

CONSTITUTION  
OF THE  
FOURTH GRADE CLASS  
•  
SAINT MONICA SCHOOL

PREAMBLE

We, the students and teacher of the St. Monica fourth grade class, in order to establish a place of respect, fairness, and positive moral action, do hereby establish this constitution. By the workings of this government, we strive to solve problems through peaceful dialogue, building a community where students can be happy and successful. We hope to serve as a model for other students, classrooms, and schools.

# ARTICLE I: FOUNDING PRINCIPLES

Section 1. The foundational premise of any classroom is to establish a place where students feel safe and students can learn. The students, teachers, parents, volunteers, and guests of the 4th grade class shall abide by the following principles, which may not be restricted by class law and are hereby placed within the jurisdiction of the Supreme Court to uphold:

We honor God, elders, and one another ..... “Politeness please”

We act in a safe, mindful manner ..... “Safe is sure”

We promote successful communication ..... “Help us hear”

We keep an open mind about learning ..... “Smiles succeed”

We care for personal and common property ..... “Find a fit”

Section 2. This constitution is provisional upon the good-will of its participants. The teacher reserves the right to remove students from office who do not meet expectations of conduct or academic performance. Such expectations will be defined on an individual basis, and shall be given in writing as a warning before any final decision to dismiss. Students who commit serious acts of physical or verbal violence toward other students, staff, parents, or guests may be removed from office without notice.

Furthermore, the teacher reserves the right to alter the terms this constitution or overrule actions taken under its scope on the basis of morality, prudence, safety, or preserving the learning environment. If widespread or severe problems arise that involve deceit, fraud, harm to persons or reputations, or disruption of the educational environment, this constitutional agreement may be revoked entirely.

## ARTICLE II: BILL OF RIGHTS

The students, teachers, parents, volunteers, and guests of the 4th grade class shall be protected by the following rights, which may not be restricted by class law and are hereby placed within the jurisdiction of the Supreme Court to uphold:

- Section 1. We may express, without retribution, opinions, praise, or criticism regarding any topic that does not exceed what is appropriate or reasonable within the scope of St. Monica School or the Catholic Church.
- Section 2. Girls and boys shall have an equal voice and access to participation in all events occurring within or sponsored by the fourth grade class.
- Section 3. We shall not discriminate against any individual or group on the basis of any trait—visible or invisible, intrinsic or acquired—in a manner which causes embarrassment or humiliation; nor shall punishments be administered toward the same end.
- Section 4. Students may constructively address grievances to the teacher in writing and signed without retribution and with the understood protection of anonymity.
- Section 5. We shall recess from learning at least once before lunch and once in the afternoon whenever school is in session for a full day.
- Section 6. Students may freely post to and decorate designated bulletin boards.
- Section 7. Students not subject to disciplinary consequences may freely choose their seating in the lunch room.
- Section 8. Students shall receive one afternoon per quarter during which to present a movie, party, or theme of their choosing.

