FIU Student Government Association

Elections Board Meeting Minutes

Date: 02/15/2023

I. Call to Order
   a. Meeting called to order at 5:09PM

II. Roll Call

Name	Position	Present/Absent	Required Attendance
Anna Meredith	Elections Commissioner	Y	Y
Melanie Montes	Deputy Elections Commissioner	Y	Y
Kelvin Bencosme	Elections Board Member	Y	Y
Alexander Cobas	Elections Board Member	Y	Y
	Elections Board Member		Y

III. Unfinished Business
   a. n/a

IV. New Business
   a. Campaign Violation 1: Alex Sutton used limited edition Roary squishmallow in his party's campaign – filed by Zachary Stangl.
      i. Zach: using the squishmallow is representative of SGA and shouldn't be used for the campaign because it was part of an SGA promotion giveaway
      ii. Alex: never received squishmallow from the event. Squishmallow was given to him as a creator gift. Once it's received, it's personal property, it can be used freely. Was not at the giveaway event
      iii. Zach: regardless of whether the item is personal property or not, the point is that at some point it was student property, so he is misusing funds.
      iv. Alez: just because SGA paid for it originally doesn't mean it falls under the finance section Zach Is referring to. The Roary squishmallow was given to many different groups. Willing to ask Michelle Castro, Larissa, and the creators to corroborate that.
      v. Is it wrong of Alex to use it and if so, will that be a slippery slope where anything funded by SGA (which funds most programs) will be easily questioned?

vi. Plushie doesn't say SGA and Alex provided evidence proving that it's not SGA property
vii. Does the panther plushie allude to the student government? Campaigns aren't allowed to elude SGA support.
viii. VERDICT: not in violation

b. Campaign Violation 2:
   i. Zach: Future is you is violating statutes stating that you may not use SGA sponsored items to further your campaign. It is a TIER 1 penalty
   ii. Alex: Rebuttal: neither section 6005.10 nor 6005.9 were violated. No candidate was coerced into using it. Squishmallow was not provided by SGA, it was received through a different program.
   iii. Zach: Alex has just admitted that squishmallow was paid for by SGA Activities and services fees office, so he has coerced his party into using it
   iv. Alex: not a coercive decision because candidates could choose whether to use it. Proof was sent to the election email. Just because ASF office and SGA pay for something at some point, it does not mean it is necessarily property of SGA.
   v. Alex Cobas: aside from the funds coming from SGA what other argument could be used to support your cause? Zach: Finance and marketing section backs up the argument because the squishmallow was originally used as a marketing tool by SGA during giveaway.
   vi. Closing statements: Zach: no evidence denies that squishmallow was used to campaign or that it was funded by SGA. Party has violated the elections code on behalf of SGA. Alex: confident it's not a violation of the elections code. Made sure it was okay to do so beforehand. Squishmallow was not received in connection to SGA, and it doesn't say that it does on it. No connection between the Squishmallow and SGA giveaway.
   vii. Deliberation: are we going to say that it's sga property so he cant campaign with that money? Campaigning is meant to promote yourself to get votes. Roary was said to not be SGA property in the previous violation hearing, so are we going to say differently now? Possible bad precedent can be set by penalizing FIU inspired things as a form of panther pride in order to gain votes. SGA funds almost everything, including GC, housing, wellness center, which are all hotspots for campaigning. On the matter of coercion
   viii. Verdict: not in violation

c. Campaign Violation 3: Delano Siconi filed writ against Kaily Lachapelle
   i. Delano-violation of 6005.9, using PSU's instagram to promote Future is You party

ii. Kaily-PSU social media doesn't use SGA allocated funds; those funds are only used for events. 6006.8 candidates my use social media to campaign. The PSU account is run by someone else. Someone can come and vouch for this. When they were promoted last year in the account, they asked other SGA members, and they said it was okay.
iii. Delano: since Instagram account is under PSU, it is funded by SGA. Hard to believe Kaily, being the president was unaware of what is planned for PSU's Instagram.
iv. Kaily: over ten stories a day are reposted daily on the account. Different people within the org have different roles and responsibilities. Screenshots and testimonies of e-board of PSU could back up the fact that the board didn't know what SGA campaigning entailed and that it could possibly be a violation of statutes
v. Delano: closing statement- PSU is a bureau of SGA so anything done with it is SGA sponsorship. Post was up for 18hrs, so Kaily really did not know.
vi. Kaily: closing statement- PSU budget is public and can be sent to elections board for review. Only funded for signature events and stipend. Instagram is not one of the things covered by funds. PSU account is run by another part of the organization
vii. Alex Sutton: closing statement-if it should be considered a violation, it should be tier 3 not tier 1 or 2. regardless, it should not be considered a violation
viii. Deliberation: there is precedent to this writ: 2 yrs ago where the accused was charged with a tier 3 violation because they were unaware of the wrongdoing. Because there's precedent, of this happening with someone being unaware of this campaigning, it would likely be a tier 3. if/when proof is provided, we can decide whether it's a tier 3. because it was said by Ryan last year that it was okay, it could be said Kaily didn't know it was okay.

V. Reports
   a. Elections Board Members
      i. Anna: I motion to find Alexander Sutton guilty of violating section 6005.9, which is a tier one violation by roll call vote
      ii. Melanie: seconded
      iii. ANNA: NAY
      iv. MELANIE: NAY
      v. ALEX: NAY
      vi. KELVIN: NAY
      vii. motion to find Future is You party guilty of violating section 6005.9, which is a tier one violation by roll call vote

viii. ANNA: NAY
ix. MELANIE: NAY
x. ALEX: NAY
xi. KELVIN: NAY
xii. Anna: motion to find Kaily guilty of violating section 6005.9, which is a tier one violation by roll call vote
xiii. SECONDED: Alex
xiv. ANNA: NAY
xv. MELANIE NAY
xvi. ALEX NAY
xvii. KELVIN NAY
xviii. Anna: motion to find Kaily guilty of violating section 6005.9, on a tier 3 violation, with a suspension of 72 hours from campaigning starting at 7:30pm by roll call vote
xix. SECONDED: Alex
xx. Anna yay
xxi. Melanie yay
xxii. Alex yay
xxiii. Kelvin yay
xxiv. Kelvin left at 7PM

b. Advisor

VI. Announcement
   a. Debate tomorrow at 6PM

VII. Meeting Adjournment
   a. Meeting adjourned at 7:06PM