

Constitution of the Student
Government Association of
Brewton-Parker College
2011-2012

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Preamble

In the belief that it is proper for students to establish a system of government for the regulation of their community, we, the students of Brewton-Parker College, do adopt this constitution to protect the intrinsic powers and rights of the student body, to insure freedom of association, freedom of thought, freedom of speech, and all other freedoms outlined in the Student Bill of Rights which are necessary and consistent with the existence of Brewton-Parker College as a Christian based, academic community.

Title I. Legislative Branch

Article I. Name and Purpose

Sec. 1. The legislative body of the students shall be the Senate of the Student Government Association (S.G.A.) of Brewton-Parker College.

Sec. 2. The Senate shall have the following expressed purposes:

To provide direct channels for responsible and effective participation in the college community.

To provide an official and representative organization to receive complaints, consider problems, and participate in making decisions affecting the college community.

To provide a means whereby students may gain experience and training in responsible political participation and community leadership.

To promote understanding and cooperation among our students, faculty, and the administration.

To facilitate communication among the student organizations of Brewton-Parker College.

To encourage student, faculty, and community involvement in all aspects of college life.

Article II. Membership

- Sec. 1. Senate membership shall be open to all students of Brewton-Parker College's Mt. Vernon Campus.
- Sec. 2. All Senators must have a cumulative GPA of 2.5 prior to election. While in office, the Senator must not have less than a 2.0 GPA per semester.
- Sec. 3. The total number senators from each class will be determined as follows: Each class will be allowed 5 seats on the S.G.A. Senate.
- Sec. 4. The Dean of Students shall appoint the advisor for the current term. The advisor will be an ex-officio member of the Senate and all of its committees.
- Sec. 5. The quorum required for holding a meeting of the Student Government Association is the majority of the Senate, a Representative from the Executive Branch, and an Interim Secretary.
- Sec. 6. The Student Government Association term will be defined as: May 1st- April 31st.

Article III. Removal from Office

- Sec. 1. All impeachment and removal proceedings shall follow the bylaws of the Student Government Association.

Article IV. Committees

- Sec. 1. There shall be **five** standing Senate committees. The committees are as followed and shall have the duties listed in the following sections: **College Services, Faith Outreach**, Student Relations, Organizational, and Judicial.

College Services - Shall be responsible for researching and introducing legislation concerning the quality of the maintenance of campus grounds, maintenance of campus buildings and the hours of operation any aspect of campus food service, academic affairs, residence life, and other services offered to students.

Faith Outreach Committee - This committee shall also be responsible for planning, with the help of spiritual organizations, one campus wide religious event per semester. The chair of this

committee, the Chaplain, shall serve as a liaison between S.G.A., the Campus Minister, and the Office of Church Relations.

Student Relations Committee - This committee shall be responsible for creating polls, surveying the student body every other week, collecting student suggestions, and bringing this information before the S.G.A.

Organizational/Activities Committee - This committee shall be responsible for seeing that the students are provided with a wide variety of extracurricular opportunities, as well as seeing that the organizations of the campus are upholding the standards of the college and constitution. The Organizational/Activities Committee and the **Judicial Committee** will be responsible for approving the constitutions of the campus organizations.

Judicial Committee - This committee and the **Organizational/Activities Committee** shall be responsible for approving the constitutions of the campus organizations. The committee oversees all appeals brought before the S.G.A. by students. The Student Government President will have final say in all appeal matters, before presented to the college president's office. The President of Brewton-Parker College has the final say of all appeal matters.

Article V. Duties of the Senate

Sec. 1. The Senate is to be the final authority on all matters concerning the Student Government Association.

Sec. 2. The Senate shall approve the final budget of the Student Government Association.

Sec. 3. The Senate may override a Presidential veto with a two-thirds majority.

Sec. 4. The Senate shall retain any and all powers, rights, and/or responsibilities not specifically enumerated in this document to other bodies.

Sec. 5. Each Senator shall be placed on one [or two at most] standing committee, by the Vice President with Student Government's President's Cabinet approval

Sec. 6. Senators will nominate one member per class for the Vice President's cabinet

Sec. 7. Senators will nominate and vote, from within the Senate, a President Pro-Tempore. The President Pro-Tempore shall preside over the Senate in the absence of the Vice President. **The President Pro-Tempore shall be an additional member of the Vice President's cabinet.**

Article VI. Elections

Sec. 1. The Senate shall be elected one week prior to the Honors Day Chapel of the Spring Semester. Referendum on amendments and other such business shall be voted upon at this election.

