

The Constitution of the Asian Pacific American Law Students Association at Yale Law School

Entered into Force: April 19, 2012

Article I: Name

The name of this organization shall be the “Asian Pacific American Law Students Association at Yale Law School” (hereinafter referred to as “APALSA”).

Article II: Purposes

It shall be the purposes of APALSA:

- a. to promote community among Asian Pacific American, Native American, and South Asian American students, faculty, and staff at Yale Law School;
- b. to create programming in the interest of building a more diverse educational environment;
- c. to recruit students of color, especially Asian Pacific Americans, and acclimate them to life at Yale Law School; and
- d. to broaden the cross-racial dialogue through discussions of issues affecting people of color and the role of law in addressing these concerns.

Article III: Membership

General membership in APALSA may consist of all matriculated students at Yale Law School who are committed to the purposes of this organization as stated in Art. II of this Constitution.

Article IV: Officers

1. The Executive Board of APALSA shall consist of:
 - a. at least one but no more than two chairs;
 - b. at least one but no more than two political chairs;
 - c. at least one but no more than two social chairs;
 - d. one NALSA Liaison, in accordance with Art. VII(3) below; and
 - e. additional positions to be created at the discretion of the chair(s).
2. The members of the Executive Board of APALSA shall be elected annually for a term of one year to commence at the Spring Election.

Article V: Meetings

1. The general membership of APALSA shall meet at least once during each academic year, and additionally at the discretion of the Executive Board.

2. The Executive Board shall meet at the discretion of the chair(s).

Article VI: Vacancies

When an officer position becomes vacant, the chair(s) shall have the power to appoint an active member of APALSA to that post. Such appointments are subject to the recommendations and approval of the Executive Board.

Article VII: Continued Support for Native American Law Students Association

1. *The Sharing of Funds.*
 - a. *Gift Funds.*
 - A. Except as provided in subparagraph (B) below, gift funds shall be divided as follows: 60 percent shall be reserved for exclusive use by APALSA; 10 percent shall be reserved for exclusive use by the Native American Law Students Association (hereinafter referred to as “NALSAs”); and 30 percent shall be reserved for joint use. Each organization is entitled to use funds reserved for its exclusive use without notifying or seeking approval from the other organization. Expenditures from the joint-use fund shall be subject to approval by all co-chairs of the two organizations. An officer of the organization seeking to use funds reserved for joint use shall seasonably notify all co-chairs of his or her intention. Co-chairs shall negotiate in good faith over requests to use the joint-use funds. Each co-chair has the right to veto requests; such a right, however, may not be exercised in bad faith.
 - B. On years in which APALSA and NALSAs conduct separate fundraising campaigns, each organization shall retain funds raised from those campaigns without regard to subparagraph (A) above. On years in which NALSAs does not conduct its own fundraising campaign, NALSAs reserves the right to join APALSA’s fundraising campaign.
 - b. *Project Funds.*
 - A. All project funds allocated to the Pacific Islander, Asian, and Native American Law Students Association (hereinafter referred to as “PANA”) shall be divided consistently with the regime set forth in subparagraph (a)(A) above.
 - B. All project funds allocated to APALSA or NALSAs belong wholly to the organization to which it was allocated.
2. *Events.*
 - a. APALSA and NALSAs must host at least one joint event per semester. Both organizations must agree that such an event is (i) meaningfully collaborative and that (ii) the purpose of the event is to foster bonds between the two communities. The event may be political, educational, or social in nature.
 - b. NALSAs reserves the right to co-sponsor all APALSA events, and APALSA shall seasonably notify NALSAs of all planned events to allow NALSAs to meaningfully exercise that right. Co-sponsorship does not constitute an authorization to use the joint-use fund for that event. Such an authorization must be secured separately and in accordance with subparagraph (1)(a)(A) above.
3. *NALSAs Liaison.*
 - a. The board of APALSA must include a NALSAs Liaison. Whenever the NALSAs Liaison position is vacant, an APALSA co-chair must assume the position and its responsibilities.

