

THE CONSTITUTION OF THE CIVICS AND GOVERNMENT INSTITUTE

We the students of the Civics and Government Institute, in order to further our understanding of the process of government the experience of producing legislation, and the dynamics of politics, do hereby ordain and establish this constitution of the Civics and Government Institute. We acknowledge that the students of the Civics and Government Institute have come together to form a student-driven government. It is the duty of this institute to provide that government and to educate its students in the business of government. The students of the Civics and Government Institute hereby pledge to uphold the mission and laws of the Civics and Government Institute.

Article 1

Structure of Government

Section One

A government is hereby established with three distinct branches: Executive, Legislative, and Judicial. A member may hold any number of positions in one branch but may not hold a position in any other branch. It is the duty of the Legislative Branch to create law that ensures the goals of the Civics and Government Institute (hereafter referred to as CGI) are attained. It is the duty of the Executive Branch to ensure the execution of the laws of CGI. It is the duty of the Judicial Branch to interpret legislation and conduct trials regarding violations of the CGI Constitution, bills, and rules.

Section Two

All actions of CGI may only be discharged upon teacher approval and in adherence with school, Board of Education, and New Jersey Department of Education policies, and local, state, and federal laws, including the United States Constitution.

Article II

The Legislature

Section One

The Legislature of CGI is tricameral, consisting of House of Representatives, the Council, and the Senate.

1. Any proposed legislation must pass in the House of Representatives, the Council, and the Senate.
2. There shall be a minimum of six Congress sessions each marking period, with a maximum of three of these six being joint sessions. Any sessions in excess of this requirement may be joint or split sessions, as circumstances warrant. This shall not apply during a marking period in which there is a Constitutional Convention.
 - a. CGI presidential debates shall count as joint sessions of Congress.
3. Seniors or Senior Option will not be counted as members of any Legislative body.

Section Two

The total population of the Council may not exceed one-sixth of the total population of the Institute rounded up to the nearest whole number. If the number of people running for the Senate in a given semester does not exceed this number, all candidates shall become members of the Council for the next semester. If the number of the candidates exceeds one-sixth of the total population of the Institute, elections for the Council shall be carried out according to the Election Procedure Book to be created as specified in Article VI.

1. Any bill dealing with the Executive Branch must pass the Council in order to become law. Any Executive appointments must be confirmed by a 2/3 majority of the Council. Those appointed officials who are not confirmed cannot assume that office to which they were appointed.
2. Councilmen will serve a semester-long term.
 - a. Sophomores elected for the first semester term will take office immediately after their election in the first marking period.

Section Three

The total population of the senate may not exceed one-sixth of the total population of the Institute rounded up to the nearest whole number. If the number of people running for the Senate in a given semester does not exceed this number all candidates shall become members of the Senate for the next semester. If the number of candidates exceeds one-sixth of the total population of the Institute, elections for the Senate shall be carried out according to the Election Procedure Book to be created as specified in Article VI.

1. Any bill dealing with the Judicial Branch must pass the Senate in order to become law. Any Judicial appointments must be confirmed by a 2/3 majority of the Senate. Those appointed officials who are not confirmed cannot assume that office to which they were appointed.
2. it is the duty of the Senate to try cases of impeachment. The Senate is also responsible for creating the regulations for such a trial. A two-thirds majority of the Senate is required to remove an impeached official from office.
3. Senators will serve a semester-long term
 - a. Sophomores elected for the first semester term will take office immediately after their election in the first marking period.

Section Four

All members of the Legislative Branch who are not in either the Council or the Senate shall hold a position in the House of Representatives.

1. The House has the sole power of the purse. All bills requiring funds appropriation must pass in the House and need not pass in either of the smaller bodies.
2. The House of Representatives has the sol power to bring impeachment charges on an elected or appointed official. A minimum of two-thirds of the House of Representatives must be in favor for the impeachment charges to be levied.

Section Five

Each Legislative body shall elect a Speaker. The Speaker must be a member of the body by which he or she is elected. The Speaker shall be elected by a majority vote. The Speaker shall moderate the debate using proper parliamentary procedure, and vote only in the event of a tie. Each speaker shall serve for a term not to exceed one semester and may be reelected for an unlimited number of terms. The Speaker may appoint sergeants at arms and a secretary, as deemed necessary by the Speaker.

