



## **Constitutional Amendment C-03-24**

**The University of Alabama**

**28<sup>th</sup> Senate 2023-2024**

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

**Sponsors:** Secretary Jensyn Seay, Speaker Jack Rudder, Senator Jack Sweda, Senator Hidy Kirkpatrick

**Endorsements:** President Collier Dobbs, Attorney General John McLendon

### **AN AMENDMENT TO THE CONSTITUTION TO UPDATE AND CLARIFY AMENDMENT VIII**

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

#### Section 1. Findings:

- A. Certain wording needs to be modified to correct contradictions and provide clarification.
- B. The Oversight Committee is convened only when there are not 6 members of the Elections Board available.
- C. The Oversight Committee is not an accurate name for the powers of the committee.
- D. The Elections Appeal Contingency Committee accurately describes the role of the committee and reduces confusion on the powers of this committee.

Section 2: Amendment to the Constitution: **changes in red**

## ARTICLE VIII - ELECTIONS

### Section 1: Student Elections Board.

D. Jurisdiction. The Student Elections Board shall regulate SGA elections and campaigns. All rules and regulations of the Student Elections Board shall reside in the Elections Manual, which shall be pursuant to only this Constitution. The Student Elections Board shall hear elections and campaign violation cases and issue decisions.

1. The Student Elections Board shall issue decisions in accordance with this Constitution and any rules and regulations created by the Student Elections Board that reside in the Student Elections Board manual.
  - a. Panels of six (6) members and the Chair will preside over elections violations hearings and decisions.
  - b. Should a member of the Student Elections Board have a conflict of interest with the candidate responsible for a violation, i.e. be members of the same organization, etc., that member must recuse themselves from hearings.
    - i. Should the Chair of the Student Elections Board need to recuse themselves from a hearing, the Assistant Chair will preside over the hearing.
  - c. In the event that the number of Student Elections Board members required to convene a panel to hear an elections and campaign violation and issue a decision is not available, due to conflicts of interest, resignations, or a combination thereof, the process to hear the violation and issue a decision is as outlined:
    - i. The Chairman of the Student Elections Board must formally inform, in writing, the sitting SGA President of the need and rationale to convene the ~~Oversight Committee~~Elections Appeal Contingency Committee.
    - ii. Once the request is received, the sitting SGA President will call upon the SGA Attorney General, the SGA Chief Justice, and the Speaker of the SGA Senate to hear the elections violation and render a decision, in place of the Elections Board.
    - iii. In the event an appeal is submitted upon the ~~Oversight Committee~~Elections Appeal Contingency Committee's decision, the appeal process to the SGA Judicial Board will remain the same, with the exception that the SGA Chief Justice will automatically be recused from any appeal review, in which they rendered an elections violation decision, as a member of the ~~Oversight Committee~~Elections Appeal Contingency Committee.

- d. The Student Elections Board shall publish all alleged election and campaign violations, as well as their respective decisions, on the SGA website following their Student Elections Board hearing.
  - i. Both the alleged violation and the decision of the Student Elections Board shall be published on the Election Violations page of the SGA website within twenty-four hours after the violation has been ruled upon.
  - ii. The published decision shall include the ruling issued to the candidate, the justification for said ruling citing the specific rules and regulations of the Student Elections Board Elections Manual, as well as the evidence provided for the hearing.
  - iii. Upon publication of the alleged violation, all contact information of the complainant shall be redacted including but not limited to, phone number and email address, to prevent harassment of the complainant.
  - iv. Upon publication of the alleged violation, at the request of the complainant, all personal identifiable information shall be redacted including the name of the complainant and any information that could directly implicate the complainant, to prevent harassment.
2. The Elections Manual is to be revised once per term and must be completed one month prior to the date of the spring election.
3. The Senate, the Executive Council, or both student bodies have the power to review the rules and regulations of the Student Elections Board and may request any opinion from the Attorney General on the constitutionality of those rules and regulations.
4. Rulings and regulations of the Student Elections Board may be appealed to the SGA Judicial Board by any students at the University of Alabama. If the Judicial Board finds rulings and regulations of the Student Elections Board not in accordance with provisions of this Constitution or the Elections Manual, then the Judicial Board shall declare such rulings or regulations unconstitutional.
5. A ruling or regulation of the Student Elections Board that has been ruled unconstitutional by the Judicial Board shall declare such rulings or regulations unconstitutional.
6. The Student Elections Board shall forward hearings of elections and campaign violations that have issues pertaining to the Code of Student Conduct at The University of Alabama to the Office of Student Conduct.

### 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.