

IN THE STUDENT JUDICIARY  
FOR THE UNIVERSITY OF ALABAMA

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No. 16-002

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TAYLOR LAWHON;  
SENATOR

Appellant,

versus

SGA ELECTIONS BOARD

Appellee,

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Appeal of SGA Elections Board

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OPINION

CHIEF JUSTICE YOUNG delivered the opinion of the Court, which was joined in full by the four other justices who served on the present case.

The Student Government Association Constitution requires, “All graduate students seeking a position in the Senate must have a cumulative GPA from The University of Alabama of not less than 3.00 on a 4.0 scale. Graduate students must have earned at least 9 credit hours”<sup>1</sup> and further adds an exemption clause stating, “Any graduate or law school candidate whose undergraduate degree was earned from The University of Alabama is exempted from the credit hour requirement, provided his or her undergraduate GPA at The University of Alabama was at least 2.30 on a 4.0 scale and he or she currently has the appropriate graduate or law

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<sup>1</sup> Article III, Section 3, Subsection E in the SGA Constitution

school GPA.”<sup>2</sup>

## I

The SGA Elections Board was notified of vacancies in Senate. Article III, Section 4, Subsection B mandates, “Special elections for Senate vacancies will be held every twenty full class days beginning from the first day of the fall semester until forty class days prior to the spring SGA elections.”

On September 29, 2016, the Elections Board publicly announced four vacancies in the SGA Senate, with one vacancy in the College of Human Environmental Sciences and three vacancies in the Graduate School. The Elections Board set a deadline to file the Statements of Intent for Friday, October 14, 2016 while the special election for these vacancies was to be held on Tuesday, October 25, 2016.

Taylor Lawhon submitted her Statement of Intent to run for a vacant seat in the Graduate School in the Senate on October 14, 2016. After receiving Lawhon’s Statement of Intent, the Elections Board proceeded to verify the eligibility requirements for Senate candidacy as outlined in Article III, Section 3.

During the verification process, the Elections Board applied the set of eligibility criteria outlined in Article III, Section 3, Subsection F because Lawhon graduated from The University of Alabama in Spring 2016. Once the verification process for eligibility to run for the vacancies in Senate was completed, the Elections Board notified Lawhon on October 18, 2016 that she was ineligible to run for a vacant Senate seat in the Graduate School due to her lacking a graduate GPA as reported by the The University of Alabama Registrar’s Office.

After receiving this email notification, Lawhon filed an official notice of appeal with the Student Judiciary at 6:11 PM on Wednesday, October 19, 2016 for the Judiciary to review the Elections Board’s decision to not deem her eligible to run for a vacant Senate seat in the Graduate School.

## II

In this case, we consider whether the Elections Board’s decision to not deem Lawhon eligible to run for the vacant Graduate School Senate seat based on her lack of a graduate GPA pursuant to Article III, Section 3, Subsection F was correct. We also consider the bases of Lawhon’s complaint regarding the

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<sup>2</sup> Article III, Section 3, Subsection F in the SGA Constitution

unconstitutionality of the Elections Board's recent decision to not deem her eligible to run for a vacant Graduate School seat in the SGA Senate. Furthermore, we consider whether the bases of the arguments presented in the *Amicus Curiae* brief submitted on behalf of Lawhon regarding Lawhon's eligibility to run for Senate is consistent with the Constitution, specifically the application of the exemption clause in Article III, Section 3, Subsection F.

We hold that the Elections Board was correct in their decision to not deem Lawhon eligible to run as a candidate for the vacant Graduate School Senate seat based on her lack of a graduate GPA pursuant to Article III, Section 3, Subsection F. We also hold that the bases of Lawhon's complaint were not consistent with the Constitution and the Elections Manual. Furthermore, we hold that the bases of the arguments presented in the *Amicus Curiae* brief supporting Lawhon's case were not consistent with Article III of the Constitution.<sup>3</sup>

### III

The point around which this case revolves is whether Lawhon is eligible to run as a candidate for the vacant Senate seats in the Graduate School. Specifically, we examined whether the Elections Board was correct in their decision to deem Lawhon ineligible to run as a candidate for the vacant Graduate School seats in the SGA Senate due to lacking a graduate GPA.

