

IN THE STUDENT JUDICIARY  
FOR THE UNIVERSITY OF ALABAMA

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No. 22-007

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SARAH SHIELD, GARRETT BURNETT;  
STUDENT/S

Complainant,

versus

JOSIE SCHMITT;  
EXECUTIVE SECRETARY, STUDENT GOVERNMENT ASSOCIATION

CJ PEARSON;  
SPEAKER OF THE SENATE, STUDENT GOVERNMENT ASSOCIATION

Defendant,

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Appeal for Judicial Review

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## OPINION

CHIEF JUSTICE THOME delivered the opinion of the Court which was joined in full by the Panel of Justices present on the case.

In their original appeal, the complainants cite Title X Chapter 1003 (Definition of Open Meetings) of the Student Government Association Code of Laws which states that:

“Chapter 1003.1 A meeting is defined as any of the following:

Chapter 1003.1.1 A prearranged gathering of a quorum of a body, committee, or subcommittee that occurs at a time or place that is regularly scheduled.

Chapter 1003.1.2 a prearranged gathering of a quorum of a body, committee, or subcommittee to exercise the powers it possesses or approve the expenditure of funds.

Chapter 1003.1.3 Gatherings of a quorum of a body, committee, or subcommittee whether prearranged or not, to deliberate specific matters that, at the time of the exchange, members expect to come before the body, committee, or subcommittee at a later date.”

The complainants also cite Title X Chapter 1005 of the SGA Code of Laws (Notice of Open Meetings), which states that:

Chapter 1005.1 The committee chair or presiding member of a body must give notice of a meeting’s time, date, and location to the office of the Executive Secretary.

Chapter 1005.2 The Executive Secretary shall be responsible for posting all meeting information on the SGA website within twelve hours of receiving notification.

Finally, the complainants cite Title X Chapter 1002 (Commitment to Transparency), which states that:

Chapter 1002.1 All Student Government Association must be open to the public.

Chapter 1002.2 All open meeting of the Student Government Association shall be required to allot time for members of the student body to bring forth comments and concerns.

Chapter 1002.2.1 Students will be permitted at least but not exceeding three minutes per student for a total of thirty minutes. This time is to be allotted for comments and concerns only.

Citing these portions of the Student Government Association Code of Laws, the complainants assert that the Senate meeting held during SGA 101 on August 20<sup>th</sup>, 2022, was an open meeting as defined by the Code of Laws, and yet did not fulfill the guidelines outlined in this governing document.

Although the defendants provided the Crimson White student newspaper with notice of the meeting occurring during SGA 101, the Court determined that proper notice was not given to the student body through other means—such as by notification on the official Student Government Association website and social media channels. As the defendants assert, the docket was posted to the Student Government Association website. However, the Court determined that the average student would be unable to find sufficient information about the special session held on August 20<sup>th</sup> unless they were adequately familiar with the navigation of the Student Government Association website. Additionally, no date, time, and location of the meeting were given in conjunction with the docket itself—critical information which the Court has deemed necessary for “all meeting information” to be posted.

As such, the Court finds that the special session of the Senate that occurred during SGA 101 on August 20<sup>th</sup>, 2022, was in violation of the provisions set forth in the Code of Laws and must be rectified as a result.

## **ORDERS**

**IT IS HEREBY ORDERED:** That the Student Government Association Senate nullify all decisions made during the special Senate session held on August 20<sup>th</sup>, 2022, and as a result, reintroduce each item that was held on the docket during that meeting.

**IT IS HEREBY ORDERED:** That the Student Government Association post times, dates, and a standard location for each Senate meeting on the official Student Government Association website and social media to ensure that as many students are equipped to express concerns and attend meetings of the Senate as they wish.

It is so ordered,

A handwritten signature in black ink that reads "Caleb Thome". The signature is written in a cursive, flowing style with large, connected letters.

Caleb Thome  
Chief Justice, Student Government Association