



Constitutional Amendment C-02-24

The University of Alabama

28th Senate 2023-2024

Authors: Senator Mia Ford, Senator Jenni Page, Senator Ella Brown

Sponsors: Senator Chloe Pickle, Senator Katherine Gray, Senator Hidy Fitzpatrick, Speaker Jack Rudder

Endorsements: President Collier Dobbs, Attorney General John McLendon, Chief Justice Abby Morthland

AN AMENDMENT TO THE CONSTITUTION TO UPDATE AND CLARIFY AMENDMENTS IX, X, XI, AND XII

Be it enacted by the Senate of the Student Government Association assembled.

Section 1. Findings:

- A. Several errors, grammatical, formatting, and other, have been found in the Constitution that need to be corrected.
- B. Certain wording needs to be modified to correct contradictions and provide clarification.
- C. Dates regarding elections, ratification, and constitutional revisions need to be updated.

Section 2. Amendment to the Constitution: changes in red

ARTICLE IX - IMPEACHMENT AND REMOVAL

Section 1: Grounds for Removal. ~~All elected and appointed position holders of the SGA shall be subject to removal from office for any one or more of the following reasons:~~

- A. All elected and appointed position holders of the SGA shall be subject to removal from office for any one or more of the following reasons:
1. Incompetence, malfeasance, or misfeasance in office;
 2. Failure, at the time of election, to possess the academic qualifications for office;
 3. Willful violation of any express provision of this Constitution;
 4. Abandonment of office or, in the case of a Senator, change of school or college;
 - a. If a senator changes the school or college he or she is representing, removal from office is automatic;
 5. Failure, for any other cause, to perform the duties of office;
 6. Failure to maintain academic standing at a level consistent with the minimum GPA required of candidates for the position in question.

Section 2: Procedure for Removal.

A. Initiating proceedings.

1. Any student wishing to remove any elected or appointed position holder of the SGA shall file a petition for impeachment and removal with the Secretary of the Senate setting forth in writing one or more of the grounds found in Section 1 of this Article that the stated position holder within SGA has violated.
2. This petition must include the signatures of ninety-nine additional students wishing to remove the stated position holder within SGA.
3. All signatures on the petition must be confirmed as students at The University of Alabama.

B. Preliminary investigation.

1. ~~Upon filing of a petition with the Secretary of the Senate, a panel shall be convened. It shall be composed of the Attorney General and two Student Judicial Board Justices elected by the members in good standing of the Student Judicial Board. They shall review the claim or claims stated in the petition for impeachment and removal.~~
2. If a petition for impeachment and removal has been filed against the Attorney General, then the Attorney General shall be ineligible from serving on the panel.
3. In the event that the Attorney General is ineligible or recuses him or herself from serving on the panel, the Executive Council will vote on a representative from the executive branch to serve on the panel.
4. If a petition for impeachment and removal has been filed against a member of the Student Judicial Board, then the accused Justice or Justices shall be ineligible from serving on the panel and from voting on the Justices to serve on the panel.

C. Panel decision.

1. If the panel finds that the claims stated in the petition for impeachment and removal meet the grounds for removal found in this Constitution, then they shall vote to send the petition for impeachment and removal to the Senate for a formal impeachment hearing by the body of the Senate.

2. The panel shall make a decision no later than ten full class days after receiving the petition for impeachment and removal from the Secretary of the Senate.