- b. Duties of the NALSA Liaison shall include, but are not limited to:
 - A. seasonably notifying NALSA of all planned events by APALSA, pursuant to the duty set forth in paragraph (2)(b) above;
 - B. ensuring that board members of both organizations are at all times in compliance with this Article;
 - C. communicating with the co-chairs of both organizations at regular intervals to maintain an open channel of communication;
 - D. during periods of NALSA inactivity as defined in subparagraph (4)(b) below, assuring the position of NALSA Chair and ensuring the enforcement of subparagraph (4)(a) below; and
 - E. attending to all other matters pertaining to the APALSA-NALSA relationship.
4. *Duties of APALSA During Periods of NALSA Inactivity.*
- a. On years in which NALSA is inactive, APALSA shall:
 - A. represent itself as APALSA-NALSA in all capacities;
 - B. submit the annual student organization budget proposal on NALSA's behalf;
 - C. organize at least one political or educational event on Native American issues;
 - D. reach out to, welcome and include students who would otherwise be active in the Native American community; and
 - E. make a good-faith effort to find a NALSA Chair for the following academic year.
 - b. For purposes of paragraph (a) above, inactivity means the absence of an individual or group to serve as NALSA's board or representative.
 - c. In organizing an event pursuant to the duty set forth in subparagraph (a)(C) above, APALSA may use the student organization budget allocated to NALSA pursuant to subparagraph (a)(B) above. In the event that APALSA fails to apply for student organization budget on NALSA's behalf, it shall look to the funds reserved for exclusive use by NALSA in accordance with subparagraph (1)(a)(A) above to determine the recommended budget.
5. *Opt-out.* APALSA and NALSA may not opt out of any provisions of this Article except with the informed and voluntary consent of all co-chairs of the two organizations. APALSA and NALSA may not opt out permanently from one or more provisions or wholesale from multiple provisions of this Article without following amendment procedures set forth in Art. IX(2) below. Opt-out decisions must be made on a case-by-case basis, with explicit reference to specific and relevant facts.

Article VIII: Duties of APALSA to Convene the Alliance for Diversity

- 1. APALSA shall be an active member of the Alliance for Diversity.
- 2. *Duty to Convene.* APALSA shall ensure that the Alliance for Diversity shall have at least one coordinator responsible for convening the Alliance's member groups. In the event that no one assumes the position of coordinator, the APALSA chair(s) shall assume this role and its responsibilities, including but not limited to:
 - a. convening the presidents and chairs of the affinity groups that comprise the Alliance for Diversity at least once a semester; and
 - b. planning the agenda for each convening.

Article IX. Amendment Procedures

1. Arts. I-IX of this Constitution, with the exception of Arts. VII and IX(2), may not be amended except through the following steps:
 - i. APALSA shall form an ad hoc committee consisting of no fewer than three members;
 - ii. the ad hoc committee shall unanimously agree upon the language of the proposed amendments;
 - iii. the ad hoc committee shall publish the proposed amendments to, and actively solicit public comments from, APALSA's general members;
 - iv. the ad hoc committee may modify the proposed amendments, taking public comments into account at its discretion;
 - v. the ad hoc committee may, but need not, solicit further comments and make further modifications in accordance with steps (iii)-(iv) above;
 - vi. APALSA's general members shall vote upon the final proposed amendments;
 - vii. the final proposed amendments may not enter into force unless two-thirds of those who cast their votes, including all members of the APALSA Executive Board, have approved of the modification.

2. Arts. VII and IX(2) of this Constitution may not be amended on years in which NALSA is inactive as defined in Art. VII(4)(b). On other years, Art. VII may not be amended except through the following steps:
 - i. APALSA and NALSA shall form an ad hoc committee consisting of no fewer than two members from each organization;
 - ii. the ad hoc committee shall unanimously agree upon the language of the proposed amendments;
 - iii. the ad hoc committee shall publish the proposed amendments to, and actively solicit public comments from, general members of both organizations;
 - iv. the ad hoc committee may modify the proposed amendments, taking public comments into account at its discretion;
 - v. the ad hoc committee may, but need not, solicit further comments and make further modifications in accordance with steps (iii)-(iv) above;
 - vi. general members of both organizations shall vote upon the final proposed amendments;
 - vii. the final proposed modifications may not enter into force unless two-thirds of those who cast their votes in each organization, including all members of both boards, have approved of the modification.