1. A quorum is necessary to debate any motion or substantive issue. The quorum consists of one-half of the members of the body for procedural issues and two-thirds of the members of the body for substantive issues.

Section Six

All members of the Council and the Senate shall be elected the semester before they are to serve their term, with the exception of sophomores in the first semester, who will be elected as early as prudence deems possible in the first marking period, the Senate and Council may meet in the first marking period without sophomore members before sophomores are elected to these bodies.

Section Seven

The entire Institute shall elect a Rules Chair each semester. The Rules Chair shall be a member of the Legislative Branch and has the duty of setting the agenda for Congress.

Article III *The Executive*

Section One

The Executive Branch shall consist of the President, Vice-President, and a Class President for each grade represented in CGI, and any appointed members of the Executive.

1. All executive orders may go into action only if they receive a four-fifths (4/5) majority from the voting members of Executive.
 - a. the voting members of the Executive are the President, Vice-President, and Class Presidents.
2. Executive orders are to be treated as law and may be overridden by a simply majority of the House of Representatives and either the Council or Senate.
3. All members of the Executive Branch are permitted to observe and speak during the proceedings of the Legislature, but they may not vote.

Section Two

The President of the Institute shall be entrusted with certain duties and powers to ensure the operation of the Institute.

1. The President of the Institute may sign passed legislation into law within 24 hours of passage. If he or she does not, the legislation still becomes law. Alternatively, the President may veto passed legislation, in which case the House of Representatives must pass the bill with 2/3 majority and the Council and Senate must pass the bill with a simple majority to override the veto.
2. The President may create any position he or she feels necessary, and appoint any person to fill that position. The appointee may choose to accept the position or not. All such appointments are subject to confirmation by the Council.
3. The President of the Institute shall be required to deliver an inaugural address upon election and a farewell address upon the inauguration of the next president. He or she must also deliver a "State of the Institute" address on the first Congress session of the new school year and again on the first Congress session of the next calendar year to the members of CGI. The president may choose to deliver more such addresses as he or she sees fit.
4. Should the President of the Institute become incapacitated or be absent from school, he or she shall be replaced by the Vice-President, then by the Senior Class President, the Junior Class President, the Speaker of the House, Speaker of the Council, and Speaker of the Senate.

Section Three

Class Presidents shall be entrusted with certain duties and powers to ensure the effective representation of their constituency. Class President shall meet and discuss the occurrences in the Executive with their receptive classes once per marking period, and will convey the will of their classes to the Executive.

Section Four

Certain procedures and requirements shall be followed for the election of voting members of the Executive.

1. To be eligible for election to the position of President of the Institute, the candidate must hold a cumulative weighted grade point average of 3.0 or above at the time of the election, and must be completing their junior year at the time of the election.
2. The candidate for the position of Vice-President of the Institute must be completing their sophomore or junior year.
3. The election shall occur at the end of the third marking period, and the President and Vice President Elect shall take power at the start of the fourth marking period.
4. One Class President shall represent each grade of students in CGI. The Class Presidents shall be elected in the fourth marking period and take office the following school year, except the Sophomore Class President, who shall be

- elected in the first marking period of the school year and assume office immediately upon election.
5. It shall be a requirement that each Class President be a member of the class that he or she is representing.

Article IV
The Judiciary

Section One

The Judicial Branch shall consist of seven Justices, who comprise the Supreme Court, as well as a CGI Public Prosecutor and a CGI Public Defender.

1. The Supreme Court shall consist of three Justices in their senior year, two Justices in their junior year, and two Justices in their sophomore year.
2. The new President of the Institute shall appoint the senior and junior Justices when he or she takes office in the fourth marking period and shall appoint the sophomore Justices in the first marking period of the following year.
 - a. All Justices shall assume their positions in the first marking period following their appointments and confirmations.
3. The seven Justices shall select one of the Justices as Chief Justice.
 - a. The Chief Justice shall preside over the affairs of the Court and shall preside over any impeachment trials
4. The Justices are permitted to observe and speak during the proceedings of the Legislature, but they may not vote.
5. The CGI Public Prosecutor and Public Defender shall be appointed by the President in consultation of the Chief Justice.
 - a. The CGI Public Prosecutor shall be in charge of arguing any cases in which the Institute is the plaintiff or prosecution. The CGI public defender shall be in charge or arguing any cases in which the Institute is the defendant.