D. Senate impeachment and removal procedure.

1. The Senate shall consider the claims for impeachment and removal during the three regularly scheduled consecutive Senate sessions immediately following the release of the panel's decision.
2. The Attorney General or the designate of the executive branch on the panel shall notify all accused position holders and the filer of the petition for impeachment and removal of the dates, times and procedure for the Senate impeachment and removal procedure.
3. A Senator who is accused in the petition for impeachment and removal shall not vote in the Senate impeachment and removal process.
4. In the first Senate session following the release of the panel's decision, the Senate shall formally hear the claims for impeachment and removal through a presentation of the facts and evidence.
5. In the second Senate session following the release of the panel's decision, the accused position holder or holders, the filer of the petition, and any necessary witnesses shall appear before the Senate to answer questions.
6. The accused and the filer of the petition shall be allowed to make brief statements to state their case at the end of this Senate session.
7. In the third Senate session following the release of the panel's decision, the Senate shall vote to impeach and remove the accused position holder or holders from their office.
 - a. A three-fifths majority of the full membership of the Senate must vote to impeach and remove in order for the position holder to be removed from office; however, the Senate must only have quorum to hold proceedings.
 - b. If the Senate lacks quorum, then the Senate shall stand in recess until quorum is reached. Immediately upon reaching quorum, the Senate must vote on the impeachment and removal of the accused position holder or holders.
 - c. A three-fifths majority of the full membership of the Senate is thirty of the fifty members of the Senate for the impeachment and removal process.
 - d. If three-fifths of the full membership of the Senate votes to impeach and remove the accused position holder from office, then the accused position holder or holders shall immediately lose their SGA office and all the rights and privileges afforded that office.

ARTICLE X - AMENDMENTS AND CONVENTION

Section 1: Process for altering the Constitution. ~~The self-government and organization of this SGA may only be altered though the available processes outlined in this Article of this Constitution.~~

- A. The self-government and organization of this SGA may only be altered though the available processes outlined in this Article of this Constitution.

Section 2: Amendments to this Constitution.

- A. Amendments to the Constitution may be initiated by a petition of 5 percent of the student body or by a vote of two-thirds of the Senate.
- B. Amendments must be ratified by a vote of two-thirds of the students voting on the amendment.
- C. Referenda on amendments shall be held only during the spring SGA election.
- D. The full text of the amendment or amendments shall be published online at the website of the SGA at least two weeks prior to the referendum.
 - 1. The full text of the amendment or amendments may also be published in the campus newspaper at the discretion of the President on the condition that the President signs his or her name to the bill that proposes any amendment or amendments.

Section 3: Convention. ~~Constitutional conventions may be assembled only for the express purpose of writing a new constitution for the SGA. The calling of the constitutional convention must adhere to the following procedure:~~

- A. ~~Constitutional conventions may be assembled only for the express purpose of writing a new constitution for the SGA. The calling of the constitutional convention must adhere to the following procedure:~~
 - 1. Convention Resolution calling for the writing of a new constitution must pass both the Senate and the First Year Council by a nine-thirteenths majority vote;
 - 2. The SGA President signs his or her name to this Convention Resolution, expressing the full sentiment of the members of the Executive Council;
 - 3. The students at The University of Alabama approve this Convention Resolution by a nine-thirteenths majority vote of those voting in either the spring SGA election;
 - 4. A constitutional convention that has been called must be composed of elected delegates from each of the schools and colleges at The University of Alabama so as to equal two times the apportionment of Senate seats among the schools and colleges as outlined in Article III, Section 2 of this Constitution. Delegates must stand for election in a campus wide vote thirty full-class days after the spring SGA that calls the constitutional convention as outlined in Section 3, subsection A of this Article;
 - 5. A constitutional convention that has been called and for which delegates have been selected shall not assemble for longer than the duration of the academic year in which the constitutional convention is called. A convention that fails to produce a proposed constitution within the academic year of its calling shall be dissolved;
 - 6. A convention that produces a constitution shall submit their proposed constitution to the students at The University of Alabama in a referendum twenty full school days after the formal proposal has been produced;
 - 7. The students at The University of Alabama must approve this proposed constitution by a nine-thirteenths majority vote of those voting in order for that constitution to be ratified into law.

ARTICLE XI - SUPREMACY

Section 1: Legal supremacy. ~~This Constitution shall be the supreme Law of the SGA. All position holders within SGA shall be bound to the requirements of this Constitution. All rules and regulations issued by the SGA or any of its bodies must be pursuant to this Constitution.~~

- A. This Constitution shall be the supreme Law of the SGA. All position holders within SGA shall be bound to the requirements of this Constitution. All rules and regulations issued by the SGA or any of its bodies must be pursuant to this Constitution.