## ARTICLE III: BRANCHES OF POWER and ELECTIONS

- Section 1. Branches of government shall include the Legislative, Executive, and Judicial. Students not currently elected to, appointed to, or working for a branch of government are referred to as CITIZENS. A student may not serve more than one branch simultaneously. A student may run for or accept appointment to office only if that position will begin upon the completion of any current term in office.
- Section 2. Individuals may officially run for only one office at a time. Those running for governor or senator must declare their candidacy prior to the commencement of voting for that and other concurrent offices. Candidates not elected to the office of governor may resubmit their names for representative, but not for senator. Candidates not elected to the office of representative may not resubmit for senator.
- Section 3. All electors within a district shall receive the opportunity to vote. All elections shall be decided by the candidate who receives a majority of all possible votes. General elections in which three or more candidates contest a position must be followed by runoff election(s) until a final vote occurs between two candidates. A candidate may be declared winner with no further need for runoff if his or her votes exceed the combined possible votes for all other candidates. Absent, invalid, or abstaining ballots shall be counted as votes not for the leading candidate. Absentees must be given one extra day to submit a ballot before any final round of votes is counted.
- Section 4. The teacher shall appoint two ELECTION COMMISSIONERS, one boy and one girl, from among citizens who will not run for any current race. Only individuals of the highest dependability and integrity will be selected for the role of commissioner. Commissioners may be appointed on a per-election basis or retained over a longer period. A commissioner must complete and certify any ongoing election before resigning to campaign or accept an appointment to office.
- Section 5. Election commissioners will oversee the preparation, casting, and counting of ballots for each election. In addition, they will draw up and publicize representative voting districts prior to a representative campaign (Section 8). Appeals regarding irregularities in the voting process must be brought to the teacher, who will then consult with commissioners. All judgments upon appeal will be final.
- Section 6. The chief justice of the Supreme Court shall administer the following oath of office to all newly elected or re-elected officials prior to the next branch of elections:

*I, \_\_\_\_\_, will use my good sense and the judgment of my conscience to uphold the principles set out in this constitution, for the good of St. Monica School and the Fourth Grade Class.*

- Section 7. The GOVERNOR shall be elected by a majority of students in the class. Ties remaining after all possible runoffs shall be broken by a simple majority vote (Article IV, Section 4) in the currently installed Congress. If its number is even, the sitting governor shall cast an additional vote with the congressional delegation. If the sitting governor is among the candidates, the sitting attorney general shall execute that responsibility. In absence of an installed Congress there shall be a new general election between the tied candidates—election commissioners, witnessed by the teacher, will randomly select five students to cast one additional ballot each (so that the total number of ballots is odd). The governor shall be elected and sworn in before any concurrent congressional elections commence, and shall make no appointments until such elections are final.
- Section 8. One REPRESENTATIVE may be elected by each district of five students in the class. Any remaining students less than five will be grouped with the final district as a superdistrict. Electors from the superdistrict shall vote for two separate candidates at one time. The two candidates who receive votes from a majority of electors, after applicable run-offs, shall become its representatives. Ties remaining after all possible runoffs shall be broken by the governor's appointment, without congressional confirmation. Districts with no eligible or participating candidates for representative shall leave an unfilled seat in Congress. Representatives shall be elected and sworn in before any concurrent senatorial elections commence.
- Section 9. One SENATOR shall be elected from among the boys by the boys in the class and one from among the girls by the girls in the class. Ties remaining after all possible runoffs shall be broken a simple majority of representatives. If their number is even, the governor shall cast an additional vote with the representative body. Senators shall be elected and sworn in before any executive nominations occur.
- Section 10. Two SUPREME COURT JUSTICES, one girl and one boy, shall sit in addition to the teacher, who serves as a permanent CHIEF JUSTICE. The governor shall appoint to any open seat, a justice of the respective gender, who must then be confirmed by a senate majority (Article IV, Section 4) in Congress. Candidates who are not confirmed initially may be re-nominated once during the same gubernatorial term; however, both senators must sign a "yes" vote before initiating a second confirmation hearing in Congress. Otherwise, the candidate shall be considered twice rejected. The governor may submit nominations to either senator, in writing, after the election and swearing in of all representatives and senators, so that a full congressional delegation is in effect. No nominations may occur after the final session of Congress prior to an election.