Comments

1. If disputes arise over the interpretation of any provision in this Constitution, parties may refer to the APALSA Constitution Committee Notes (https://docs.google.com/document/d/1Xjb_HWExUBLwu3ZWEtQi-19t8dUPCgKn4zqx9SKhYbE/edit?hl=en_US) or drafts of the Constitution (https://docs.google.com/document/d/1a7iv_ncAnlgJ2SAA1keCCrX5SEFNmPrB4EO2bI9Mtvnw/edit) for clarification. Where the Notes differ from the plain language of this Constitution, the Constitution controls.

2. *History of Art. VII.* Article VII of this Constitution should be understood in light of the events that necessitated its existence. In the 1990s, one student organization – the Latino/a, Asian, and Native American Law Students Association (hereinafter referred to as “LANA”) – represented the interests of all three constituencies. At some point the Latino/a students formed its own group (the Latino/a Law Students Association (hereinafter referred to as “LLSA”)), and LANA was renamed PANA. For the several years prior to the ratification of this Constitution, PANA functioned as an affinity group

servicing both the Asian Pacific American and the Native American communities.

3. In the 2008-2009 academic year, NALSA was formed as an independent organization. PANA, however, continued to represent both communities. After PANA elected its 2011-2012 executive board, the new PANA board, in consultation with NALSA, decided to proceed with renaming itself APALSA. The decision was made for three reasons: (1) to ensure that the name of the organization more accurately reflects its constituency; (2) to bring the name in line with its sister organizations at other T14 law schools, and (3) to address widespread confusion among applicants and prospective students about the mission and purpose of the organization. There were also sentiments that operating as a coalition of two distinct student organizations would best facilitate the expression of each community's unique voices. It was felt that the formation of NALSA presented a timely opportunity for affinity groups to realign in ways that better represent their respective constituencies.
4. In their consultation, APALSA and NALSA affirmed that the two groups would maintain their close working relationship and collaboration in planning and hosting political, educational, and social events. Furthermore, the Alliance for Diversity was founded in this context to foster a sense of broader community and to facilitate NALSA and APALSA collaboration with other affinity groups (see paragraph 7 below).
5. After the transition, several former PANA members became concerned that the name change would deprive NALSA, a historically underrepresented community, of the resources and community to which it had access under PANA. It was feared that the name change would sever the support systems that the alliance had fostered between the Asian Pacific American and Native American communities.
6. In response to those concerns, a series of meetings were called. Among the most urgent concerns voiced were (1) NALSA's continued access to funding, (2) NALSA's continued access to a larger community in which its members would be welcomed, and (3) the sustained existence of an organization with "Native American" in its name to signal to applicants and prospective students that those involved with or interested in the Native American community would find like-minded students. At the start of the 2011-2012 academic year, an ad hoc committee was formed to draft an agreement that would address these concerns.
7. In a previous version of this Constitution, Article VII contained a preamble whose sentiments still speak to the spirit of the final version of the Article. That preamble noted that APALSA and NALSA:

[are] MINDFUL of the historically close relationship between the Asian Pacific American and Native American communities at Yale Law School;

RECALL[] that the Pacific Islander, Asian, and Native American Law Students Association (PANA), the student organization from which APALSA and NALSA emerged, served for generations of students as an important platform for collaboration and mutual assistance between the two groups;

CELEBRAT[E] APALSA's role, as the direct progeny of PANA and the Latino, Asian, and Native American Association (LANA), to carry on their traditions of cross-cultural collaboration;

AFFIRM[] the enormous value of such alliances to the richness and diversity of student life; [and]

RECOGNIZ[E] that the special relationship between the two communities under PANA must be preserved and strengthened through codification as APALSA and NALSA move forward as independent entities[.]

8. *History of Art. VIII.* The Alliance for Diversity was founded in 2011 as a forum to facilitate collaboration and communication among the leaders of the ethnic, LGBT, and women's affinity groups at Yale Law School. The Alliance seeks to build community and solidarity across these affinity groups and to facilitate joint advocacy on issues of shared interest, including but not limited to faculty diversity. As of the drafting of this document, the Alliance for Diversity includes:
- Asian Pacific American Law Students Association
 - Black Law Students Association
 - Latino/a Law Students Association
 - Middle Eastern and North African Law Students Association
 - Native American Law Students Association
 - Outlaws
 - South Asian Law Students Association
 - Women of Color Collective
 - Yale Law Women

