of any previously recognized student group that fails to be recognized at the recognition deadline in a given fall. These groups shall be considered defunct.

35 a. Groups That Fail To Meet Recognition Deadline. If a student group fails to be recognized due to a failure to meet the fall deadline, its account shall remain in suspension for three semesters, at which point it is considered fully defunct. If the student group is recognized again at any time during these three semesters, it shall immediately regain access to its account.

40 b. Groups That Are Affirmatively Denied Recognition. If a student group fails to be recognized due to an affirmative denial by the Recognition Committee, its account shall remain in suspension for five semesters, at which point it is considered fully defunct. If the student group is recognized again at any time during these five semesters, it shall immediately regain access to its account.

45 3. Repossession of Funds. Once a previously recognized student group becomes fully defunct, Student Services shall repossess any funds contained in the student group's account.

50 a. Student Activity Fee Funds. Any funds remaining in the fully defunct organization's account that are traceable to prior allocations from the Student Activity Fee shall first be used to satisfy the fully defunct organization's debt, if any. Any such funds remaining thereafter shall be returned to the Student Senate. ~~Use of Funds. The funds shall be used to pay the debt of all groups fully defunct that semester. Any remaining funds are returned to the Student Senate.~~

55 b. Other Funds. All other funds remaining in the fully defunct organization's account shall be disposed of by Student Services, in consultation with the Student Senate. Where appropriate, such funds may be used to satisfy the fully defunct organization's debt, if any, in lieu of or in conjunction with any funds

Section Six (E)(3) Repossession of Funds

Conforming changes:

1) SAF funds used to repay debt of only the defunct organization.

2) Other funds considered separately. At Student Services' discretion, these funds may also be used to repay debt of the defunct organization.

Intent of this practice is to clearly separate SAF and other funds during repayment of debt.

COLUMBIA LAW SCHOOL STUDENT SENATE

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5 | identified by Subsection (E)(3)(a) above. ~~Donations. Small donations contained in the group's account shall not be considered separately. Should an account contain a single large donation, Student Services shall use its discretion to determine the destination of such funds in consultation with the Student Senate.~~

10 | 4. Successor Groups. If the Recognition Committee has reason to believe that a previously recognized student group has reconstituted under a new name in order to avoid an incurred debt, it may affirmatively deny recognition. The burden shall be on the group seeking recognition to show that its mission and target population are sufficiently different from the previously recognized group.

5. Other Privileges. As soon as a student group enters defunct status, Student Services shall ensure that the group no longer has access to its Student Organization News and Information ("SONI") email account. Bulletin board space in the law school shall be reassigned.