Sec. 2. The Freshman Senatorial elections shall be held within the first four weeks of the fall semester.

Sec. 3. New prospective Senators will have to follow the application process.

Sec. 4. Senate elections shall be determined by a majority of votes cast.

Sec. 5. All registered students of Brewton-Parker College shall be eligible to vote in any student election.

Sec. 6. No student shall be eligible to cast more than one ballot in any student election.

Title II. Executive Branch

Article I. Purpose

Sec. 1. The Executive Branch of the Student Government Association shall uphold the following purposes:

To insure the execution and implementation of Senate legislation.

To serve as the official representatives of the student body before the administration and the faculty.

Article II. Membership

Sec. 1. The Executive Branch shall consist of a President, a Vice President, a Secretary, Attorney General, Press Secretary, **Chief-Of-Staff**, and a Chaplain.

Sec. 2. All executive officers must be students of the Mt. Vernon campus of Brewton-Parker College and have a cumulative GPA of 2.75 prior

to election/appointment. While in office, the executive officer must not make less than a 2.0 GPA per semester.

Sec. 3. The executive officers shall be known as the Student Government President's Cabinet.

Article III. Duties of the President

Sec. 1. The head of the Executive Branch shall be the President of the Student Government Association.

Sec. 2. The President shall be an ex-officio member of the Senate and all of its committees, but will have no voting rights.

Sec. 3. The President shall have the authority to appoint any necessary ad-hoc committees subject to majority senate approval.

Sec. 4. The President shall be responsible for appointing an Attorney General to the S.G.A. subject to majority Senate confirmation within the first four weeks of the Fall Semester

Sec. 5. The President shall work with other officers in initiating programs for their areas of concern.

Sec. 6. The President must sign or veto all Senate legislation within five days of passage.

Sec. 7. The President shall be responsible for submitting and representing all approved Senate recommendations to the administration.

Sec. 8. The President shall have the power to appoint a replacement for the Vice President, should a vacancy occur in that office, with two-thirds approval of the senate.

Sec. 9. The President shall serve as a member of the President's Cabinet. In the event that the President is unable to serve in this capacity, the next available Executive officer will act as an alternate.

Sec. 10. In the event there is no candidate for the office, the position may be filled in a manner approved by the Senate.

Sec. 11. The President shall meet with the S.G.A. advisor every other week.

Sec. 12. The President shall be responsible for addressing the student body twice a year.

Sec. 13. To be considered for the office of the President, one must have served at least one semester in the S.G.A.

Sec. 14. The President shall provide meeting times that shall be approved by the S.G.A. advisor.

Sec. 15. The President shall set and maintain office hours, at least eight hours each week

- Sec.16. To be considered for the office of the President, one cannot hold a President or Vice President position in any other student organization
- Sec. 17. To be considered for the office of President one must be a resident student.

Article IV. Duties of the Vice President

- Sec. 1. The Vice President shall be an ex-officio member of the Senate and all of its committees and shall reserve the right to vote on matters before the Senate only in the case of a tie.
- Sec. 2. The Vice President shall serve as chairperson of the Senate.
- Sec. 3. The Vice President shall fulfill such duties as are assigned by the President.
- Sec. 4. The Vice President shall be the successor to the President should the President vacate the office for any reason.
- Sec.5. The Vice President shall be responsible for appointing all Standing Committee Assignments with Student Government President's cabinet approval.
- Sec. 6. The Vice President shall have his/her own cabinet consisting of **one** Senator from each class and his/her own secretary to act as a fifth Senator.
- Sec. 7. The Vice President shall report to the President after all Senate meetings.
- Sec. 8. The Vice President shall address the Senate body twice a year.
- Sec. 9. The Vice President shall meet with the Dean of Students once a month.
- Sec. 10. The Vice President shall oversee meetings with the Technology department once a month.
- Sec.11. The Vice President shall set and maintain office hours, at least **four** hours each week.
- Sec. 12. To be considered for the office of the Vice President, one cannot hold a President position in any other student organization.

Article V. Duties of the Secretary

- Sec. 1. The Secretary shall be a non-voting member of the Senate.
- Sec. 2. The Secretary shall be responsible for maintaining comprehensive minutes of all official business transpiring in regular or special meetings of the Senate.