## ARTICLE IV: LEGISLATIVE BRANCH

- Section 1. A representative term shall last for one month that includes fifteen or more full school days. A student may serve a total of FOUR TERMS in the position of representative, consecutively or separately. Duties of representatives include writing legislation as bills; reading, amending, and voting on bills and amendments; confirming nominees to the Supreme Court and attorney general; and breaking gubernatorial and senate election ties.
- Section 2. A senate term shall last for two consecutive academic quarters. A student may serve ONE TERM in the position of senator. Duties of senators include leading sessions of Congress; writing constitutional amendments; approving the final drafting, reading, and voting on bills and amendments; confirming nominees to the Supreme Court and attorney general; and breaking gubernatorial election ties.
- Section 3. Senators and representatives shall convene as a single body called CONGRESS in sessions occurring at least once for each week of at least four full school days. If a seat in Congress becomes vacant (due to absence) for a period exceeding three full consecutive school days, the governor may appoint a temporary holder who is a citizen from the same district or constituency as the elected holder of the seat. The temporary appointment shall be relinquished upon the elected holder's return. Temporary representative appointments may be held, if necessary, for the remainder of the original term for that seat. A new election for senator shall commence if the elected senator's accumulated absences for the term exceed fifteen full school days and at least ten school days remain in the term.
- Section 4. A SIMPLE MAJORITY occurs when more than one-half of all elected congressional delegates vote in the affirmative. A simple majority is required to pass normal legislation, confirm nominees to attorney general, and break election ties. A SENATE MAJORITY occurs when two senators cast affirmative votes within an overall simple majority of Congress. A senate majority is required to pass amendments and confirm Supreme Court nominees. An OVERRIDE MAJORITY occurs when two senators cast affirmative votes within an overall majority equal to or exceeding three-fourths of the elected congressional delegation. An override majority is required for bills to bypass executive review.
- Section 5. Any bill which passes with an override majority may bypass executive review and shall immediately become law. Bills approved by a simple majority shall be sent to the governor who has the following three school days during which to sign or veto. Bills fail by veto, but become law if not signed after three days. Failed bills can be reintroduced only at the beginning of the process. An archive of all Congressional action, laws, and amendments shall be placed on record in a public archive.

Section 6. At least one senator and two-thirds of representatives must be present for Congress to conduct business. Any form of action open to all members of Congress shall begin with representatives and end with senators. Confirmation proceedings for Supreme Court justices and attorney general shall take precedence over legislative action. Hearings shall begin at the first congressional session following a nominee's appointment, and a confirmation vote shall conclude before Congress continues with any legislative action. Such proceedings must include a period open for public comment, questioning of the nominee open to all members of Congress, a round of debate to be closed by unanimous consent of both senators, and a final vote. Hearings on individuals who have been re-nominated may proceed directly to debate at the consent of both senators. Congress shall proceed with at least one round of debate when convening on an emergency basis to break election ties.

Section 7. Bills may be introduced only by representatives. The following information must be stated on any bill or amendment.

*Class Law #* \_\_\_\_\_, *The* \_\_\_\_\_ [Act/Amendment]

...

*"Be it enacted by the fourth grade Congress..."*

...

*Signed at final vote, this day:* \_\_\_\_\_ (date) \_\_\_\_\_

*Members in favor:* [sens.] \_\_\_\_\_ [reps.] \_\_\_\_\_

*Members Opposed:* [sens.] \_\_\_\_\_ [reps.] \_\_\_\_\_

*Abstaining:* [sens.] \_\_\_\_\_ [reps.] \_\_\_\_\_

*Governor (if signing):* \_\_\_\_\_ *Veto* \_\_\_\_\_ (initial)

The passing of bills must include at least two readings, the second of which takes place at a later session than the first. The authoring representative gives the first reading, followed by a round of debate to be closed by consensus of both senators, and consideration of motions to amend the bill or open it to a public hearing—each passed by simple majority. At least one senator must agree to sponsor the bill in its amended form prior to the second session. The supporting senator gives the second reading, followed by public input (if requested), a round of debate, consideration of motions for further amendments, the end of which calls for a final vote. Further amendments require additional sessions that follow the procedure of the second session until a final vote is called. Beginning with the second session, senators may cut short further debate or amendments by unanimous consent. Voting becomes official once all members of the Congress have signed their intentions on the bill.