Insofar as we can determine, the SGA Constitution outlines that any graduate school candidate who earned his or her undergraduate degree from The University of Alabama may be exempt from the credit hour requirement provided that his or her "undergraduate GPA at The University of Alabama was at least 2.30 on a 4.0 scale and he or she currently has the appropriate graduate or law school GPA."<sup>4</sup> For its verification process relating to candidacy eligibility, the Elections Board applied this provision when examining Lawhon's eligibility since she graduated from The University of Alabama in Spring 2016.

In the present case, as stated in Article IX, Section 1, Subsection D, the Elections Board has the jurisdiction and authority to verify and authenticate whether potential candidates are eligible to run for their declared positions per the eligibility criteria set forth in the Constitution and the other governing documents. Thus, it was well within their power to review and determine the eligibility of candidates running in SGA elections.

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<sup>3</sup> Article III, Section 3, Subsections E and F

<sup>4</sup> Article III, Section 3, Subsection F

In its decision, the Elections Board cited Lawhon's lack of a graduate GPA as its reason for voting to deem Lawhon ineligible to run as a candidate for the vacant Graduate School seats in the SGA Senate. During the verification process, the Elections Board found that Lawhon, a first semester graduate student, did not have a graduate GPA, as reported by The University of Alabama Registrar's Office, at the time of declaring her candidacy.

Given that the exemption provision in the Constitution requires that a graduate candidate must satisfy both requirements—have graduated from The University of Alabama and earned an undergraduate degree from The University of Alabama with an undergraduate GPA of not less than 2.30 on a 4.0 scale AND currently have a graduate GPA of not less than 3.0 on a 4.0 scale, Lawhon met the first requirement of having graduated from The University of Alabama and receiving an undergraduate degree from The University of Alabama with the necessary undergraduate GPA; however, she did not meet the second requirement of having a current graduate school GPA as reported by the University's Registrar's Office, which prompted the Elections Board's decision to deem Lawhon ineligible to run for a vacant Graduate School seat in the SGA Senate.

For the foregoing reasons, we find no credible justification for vacating the Elections Board's decision.

#### IV

Lawhon's principal argument contends that the provision outlined in Article III, Section 3, subsection E of the Constitution, as well as the related section 4B of the Elections Manual and Chapter 801.2 of the Code of Laws, apply in the present case.

The Elections Board cited Lawhon's lack of a graduate GPA as its reason for voting to deem Lawhon ineligible to run for the vacant seat in Senate in the Graduate School. In response, Lawhon argued that the Constitution and other relevant governing documents do not require that the GPA and completed credit hour minimum requirements need to come from graduate work, so long as they come from The University of Alabama. Were this argument to be accepted, Lawhon would be qualified to run on the basis of her undergraduate credits and undergraduate GPA. Moreover, Lawhon's argument under Article III, Section 3, Subsection E hinges on the following question: whether or not the Constitution permits undergraduate credits and undergraduate GPA from The University of Alabama to satisfy the minimum requirements for running for a position as a Graduate School Senator in the SGA Senate.

In addressing this issue, the Court finds that it is important to consider certain facts relating to GPA at The University of Alabama. First, undergraduate and graduate GPAs are separate and distinct from one another. Second, there exists no way to combine or aggregate these two GPAs that is currently accepted by The University of Alabama. As such, only one of the aforementioned GPAs may be used to meet the requirements necessary to run for a position in SGA—in this case, Senate.

Insofar as the Court can determine, Lawhon applied to run for a vacant position representing the Graduate School and is currently a graduate student. Thus, through this Court’s interpretation of Article III, Section 3, Subsection E, the way in which it is written, and where it is written, we find that the requirements outlined in Article III, Section 3, Subsection E must be met by graduate credits and a graduate GPA.