- Sec. 3. The Secretary shall be responsible for maintaining comprehensive minutes of the meetings of the Executive Cabinet.
- Sec. 4. The Secretary shall be responsible for calling roll at the beginning of all Senate and Executive Cabinet meetings.
- Sec. 5. The Secretary shall be responsible for confirming the eligibility of all members of the Senate to serve each semester based on attendance and academic eligibility requirements, and shall be responsible for initiating charges of nonfeasance in office for all Senators and Executive Officers due to lack of attendance.
- Sec. 6. The Secretary shall be responsible for all of the financial records of the Student Government Association.
- Sec. 7. The Secretary shall be responsible for presenting a complete financial report detailing all revenue and expenditures at each executive cabinet meeting.
- Sec. 8. The Secretary shall turn over all books for an external audit at the request of any member of the S.G.A.
- Sec. 9. The Secretary shall be the Chair of the Organizational/Activities Committee.
- Sec. 10. The Secretary shall be appointed by the President of the Student Government Association and confirmed by the Student Body in the Fall Elections.

Article VI. Duties of the Attorney General

- Sec. 1. The Attorney General of the Student Government Association shall be appointed by the President during the first four weeks of Fall Semester. The appointment shall be subject to a two-thirds majority confirmation of the Senate.
- Sec. 2. Prior to appointment, the Attorney General candidate must be approved by the Dean of Students and then voted on by the Senate and then must pass a test proving proficiency in parliamentary procedure as outlined in Robert's Rules of Order, and must demonstrate a working knowledge of the S.G.A. Constitution. The Dean of Students shall administer the test.
- Sec. 3. The Attorney General shall be a non-voting member of the Senate.

- Sec. 4. The Attorney General shall be responsible for advising the chairperson of the Senate of the correct implementation of parliamentary procedure.
- Sec. 5. The Attorney General shall be responsible for maintaining and circulating an accurate and complete copy of the Student Government Association Constitution and Bylaws. The Attorney General shall also advise the President, the Vice-President, and the Senate body of the provisions of these two documents when necessary to avoid violation or ignorance of these provisions.
- Sec. 6. The Attorney General shall be responsible for educating the general Senate body in parliamentary procedure at the beginning of each new member's term.
- Sec. 7. The Attorney General shall **serve** as the chairperson of the Judicial Committee as well as the Judicial Branch of the Student Government Association.

Article VII. Duties of the Press Secretary

- Sec. 1. The Press Secretary shall be a non-voting member of the Senate.
- Sec. 2. The Press Secretary shall be responsible for maintaining a comprehensive scrapbook documenting all Student Government Association activities.
- Sec. 3. The Press Secretary shall be responsible for all Student Government publicity, which includes but is not limited to the posting of signs and/or the sending of letters notifying Senators of meetings, and the submitting of press releases such as a newsletter or newspaper with the authorization of the President and a majority of Executive Cabinet members.
- Sec. 4. The Press Secretary shall serve as the Chair of the Student Relations Committee.
- Sec. 5. The Press Secretary shall be responsible for maintaining the SGA website and all changes shall be approved by the SGA President & Dean of Students.
- Sec. 6. The Press Secretary shall be a liaison/reporter to the SGA.
- Sec. 7. The Press Secretary shall be appointed by the President of the Student Government Association and confirmed by the Student Body in the Fall Elections.

Article VIII. Duties of the Chaplain

- Sec. 1. The Chaplain shall be a non-voting member of the Senate.
- Sec. 2. The Chaplain shall be responsible for opening and closing each Student Government meeting in prayer.
- Sec. 3. The Chaplain shall be responsible for the encouragement of spiritual development of the student body.
- Sec. 4. The Chaplain shall serve as the Chair of the Faith Outreach Committee.
- Sec. 5. The Chaplain shall serve as a liaison between S.G.A., the Campus Minister, and the Office of Church Relations.
- Sec. 6. The Chaplain shall meet with the campus minister spiritual advisors and the presidents of spiritual organizations on the campus once a month.
- Sec. 7. The Chaplain shall be responsible for organizing a spiritual event once a semester.
- Sec. 8. The Chaplain shall be appointed by the President of the Student Government Association and confirmed by the Student Body in the Fall Elections.

