

# Want to know more about the hearing?

## Constitution of the Student Government Association of Brevard College

*We the student body of Brevard College, do establish the Student Government Association in order to promote the general welfare of the students; to provide a link between faculty, staff, and students; to ensure the representation of a student voice in college affairs; and to perpetuate the concept of responsible student government as well as uphold the Brevard College motto "Cognosce ut Prosis:" Learn In Order To Serve.*

*The name of the government herein established shall be The Student Government Association of Brevard College, hereafter referred to as SGA.*

### Article 6: Impeachment

#### 1. Procedures for Impeachment of Senators

##### A. Initial Procedures for Impeachment

- a. Any Senator considered to be in good standing has the authority to make a motion for the impeachment of a Senator.
- b. Motions for the impeachment of a Senator must be brought by written petition and submitted to the Chief Justice, signed by the accusatory Senator, on grounds of
  - i. non-performance of duty or administration,
  - ii. incompetence,
  - iii. ineligibility,
  - iv. dishonesty,
  - v. action in violation of the Constitution or College policy,
  - vi. local, state, or federal law.
- c. The official motion must be made during a regularly scheduled meeting of the Senate and must be on the agenda for that meeting. The motion must include the identification of the Senator accused, along with a brief explanation of the reasons for the charges. Motions shall be automatically referred to the Chief Justice of the Judicial Board.
- d. Chief Justice will then set a date, time, and place for a special session of the Senate to consider the charges against the accused Senator.

##### B. Special Session of the Senate to Consider Impeachment

- a. At the beginning of the Special Session, the Chief Justice will appoint a timekeeper.
- b. The accusing Senator shall read a statement of accusation that is no longer than ten (10) minutes. If ten minutes has elapsed and the accuser continues to speak, he/she will be cut off by the timekeeper.
- c. Then the statement by the accusing Senator will be followed by a ten (10) minute rebuttal by the accused Senator. If ten (10) minutes has elapsed and the accused continues to speak, he/she will be cut off by the timekeeper.
- d. The Chief Justice shall preside over the session in which Senators will debate and write specific articles of impeachment.
- e. A 2/3 majority vote of the quorum present shall be necessary to approve each article of impeachment.
- f. If any articles have been passed from the Senate, then a date, time, and place shall be set for a Judicial hearing.
- a. If any articles of impeachment are approved then a written statement of the charges against the individual and the date, time, and place of the hearing will be delivered to the Division of Campus Life by the Chief Justice. The Division of Campus Life will be responsible for informing the accused Senator of the impeachment and resulting Judiciary hearing.

##### C. Judicial Hearing Procedures

- a. The Hearing Body will consist of the whole of the Senate body, with the Chief Justice serving as Chair. In the event that there are insufficient members of the Senate available to serve as a Hearing Body, the Chief Justice shall appoint members of the Judicial Board to the open positions.
- b. The accused Senator may designate any member of the SGA, with the exception of the Chief Justice, to act as her/his advocate. The Senator bringing forth the official accusation may designate any member of the SGA, with the exception of the Chief Justice, to present the charges.
- What is the procedure of the meeting?
- c. All hearing meetings will be held in closed session.

##### D. Ruling

- a. The 2/3 majority opinion of the Hearing Body shall prevail as the decision. The Hearing Body shall express its opinions in written form, to be turned in to the Division of Campus Life, who will issue the official declaration of removal of the Senator to the SGA.
- b. Appeals will be granted only by the Dean of Students. The Dean of Students will preside over any appeals and will inform the SGA of any overturning of the Hearing Body's decision.