

Student Government Association

Tennessee Technological University

SGA Bill F23-005

An Act to Empower the SGA Supreme Court by Allowing It to Hear Cases Brought by All Members of the SGA and Announce Its Own Decisions

Whereas, the principles of transparency, representation, and checks and balances are foundational to the functioning of a democratic governing body; and,

Whereas, members of the Student Government Association serve the interests of the students and should have the ability to seek clarification on constitutional matters that affect those interests; and,

Whereas, currently, the Supreme Court and its members are distant from the rest of the Student Government Association, and until now, neither the minutes nor the decisions of previous Supreme Courts have not been made publicly available; and,

Whereas, this Bill aims to ensure that every branch of the government has the tools necessary to fulfill its mandate effectively and efficiently; and,

Whereas, it is essential to ensure that the Supreme Court is empowered to provide clear interpretations on the constitution to every member of the SGA, to foster an environment of clarity and fairness; and,

Whereas, by allowing members from different branches of the Student Government Association to refer cases for constitutional interpretations, we promote transparency and openness; and,

Whereas, ensuring an order of priority for case referrals ensures that matters of utmost significance are addressed in a timely and orderly fashion; and,

Whereas, the privacy and confidentiality of certain cases are crucial to ensure fairness, justice, and protection of sensitive information, but maintain transparency about the proceedings by announcing them publicly; and,

Whereas, It is vital that decisions and interpretations made by the Supreme Court are communicated effectively to the Senate and are kept on record for reference and future guidance.

NOW THEREFORE,

BE IT ENACTED BY THE STUDENT GOVERNMENT ASSOCIATION OF TENNESSEE TECHNOLOGICAL UNIVERSITY THAT

Section 1: This bill shall be known as the “Judicial Reform Act of 2023”.

Section 2: In ARTICLE VI, Section 1, Subsection B of the SGA Constitution, add the following language:

“Any member of the Legislative Branch may refer a case to the Supreme Court with a petition containing the signatures of 15% or more of the filled membership of the Senate to render an opinion on a part of the SGA Constitution. Any member of the Executive Branch may refer a case to the Court without a petition.”

Section 3: In ARTICLE VI, Section 1 of the SGA Constitution, create Subsection B with the following language:

B. The Supreme Court must consider referrals in the following order of priority:

- i. SGA President
- ii. All other referrals

Section 4: In ARTICLE VI, Section 2, Subsection A, add a new Clause 2 with the following language and renumber following parts logically:

“Render decisions on all cases referred to the Court by members of the Student Government Association stated in Section 1 Subsection B of this Article, and that have been chosen for hearing by the Supreme Court.”

Section 5: In ARTICLE VI, Section 2, replace the existing Subsection B with the following language:

“B. Powers of the SGA Supreme Court:

1. Consider cases that have been referred after being selected upon the written concurrence of four (4) Justices.

1.1. The Supreme Court may keep case details private from the rest of SGA with a two-thirds (2/3) vote of the Supreme Court and approval from the Advisor of the Supreme Court.

2. Once a case(s) is/are selected, the Chief Justice, or their designee, will announce the cases that are being considered at the next Senate meeting.

2.1. Cases that have had information withheld must still be announced that a case has been selected by the Supreme Court; however, the disclosure of any other details may be released at the discretion of the Supreme Court.

3. Issue opinions regarding the proper interpretation of the governing

documents of the Student Government Association after referral and selection.

4. Announce all decisions by the Court to the SGA Senate at their next meeting after a decision has been reached.

5. Designate a secretary to keep record of minutes and decisions, which shall be submitted to the SGA Secretary.

6. Hear appeals from the Senate regarding the constitutionality of legislation.

7. Present an opinion to the University President regarding Tennessee Tech policy, or extended departmental policy that is vague, ambiguous, and/or contrary to state or federal law and make requests for clarification or remediation.”

Section 6: This Bill shall take effect immediately following passage by the Student Government Association, the welfare of the students requiring it.

Respectfully Submitted By:
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Senate Record

SGA Secretary:	Aye:	Nay:	Abstain:	Status:
Jeb MacLennan	27	0	1	Passed

SGA President:

Chance M. Hale