For the foregoing reasons, we reject Lawhon’s arguments, holding that the bases of these arguments are not consistent with the eligibility requirements for running for a Graduate School seat in the SGA Senate as set forth in Article III, Section 3, Subsections E and F.

V

The *Amicus Curiae* brief submitted on the behalf of Lawhon argues that Article III, Section 3(F) of the Constitution refutes the decision of the Election Board because Lawhon fulfills both provisions. While the Court acknowledges that Lawhon satisfies the first part of this exemption provision<sup>5</sup>, she does not meet the second requirement of having a current graduate school GPA as reported by the University’s Registrar’s Office and, therefore, is not eligible to run for a vacant Graduate School seat in the SGA Senate under Section 3(F).

While this brief argues that Lawhon meets the exemption<sup>6</sup> should Lawhon’s argument under Section 3(E) of Article III be rejected, the Court finds the argument presented in the *Amicus Curiae* brief to be inconsistent with the Constitution as well. We find that the arguments presented in this brief—that the undergraduate GPA can be substituted for the graduate GPA and that the undergraduate GPA “carries” over to the graduate GPA so as to form a “cumulative” GPA, thus satisfying the exemption requirement of an appropriate

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<sup>5</sup> Article III, Section 3, Subsection F

<sup>6</sup> Article III, Section 3, Subsection F

GPA—are erroneous and goes against the spirit in which the provision was written.

While Lawhon’s undergraduate GPA would meet the first requirement in the exemption clause<sup>7</sup>, her current graduate school GPA as reported by the University Registrar’s office does not meet the appropriate graduate school GPA requirement (at least a 3.00 on a 4.0 scale) as stated in Section 3(E) and (F). Moreover, through this Court’s interpretation of Section 3(E) of Article III and where it is written and located, “cumulative GPA” as stated in Section (E) of Article III is referring to the graduate school GPA seeing as a student’s undergraduate GPA does not carry over to graduate school, no matter if he or she stays at the same institution to complete a graduate degree program.

The argument made by the third-party petitioner in regards to the GPA exception is completely superfluous since the stated section of the Code of Laws<sup>8</sup> is meant to clarify why graduate students can be exempt from having graduate school hours, provided they graduated from their undergraduate program with at least a 2.30 on a 4.0 scale. This is not an exception to the provisions made in the Constitution and Elections Manual, and, therefore, the absence of Lawhon’s graduate school GPA still makes her ineligible to run for a vacant Graduate School seat in the SGA Senate in this special election.

While the Court recognizes that Lawhon may be an upstanding citizen in The University of Alabama community, she, unfortunately, is not eligible to run as a candidate for the vacant Graduate School seats in the SGA Senate since she lacks a graduate school GPA. Insofar as the Court can determine, a main purpose of these eligibility criteria established in our Constitution and other governing documents is to ensure that the candidates running for these Senate positions understand the needs and students of the population they are representing, thus, supporting the Student Government Association’s motto: “Students serving students.”

As a reminder, it is the Court’s responsibility to interpret the Constitution, not to dictate the processes employed by the other branches so long as no controversies arise from those processes, they do not violate provisions of our governing documents, and/or our governing documents empower the Judiciary with the authority to oversee, review, and strike down those processes.

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<sup>7</sup> Article III, Section 3, Subsection F

<sup>8</sup> Chapter 801.4 of the SGA Code of Laws

For the foregoing reasons, we reject the arguments presented in the *Amicus Curiae* brief, holding that they are inconsistent with the spirit of the provisions outlined in our Constitution and other governing documents.

**ORDER**

The decision of the Elections Board to deem Lawhorn ineligible to run for a vacant Graduate School seat in the SGA Senate was correct and is **AFFIRMED**.

**DONE** and **ORDERED** on this 24<sup>th</sup> day of October 2016.