Article IX. Duties of the Chief-Of-Staff

- Sec. 1. The Chief-Of-Staff shall be appointed by the President of the Student Government Association and confirmed by the Student Body in the Fall Election.
- Sec. 2. The Chief-Of-Staff shall meet with the Director of Food Services every other week to discuss food complaints received from the student body.
- Sec. 3. The Chief-Of-Staff will help develop ideas to improve food services.
- Sec. 4. The Chief-Of-Staff shall attend meetings of and serve as a liaison to student organizations as assigned by the Executive Cabinet.
- Sec. 5. The Chief-Of-Staff shall serve as a non-voting member of the Senate.
- Sec. 6. The Chief-Of-Staff shall serve as the chair of the College Services Committee.
- Sec. 7. The Chief-Of-Staff shall be charged with coordinating at least two community service projects per semester.
- Sec. 8. The Chief-Of-Staff shall fulfill such duties as assigned by the President of the Student Government Association.

Article X. President's Cabinet

- Sec. 1. The Executive Cabinet shall uphold the Preamble of the Constitution of the S.G.A.
- Sec. 2. The President, the Vice President, the Secretary, the Press Secretary, the Attorney General, Chaplain, and the Chief-Of-Staff shall be known as the Executive (President's) Cabinet.
- Sec. 3. The purpose of the Executive Cabinet shall be to promote cooperation and communication between the Executive and Legislative Branches of the S.G.A., and to provide the President with specialized, diverse advice on all aspects of S.G.A. business.
- Sec. 4. When the Senate cannot convene due to an emergency situation, the Executive Cabinet and the Senate members available shall have the authority to act in the best interest of the S.G.A. with the initiation of the S.G.A. President, Student Government Association Advisor, and the Dean of Students.

Article XI. Elections

- Sec. 1. The S.G.A. shall hold its yearly Executive election at least two weeks prior to the Spring Senatorial election.
- Sec. 2. Executive elections shall be determined by a majority of votes cast. If no candidate receives a majority decision, a run-off election shall be held between the two candidates who receive the most votes in the general election.
- Sec.3. The Executive Cabinet shall hold elections and be elected on the Wednesday three weeks before the Honors Day Chapel.
- Sec. 4. Previous members will be ex-officio members for two weeks.
- Sec. 5. There shall be a weekend or day training with former members and newly elected officers to help transition into office.

Title III. Judicial Branch

Article I. Purpose

- Sec. 1. The Students of Brewton-Parker College do accept and establish the Judicial Branch of the Student Government Association of Brewton-Parker College in order to promote an equitable involvement in the College community, to promote self-discipline, to establish a disciplinary system of conducting meetings involving all students who are accused of violating the rules and regulations of the College, to

provide students accused of a violation of college regulations an opportunity for fair play, and to provide a board of review for questions concerning the interpretation of student organization constitutions, rules, and regulations.

Article II. Jurisdiction

Sec. 1. All regularly enrolled students and student organizations of Brewton-Parker College are subject to the jurisdiction of all bodies of the Judicial Branch of the Student Government Association.

Sec. 2. The Judicial Branch shall consist of a Judicial Committee

Sec. 3. The Judicial Committee of the Student Government Association shall meet as deemed necessary to render a decision with the following:

A. Student Conduct Code Violations

- a. Repeat violations
- b. Violations of disciplinary probation
- c. **Offenses worthy of suspension**

B. Student Government Constitution and Bylaws

- a. Questions pertaining to the Constitution and/or Bylaws

C. Other

- a. **Violations not worthy of suspension**
- b. First time violations
- c. Traffic regulations (not outlined in the Student Conduct Code)
- d. Decisions relating to any student organization's constitution and its bylaws.

Article III. Membership

Sec. 1. The Judicial Committee of the Student Government Association shall consist of five voting members: the Attorney General and four Senators, appointed by the Attorney General, one from each class. These appointments are subject to a two-thirds majority confirmation by the Senate. **The Secretary of the Senate shall serve, at the request of the Attorney General, as an ex-officio member of the Judicial Committee.**

Title IV. Student Bill of Rights

Article I. Student Bill of Basic Rights

- Sec. 1. Freedom of inquiry, expression, and assembly so long as it is conducted in a manner that does not infringe upon the rights of others, shall not be abridged.
- Sec. 2. Freedom from unreasonable invasion of the privacy of the individual's person, living quarters, papers, personal effects and college records is guaranteed.
- Sec. 3. The right to fair play and equal protection under the law and the disciplinary system of the college is guaranteed.
- Sec. 4. Students shall be free to pursue their educational goals. The right to free exchange of ideas, thoughts, and views shall not be abridged.
- Sec. 5. Students who meet the college's standards for participation in organizations and events and meet the individual organization requirements for membership shall not be disenfranchised in their freedom of association.

