

Sabot at Stony Point Middle School Constitution

Preamble

We, the students of Sabot at Stony Point School, have created this Constitution to form a more perfect school, encourage responsibility and respect, form and protect trust within our social and academic environment, and give ourselves a bright future.

Article 1: The Legislature

Section I: Number of Legislators

There shall be six legislators. Three legislators will be at-large representatives. The remaining three will come from each of the middle school grades: sixth, seventh, and eighth.

Section II: Elections

Any number of candidates may put themselves forward. Three days before the election, candidates will give a speech to the entire middle school.

Each student may cast four votes, two for students in his/her grade, and two for any candidate. The top vote-getter from each grade will be that grade's representative in the Legislature. The top vote-getters from the remaining candidates will be the at-large representatives.

A committee of three students (one from each grade) and a teacher will count the votes. The committee will announce the results to the school.

Elections will be held each semester. Legislators may run for re-election. If a legislator resigns mid-term, the Congress shall appoint a successor to serve the remainder of the term.

Section III: Passing Laws

The Legislature will meet to consider laws. Four legislators will make a quorum necessary to conduct business.

All laws must pass a two-step process. First, the Legislature must vote to recommend the law to the student body for a vote. Second, the student body must pass the law.

If four legislators are present, then three must vote for the law; if five legislators are present, then four must vote for the law; and if six legislators are present, then five must vote for the law before it may put to the student body for a vote. If a majority of the middle school students vote for a law, it shall become the law.

Section IV: Veto Power

The Director of Sabot at Stony Point School may veto any law passed by the student body.

Article 2: The Judiciary

Section I: Judges (Elections)

There will be two judges: the head judge will be in charge of the trial proceedings in all of the trials; the second judge will substitute if the head judge is absent or is recused.

Elections will be held each semester. Candidates must have passed the bar exam; any number of qualified candidates may put themselves forward. Judges may run for re-election. Three days before the election, candidates will give a speech to the entire middle school.

The top vote-getter will be the head judge; the second place vote-getter will be the substitute judge. If the head judge resigns mid-term, the substitute judge shall become the head judge. Congress shall appoint a replacement for the substitute judge to serve the remainder of the term.

Section II: Trial Procedure

Accusation: Any student may accuse another, whether or not s/he was the victim.

Right to a lawyer: The accused has a right to a lawyer.

Juries: Juries are chosen for each trial. The judge will draw nine middle school students' names from a hat; the defendant and the prosecutor may then each strike two students – without giving a reason. The remaining five students will make up the jury for that trial. Juries will look at the facts and the evidence and decide whether the accused is guilty or innocent.

In order to convict the accused, juries must decide by a vote of at least four out of five that the accused is guilty. In a case where the accused is proven guilty, the jury will also recommend the punishment. The jury will be selected before each trial and will work on that trial only.

Lawyers: A Prosecutor and a Public Defender will be elected each semester by a simple majority of the student body. Candidates must have passed the bar exam. Any number of qualified candidates may put themselves forward. In the event that none of the candidates gains a majority of the votes, the top two candidates will engage in a run-off election. The Prosecutor and Public Defender may appoint helpers, any student who has passed the bar exam, to conduct trials.

Witnesses: Witnesses are required to testify for or against the accused. Witnesses must tell the truth. Any witness accused of lying may be tried for perjury.

Impeachment of Judges: Two-thirds of the full Legislature may impeach a judge. The substitute judge will preside over the trial.

Recusal: If a judge feels that he or she cannot judge a trial fairly, then he or she is obliged to recuse himself or herself from that trial. In cases where a sibling is the defendant, the judge is automatically recused from the trial.

Consequences: If the accused pleads guilty, the judge, in consultation with the defendant, shall decide the consequences. If the case goes to trial and the defendant is found innocent, the jury will recommend consequences, but the judge, in consultation with the defendant, shall decide them. The jury or judge may recommend suspension, but only the Director of the school can suspend a student.

Article 3: Enforcement

Section I: Selection of Enforcement Committee

The enforcers will be made up of a committee of three: one sixth grader, one seventh grader and one eighth grader. There will also be one alternate enforcer. These enforcers will be chosen each quarter. Their names will be drawn out of a hat, one grade at a time. After the three committee members are chosen, the alternate will be chosen from a hat containing the names of all the remaining middle school students. The enforcers will serve one term; they cannot be chosen again until all of their classmates have also served. The alternate's term will not count as a real term and his/her name will be returned to the hat.

Article 4: Rights and Responsibilities

Section I: Rights and Responsibilities of the Students

1. The students shall have a limited right of free speech.
2. Students shall not be discriminated against because of race, religion, gender, color, or sexual orientation.
3. The students shall not be bullied; they have the right to a safe and secure environment.
4. Students have the responsibility to respect teachers, classmates, property, and the school constitution.

Section II: Rights and Responsibilities of the Accused

1. The accused has the right to a speedy and public trial by a jury of their peers.
2. The accused may plead for mercy. The accused must turn himself or herself in if they have broken a rule and want less harsh punishment.
3. The accused may not be forced to testify against himself or herself.
4. The accused has the right to a lawyer.
5. The accused may choose his or her own lawyer or accept the elected Public Defender or his or her helper.
6. The accused has the right to represent himself or herself if he or she has passed the bar exam.

Article 5: Ratification and Amendment of the Constitution

The Constitution must be ratified annually. In order for the Constitution to become law, it must be ratified by a two-thirds majority of the lower and middle school faculty **and** by a two-thirds majority of the middle school students.

The Constitution may be amended by a two-thirds vote of the middle school students. The Director of the school may veto any amendments.

Article 2: Judiciary

Addendum

Consequences: If the accused pleads guilty, the judge, in consultation with the defendant, shall decide the consequences. If the case goes to trial and the defendant is found guilty, the jury will recommend consequences, but the judge, in consultation with the defendant, shall decide them. The jury or judge may recommend suspension, but only the Director of the school can suspend a student.