Section 2: Oath or Affirmation. ~~All position holders within SGA shall be bound by Oath or Affirmation to support this Constitution.~~

- A. All position holders within SGA shall be bound by Oath or Affirmation to support this Constitution.

Section 3: Rules and regulations pursuant. ~~All other rules and regulations pursuant to this Constitution shall reside in the Code of Laws, outlined in Article VII of this Constitution, Acts of the Senate and Bills of Law, outlined in Article III of this Constitution, and the Students Elections Board Manual, outlined in Article VIII of this Constitution.~~

- A. All other rules and regulations pursuant to this Constitution shall reside in the Code of Laws, outlined in Article VII of this Constitution, Acts of the Senate and Bills of Law, outlined in Article III of this Constitution, and the Students Elections Board Manual, outlined in Article VIII of this Constitution.

ARTICLE XII - RATIFICATION

Section 1: Referendum. ~~This Constitution shall be ratified by the students at The University of Alabama in a referendum on the First day in February in the year Two-Thousand and Eleven if a majority of the students voting in said referendum approve this Constitution.~~

- A. This Constitution shall be ratified by the students at The University of Alabama in a referendum on the Twenty Seventh day in February in the year Two-Thousand and Twenty-Four if a majority of the students voting in said referendum approve this Constitution.

Section 2: Enactment. ~~This Constitution shall be enacted so as to concur with the SGA that governs for the 2011-2012 academic year at The University of Alabama, including all candidates seeking elected or appointed offices for that same academic year, and all subsequent years thereafter if approved by a majority of the students voting in the referendum on the First day in February in the year Two-thousand and Eleven. This Constitution shall remain the supreme Law of the SGA unless a constitutional convention assembles for the express purpose of writing a new constitution and that convention follows the procedures outlined in Article XI, Section 3 of this Constitution.~~

- A. This Constitution shall be enacted so as to concur with the SGA that governs for the 2023-2024 academic year at The University of Alabama, including all candidates seeking elected or appointed offices for that same academic year, and all subsequent years thereafter if approved by a majority of the students voting in the referendum on the

Twenty Seventh day in February in the year Two-thousand and Twenty-Four. This Constitution shall remain the supreme Law of the SGA unless a constitutional convention assembles for the express purpose of writing a new constitution and that convention follows the procedures outlined in Article X, Section 3 of this Constitution.

Section 3: Testament. ~~The members of the Constitutional Revision Committee, convened on the Twelfth day in January in the year Two-Thousand and Eleven and under the administration of James C. Fowler as SGA President, do hereby attest that this Constitution represents the unanimous spirit of the committee's efforts in creating accountable, functional, inclusive, and transparent student self-government at The University of Alabama by subscribing our names to this Constitution.~~

- A. The members of the Constitutional Revision Committee, convened on the Seventeenth day in January in the year Two-Thousand and Twenty-Four and under the administration of J. Collier Dobbs as SGA President, do hereby attest that this Constitution represents the unanimous spirit of the committee's efforts in creating accountable, functional, inclusive, and transparent student self-government at The University of Alabama by subscribing our names to this Constitution.

Section 4: Ratification. ~~This amendment will become law upon vote by 2/3rds vote of the SGA Senate and referendum of the student body.~~

- A. This amendment will become law upon vote by 2/3rds vote of the SGA Senate and referendum of the student body.

Section 5: Legitimacy and Awareness. ~~This amendment, if passed in the Senate by the appropriate margins, will be posted at least two (2) weeks in advance of the spring SGA Elections on the SGA website for students to review.~~

- A. This amendment, if passed in the Senate by the appropriate margins, will be posted at least two (2) weeks in advance of the spring SGA Elections on the SGA website for students to review.

Section 3. Copies

Copies of this Constitutional Amendment shall be sent to: Collier Dobbs, SGA President; and any others that are deemed necessary at a later date.