Article II. Fair Play

- Sec. 1. A student who has been charged with a value violation and thus alleged to be involved in an inappropriate behavior will be granted these rights in order to assure fundamental fairness in the disciplinary process:

Notice - to be informed in writing of the inappropriate behavior in which the student is suspected of involvement.

Procedure - to be informed orally or in writing of the disciplinary process. Meeting - to have an opportunity to be heard in person before a decision is made.

Evidence - to know the nature of the evidence and to be able to question witnesses except in extenuating circumstances.

Witness - to be able to offer a defense by having material or character witnesses speak on the student's behalf.

Advisor - to have a Brewton-Parker College faculty member staff member or student attend the meeting in the role of a friend, advisor, or counselor.

Written decision - to have a written response reporting the results of the meeting.

Question a decision - to question a decision of the Dean of Students (or designee) of the Student Judicial Committee except when admitting guilt and a minimum sanction is given.

Title V. Ratification and Amendment

Article I. Ratification

- Sec. 1. This Constitution shall become the official Constitution of the Student Government Association when it is ratified by the students of Brewton-Parker College and receives the signature of approval of the Dean of Students.
- Sec. 2. Student ratification of this Constitution shall be by referendum held for that purpose. The approval of two-thirds of those voting shall be necessary to ratify this Constitution.
- Sec. 3. All previous Constitutions, By laws, and Disciplinary Procedures not expressly continued by this Constitution are hereby declared null and void upon ratification of this Constitution.

Article II. Amendment

- Sec. 1. Amendments to the Constitution shall be proposed by a two-thirds vote of the Senate.
- Sec. 2. The final approval of a proposed amendment shall be accomplished by a referendum in which the approval of two-thirds of those voting shall be necessary for adoption and the approval of the Dean of Students.
- Sec. 3. Proposed amendments to the Constitution shall be publicized for a period of one week prior to the date of student body referendum

Article III. Bylaws

- Sec. 1. The power to propose and approve Bylaws shall rest in the Senate of the Student Government Association.
- Sec. 2. The Bylaws of the Student Government Association are amendable by a two-thirds vote of the Senate and the approval of the Dean of Students.

Sec. 3. The Senate shall pass no Bylaw which is in contradiction to any provision of this Constitution.

Sec. 4. The Supreme Judicial Committee of the Judicial Branch is vested with the power of Disciplinary review and may strike down any Bylaw which is in contradiction of this Constitution and its amendments, should such be made.

Article IV. Other Issues Pertaining to the Student Government Association

Sec. 1. The current edition of the Brewton-Parker Student Handbook is the default ruling document on College related matters that are not covered under this constitution.

Sec. 2. The current edition of Robert's Rules of Order is the default authority on all parliamentary procedures that are not covered in this constitution.

Bylaws of the Student Government Association of Brewton-Parker College

Title I. Legislative and Executive Branches

Article I. General Provisions

Sec. 1. All meetings of the Senate shall be open, and any student, faculty member, staff member, or administrator shall be permitted to participate in discussion. However, only Senators may make motions and vote.

Sec. 2. All resolutions, motions, proposed by law changes or proposed amendments shall be submitted in writing to the Vice President no less than 24 hours before a Senate vote may be held.

Sec. 3. The Senate shall meet **every other week** at a specified time and place.

Sec. 4. The President or the Vice President, with a minimum of 48 hours' notice, may call special sessions of the Senate.

Sec. 5. Attendance shall be taken at the beginning of each meeting.

- Sec. 6. In the absence of the Vice President, the President Pro-Tempore of the Senate shall preside over the meeting. If the President Pro-Tempore is not present, Attorney General shall preside.
- Sec. 7. In the absence of the Secretary, the Vice President shall appoint a temporary Secretary.