Section Two

1. The Supreme Court must review all passed legislation, including executive orders. The Court will then determine if these laws violate any of the stipulations of the Constitution of CGI. If the Court finds law to be in violation of the Constitution, such a law shall be rendered null and void.
2. Should a complaint be raised against any member of CGI, either student or faculty member, on any grounds, the accused violator shall be brought to a hearing before the Court. The Justices shall be given the option to vote prior to trial as to whether they choose to hear or dismiss the case. If they choose to hear the case, the accused may choose self-representation or the CGI Public Defender, or may request the counsel of any member of CGI who is not presiding over the case.
 - a. A faculty member shall be selected to monitor the case. This faculty member may not vote on the case, but may speak and give advice.

- b. The accused may retain the right to remain anonymous to the body of CGI during presentation of the case.
 - c. Upon hearing both sides of the case, the Justices must vote on the outcome of the case. Should the Court find the defendant guilty or liable, the Court must unanimously decide on a punishment, which must then be approved by a faculty member without conflict of interest.
3. The Supreme Court may, if it chooses, may conduct mock trials regarding issues of local, state, or national importance. These trials may be conducted in front of the Institute so as to make members of CGI more aware of these issues.
4. All cases conducted under the auspices of Article IV, Section II, Subsections 2 and 3 shall follow the rules, procedure, and burden of proof outlined in a Judicial Procedure Book as specified in Article VI, Section II.

Article V
Rights Under the Constitution

Section One

The following rights are granted to all members of CGI:

1. The freedom of speech shall not be denied any member of CGI.
2. The right of every student in CGI to vote in any relevant situation shall not be violated under any circumstances.
3. The freedom of the press shall not be disallowed. CGI media must give any person or group mentioned in a story the chance to comment on the event being reported and on his or her involvement in the event.
4. No student or teacher in CGI shall be forced to testify against him or herself in a CGI Supreme Court Case.
5. CGI students have the right to petition the CGI teachers for a redress of grievances.
6. CGI students have the right to information regarding the government of CGI and their own personal academic situation whether verbal information such as a grade or physical documents such as tests previously taken by the student in question. This right does not apply to sealed election results.

Section Two

The rights enumerated in Article V, Section One, shall apply at all times and shall be subject to the restrictions mentioned in Article I, Section II of this Constitution.

Article VI
Departments, Procedure Books

Section One

CGI shall, on certain days, be broken up into several Departments, whose job will be to create initiatives to improve society and the community, as well as to take measures to

further the goals of the Institute. The number and specializations of the Departments shall be decided by the teachers, with relevant input from the students.

1. Included among these Departments must be a Department of Internal Affairs, whose sole job should be the maintenance of the internal workings of CGI through the conducting of elections, the archiving of bills and resolutions debated in Congress, and other such jobs as are immediately necessary to the proper functioning of the Institute.

Section Two

The Department of Internal Affairs and the Executive Branch shall create and be responsible for the upkeep of Procedure Books to regulate elections, parliamentary procedure, and rules for Supreme Court cases. These procedure books can be accessed upon request, and any element of a procedure book can be overridden by a simple majority in the House of Representatives and either the Council or Senate. The Supreme Court has the power to review the books and strike down portions of any procedure book that violate the Constitution.

1. Procedure books shall be considered the highest law in CGI, with the exception of the Constitution.

Article VII

Maintenance of the Constitution

Section One

Should any member of CGI feel it necessary to amend the Constitution, he or she may submit the amendment as if it were a bill. This amendment shall be debated in Congress and, upon receiving a 2/3 majority in each Legislative body, shall be added to the Constitution.

Section Two:

Any member of CGI may, at any time, submit a bill that would move CGI to a Constitutional Convention. Upon passage of the bill, Congress would dissolve and CGI would form a Constitutional Convention according to the instructions specified in the bill. All members of CGI would participate in this Convention and all students would have the right to vote in the Convention. Should a new Constitution be agreed upon, CGI would immediately act under the new Constitution.