Section 8. Amendments may be introduced only by senators, following the same format and procedure as bills (Section 7), but need a senate majority to pass. The Supreme Court shall approve or decline passed amendments by unanimous consent within one calendar week. Approved amendments shall then be ratified by an overall class majority of at least two-thirds, including a simple majority of both boys and girls.

## ARTICLE V: EXECUTIVE BRANCH

- Section 1. The term of governor shall last for one academic quarter. A student may serve TWO TERMS in the position of governor. Duties of the governor include overseeing the promulgation, recording, administration, and enforcement of class laws; signing or vetoing legislation; breaking congressional election ties; and appointing citizens to the positions of attorney general, Supreme Court justice, and temporary congressional seat-holder.
- Section 2. The governor shall appoint an ATTORNEY GENERAL who will assist with the administration and enforcement of laws for the duration of the gubernatorial term. The attorney general must be confirmed by a simple majority in Congress. The attorney general shall defend established law in Supreme Court arguments, and may be called to vote with Congress in a gubernatorial election tie. The attorney general shall assume the duties of governor in the event the governor is absent from class longer than three full consecutive school days, and shall relinquish this role upon the elected governor's return. A new election for governor shall commence if the elected governor's accumulated absences for the term exceed eight full school days, and at least ten school days remain in the term.
- Section 3. The governor may choose whether or not to appoint, without congressional confirmation, a SECRETARY OF STATE, TREASURER, or other cabinet officers from among the citizens. All cabinet positions shall be cancelled with each new gubernatorial term, to be reinstated at the incoming governor's discretion.
- Section 4. Once per quarter, the governor shall speak to the class regarding the state of social, academic, and religious affairs, then offer ideas for future action.

## ARTICLE VI: JUDICIAL BRANCH

Section 1. Justices shall serve for a minimum of one quarter and maximum of two quarters. Partial quarters of service shall be counted as one whole. Justices who choose to pursue another branch of government after one quarter must step down after ruling on all pending cases and before a campaign or confirmation proceedings may begin.

Section 2. Duties of justices include hearing cases of constitutional merit and reviewing the constitutional consistency of amendments. An amendment passed by Congress may be approved for public referendum with the justices' unanimous consent. Non-unanimous decisions must be returned to Congress, with a written explanation of perceived constitutional inconsistencies from the opposing justice(s).

Section 3. A person or persons wishing to bring suit before the court shall present a plaintiff's brief that includes the following information: *Name of plaintiff(s) and defendant(s), number and name of any law being contested, a description of contested actions that have occurred (under or outside any law), and a statement arguing the constitutional violation of the stated actions or laws.* A copy of this brief shall be presented to the court and to the defendant. The defendant's brief shall use the same heading information as the plaintiff, but must instead offer rationale defending the constitutionality of the stated actions or laws. Upon reviewing the briefs, justices will vote whether or not to accept the case on constitutional merit. Cases shall be accepted by unanimous decision only.

Section 4. Case proceedings shall be open to all citizens. The plaintiff will argue first, followed by questioning from each of the justices. The defendant will respond, with questioning. Each side may offer a closing statement in the same order. Rulings will be handed down by a two-third majority of the justices, and shall be presented in the following written format:

*Regarding the case of [plaintiff] vs. [defendant], Class Law # \_\_\_\_\_, The \_\_\_\_\_ Act is [upheld/overturned], with the defendant's actions [exceeding/within] their authority.*

...

[A clearly stated rationale and constitutional interpretation will follow]...

...

*Written by...[signatures], Concurring...[signatures], Dissenting...[signatures]*

Section 5. The chief justice may suspend any justice perceived to have conflicting interest in a case, who shall then be replaced by a temporary appointment from the governor, confirmed by the signature of both senators. Such temporary appointments shall end upon a final ruling in the respective case.

## ARTICLE VII: AMENDMENTS

Section 1. Article I shall be permanently exempt from amending, except by the teacher. All other articles or sections of this constitution may be amended as prescribed under Article IV, Section 8. Amendments shall take the form of additional sections under Article VII, following here.