Article II. Installation

- Sec. 1. Installation of Senators and Executive officers shall take place within two weeks of their election or appointment.
- Sec. 2. The Installation oath administered to newly elected or appointed Senators and Executive Officers shall be administered by the President and shall be as follows:
- I [state your full name] swear [or affirm] to fulfill the duties as the Student Government [office title] to the utmost of my ability, to serve purposefully and meaningfully, to speak frankly and candidly in representing student interests, and, in all endeavors, to reflect honor and merit upon this organization and Brewton-Parker College.
- Sec. 3. The incoming President shall be sworn in by the outgoing President prior to the installation of any other Executive Officers. The Incoming President shall then administer the oath of office to all other Executive Officers.

Article III. Student Government President's Cabinet

- Sec. 1. The Student Government President's Cabinet shall be composed of the President, Vice President, Secretary, Press Secretary, Attorney General, the Chaplain, and the Chief-Of-Staff. Senators may attend Student Government President's Cabinet meetings with an invitation from the President.
- Sec. 2. The Executive Cabinet shall oversee the operation of the committee system.
- Sec. 3. The Student Government President's Cabinet shall meet every other week at a time and place chosen by the President. The President may call special meetings of the Student Government President's Cabinet at his/her discretion.
- Sec. 4. Meetings of the Student Government President's Cabinet shall be closed meetings.

Article IV. Impeachment and Removal Proceedings

- Sec. 1. Impeachment proceedings may be initiated by any Senator's motion to begin impeachment proceedings. One-third of those Senators voting must vote to approve the motion for the impeachment to proceed. The impeachment meetings shall be no sooner than one week and no later than three weeks after the motion to impeach is made.
- Sec. 2. A formal notice of intent to remove from office must be delivered to the Senator or Officer accused within four days of the initiation of the impeachment procedure.
- Sec. 3. The Senate shall meet in special session for the meeting and this meeting shall be in addition to the regular meeting of the week.
- Sec. 4. The Vice-President shall preside over the meeting if a senator is being impeached, while the Attorney General of the Judicial Branch shall preside if a member of the Executive Branch is being impeached.
- Sec. 5. The formal charge of impeachment shall be read at the beginning of the meeting.
- Sec. 6. The Senate member who initiated the motion for the meeting shall present the reasons for the motion to impeach. The member may call witnesses and present evidence in support of the impeachment action.
- Sec. 7. The member or officer being impeached shall have the right to present testimony, witnesses, and evidence in his/her behalf.
- Sec. 8. All witnesses called to testify before the Senate in an impeachment meeting shall pledge the following oath.
- I [state your full name] swear [or affirm] that I will tell the entire truth to the best of my knowledge, so help me God.
- Sec. 9. Following the presentation of arguments for both sides, the Senate shall be allowed to question any witnesses and examine any evidence presented.
- Sec. 10. The Senate shall then be allowed to discuss the facts in private and vote by secret ballot. The accused and the accuser shall be excluded from the discussion and voting process.
- Sec. 11. The President, the Secretary, and the S.G.A. advisor shall tally the votes. A two-thirds vote shall be necessary for removal from office.

Sec. 12. If a member of the Senate or the Executive Branch accumulates four absences in one semester, impeachment proceeding can begin on the grounds of nonfeasance. The Secretary must notify the member of his/her removal within four business days. The notice shall contain the dates of all of the member's accumulated absences.

Sec. 13. Any officer or senator removed from office is eligible for office in the next term.

Article V. Vacancies in Office

Sec. 1. If the President of the S.G.A. vacates his/her office for any reason, the Vice-President shall automatically become the President of the S.G.A. and a special election shall be held within two weeks to fill the vacant office of Vice President.

Sec. 2. If the Vice President vacates his/her office, for any reason, a special election shall be held within two weeks to fill the vacancy.

Sec. 3. If both the President and Vice-President of the S.G.A. vacate their offices for any reason, the Attorney General shall serve as interim President until a special election can be held to elect a new President and Vice-President. The special election shall be held within two weeks to fill the vacancies.

Sec. 4. If any Executive Cabinet member, excluding the President and the Vice President, vacates his/her office for any reason, the vacancy shall be filled by an appointment from the President and confirmed by a two-thirds majority vote of the senate.

Sec.5. If an Executive Cabinet member vacates his/her office for any reason, the vacancy shall be filled in a manner approve by the Senate.

Title II. The Judicial Branch

Article I. Commencement of Action

Sec. 1. Disciplinary cases:

Disciplinary action may begin upon notification from the Office of Student Affairs of an alleged violation of the Student Conduct Code. Any student, faculty member or staff member must present a written report of the facts regarding the alleged violation before the disciplinary process can formally begin. Written reports are sent to

the office of the Dean of Students (or designee). When the Dean of Students (or designee) believes there is sufficient evidence to support the alleged violations, a meeting will be arranged with the student and the Dean of Students (or designee). If the student admits to a violation of the value, the student will receive a sanction, guidance and counseling. If the student indicates that a value has not been violated, the student has the option of having a meeting conducted by either the Dean of Students (or designee) or by the Student Judicial Committee. If the alleged violator requests a meeting before an S.G.A. Judicial Committee, the Attorney General of the Judicial Branch will be notified that a disciplinary case is pending. If the alleged violator is required to go before the Judicial Committee, the Judicial Committee Chair will be notified that a disciplinary case is pending.

The appropriate body shall meet within five class days after the Attorney General or Judicial Committee Chairperson has been notified of an alleged violation. The alleged violator may request a continuance from the Student Affairs Office if circumstances are such that he/she cannot attend the meeting.

The Attorney General shall notify the Judicial Committee of all pending meetings. The Judicial Committee shall meet when necessary regarding individual residence hall violations.

Sec. 2. Organization Constitutional Review:

Notification and request for meetings and Disciplinary interpretation may be made by a petition of 5 members of the organization involved. Notification and request for meetings for the purpose of organizational constitutional review shall be filed with the Attorney General of the Judicial Branch of the S.G.A. The Attorney General will notify in writing all affected parties concerning date, time, and place of the meeting.

Article II. Meeting Procedures

Sec. 1. Disciplinary action:

Following the call of the meeting by the Judicial Advisor, the appropriate body will convene.

All **sessions of the** Judicial Committee of the S.G.A. are open only to relevant parties.

The person who filed the incident report shall first discuss evidence concerning the alleged violation to the Judicial Committee. The

alleged violator shall then present any evidence or witnesses in his/her behalf.

After having statements by all persons present, the Judicial Committee, in closed session, will discuss and reach a decision. If the body finds the alleged to be in violation, it shall determine the sanctions to be imposed. Minimum sanctions are outlined in the Student Conduct Code.

A student's prior disciplinary record is not admissible in the discussion of guilt or innocence, but may be used for determining appropriate disciplinary sanctions, if found in violation.

Failure of the alleged violator to appear at the meeting will result in his/her being found in violation.

Failure of the accuser to appear will result in automatic dismissal of the violation.

Sec. 2. Organizational Constitutional Review:

The presiding officer of the organization in question shall be responsible for presenting the Attorney General with an accurate copy of the organization's constitution that the Attorney General will then present to the Chair of the Organizational/Activities Committee. The Organizational/Activities Committee shall review the petitioning organization's constitution. The Secretary of SGA shall preside over this meeting. The meeting will be open to all affected parties.

The petitioners shall/may present the body with any evidence or testimony that may help clarify the question.

The members of the organization opposed to the petition shall/may present the body with any evidence or testimony that may help clarify the question.

After hearing all testimony from the petitioning organization, the Organizational/Activities Committee shall meet in closed session to discuss the matter and make a decision. The decision of the board shall be rendered no later than three business days after the meeting is complete.

Should the Organizational/Activities Committee approve the organization's constitution, the approved constitution shall be reviewed by the Judicial Committee.

The Judicial Committee's review will be presided over by the Attorney General and will be held under closed session.

The Judicial Committee shall decide to reject the constitution, approve the constitution, or resubmit the constitution to the

Organizational/Activities Committee for further review and/or amendment.

Should the Judicial Committee approve the organizations', the approved constitution shall be presented to the Dean of Students for final approval.

Should the Judicial Committee resubmit the organization's constitution to the Organizational/Activities Committee for further review and/or amendment, the Organizational/Activities Committee shall meet in closed session to further review the constitution and make a decision.

Should the Organizational/Activities Committee make changes to and/or approve the organization's constitution after further review, the constitution will be again reviewed by the Judicial Committee with appropriate proceedings.

Article III. Decisions of the Judicial Committee

Sec. 1. A majority vote is necessary to reach a decision.

Sec. 2. Findings of the Judicial Committee must be submitted in writing to the Dean of Students within two class days of the meeting.

Sec. 3. The Dean of Students shall approve the decisions of the Judicial Branch of the S.G.A.