



**Student Government
Association**

Elections Board Meeting Minutes

Date: 02/26/2024

- I. Call to Order
 - a. 3:38PM

II. Roll Call

Name	Position	Present/Absent	Required Attendance
Melanie Montes	Elections Commissioner	Present	Yes
Desiree Dawson	Deputy Elections Commissioner	Present	Yes
Jazmin Laughlin	Elections Board Member	Present	Y
Grace Sancruzado	Elections Board Member	Present	Y
Johnny Merino	Elections Board Member	Present	y

III. Unfinished Business

- a. n/a

IV. New Business

- a. Campaign Violation 1: Kassandra Toussaint

- i. Opening statements: Kassandra states that the slander writ was false. The phrase is in no way slander, it is considered libel if that was the case but not slander. You would have to prove that her words on the flyers have caused damage to the university. The First Amendment protects her. She claims that the posting policy violation evidence 4, she did not put those flyers up, the YDSA members put them up and were taken down 30 minutes later. She reached out to Melanie for clarification. The photos in SIPA do not show that the flyer policy is not violated. The flyers are not taped up and she did not personally place them there. She did not collaborate with the intent to make material at the craft event. The flyer does not say that it was a collab. Stated that

FIU**Student Government
Association**

Matthew was there and shows that the three accused were not in attendance at the event.

- ii. Daniel Salup-Sid: echoes the points made by Kassandra, says that tier 1 is preposterous. Slander is overexaggerating . The flyer represents a demand to end genocide. There is no clear sign of defamation at all in regards to FIU. They made sure that they were compliant with the posting material. He says it was the first time seeing the photos of the flyers posted on the pillars. The second that they were made aware, it was taken down. Was unaware about the flyers placed in SIPA. Knows the candidates did not put them there. Reiterates what Kassandra said. They were not present at all at the craft event. Matthew was there so he should know that. Claims Matthew is distorting reality
- iii. Joncarlo Ospina : states tier 1 violation was not met by them. They should not be tried for tier 1. They got ahead of the problems by taking the flyers down. He has not engaged in slander at all. The issues of the words does not fall under libel. No injury occurred so the accusations are false. He did not break the posting violations, the accusations do not rise to a tier 1 violation. There was no premeditation for the accusations. He reiterates that he did not participate in the violations and has a witness, Joselyn Pina. Evidence 5-8 does not fall under the violations at all. Reiterates what Kassandra and Daniel had to say
- iv. Matthew Gaynor: accused the three above for more than 2 violations. He says that he has seen everything in person, so it is for a fact. Brought up President Jessel's resources for the war going on in Gaza. He says the three campaigned and protested for divestment for Israel. The phrase goes against what FIU stands for because they never said they stood with genocide. There is no proof that the three did not post the flyers themselves or put them on the tables, they still violate the policy, so it has to be a tier 1 violation. Posting is posting even if it was for a minute, it breaks the rule. Brought up Kassandra posting flyers on the pillars/reposting the flyers that were put up on their behalf. Claims that they did not follow the rules at all.
- v. Joselyn Pina(witness): was the one who posted those flyers on the pillars and the ones on the table was their own table, not FIU property. When notified that it was in violation, she took the posters down in real life but posted on her story and claimed that JonCarlos did not view her personal IG story. The craft event was valentine's day themed, the candidates were not there and it was not political. It was a craft event for valentine's day at her housing facility.

FIU**Student Government
Association**

- vi. Matthew inquired after opening states what would occur. Desiree said that there are closing statements,
 - vii. JonCarlo asks if there will still be time for witnesses to speak after the opening statements. Desiree says yes, in closing statements
- b. Questions Period
- i. Jazmin L : asked Kassandara how did they know that Matthew went to the event, she stated that others told her that he was there out of Curiosity for socialism. Matthew said He spoke to students and said that the people said that it was all a campaign event for creating flyers
 - ii. Johnny M: asked if it was the first time of them being here for a writ violation: JonCarlos said It is the first time dealing with the elections board. feels that they are being blackballed and that they are being accused just for politics. Kassandra said Noone on the YDSA are on their campaign team. There is no intent that the event was made for creating campaign material
 - iii. Jazmin L: asked Joncarlo and the rest of the accused what tier that they should be in violation of if any, instead of tier 1. JonCarlo says that the 3 of them did not violate any policies in any way. They maintain their innocence and that none of the evidence rises to a tier 1 violation. Daniel reiterates what JohnCarlos said and that the candidates did not know what was occurring at all, and if they did they would have taken immediate action. Thinks that tier 3 would also be pushing it. Kassandra says that tier 3 violation is appropriate at worst and that no violation is good. The evidence is not sufficient enough. Admitted that the flyers were posted on the pillar but taken down. It is unfair if they rectified their mistake, to put them in tier 1 violation.
 - iv. Matthew wants to bring up his evidence to the elections board that solidifies that the three accused were in violation of the policies and that it should fall under tier 1.
 - v. Desiree asked if matthew can prove if the phrase brought damage to FIU and if he can prove what the three said about genocide. Matthew says their is no comment of genocide, but there is no large entity that has confirmed if israel is participating in genocide.
- c. Closing Statements:
- i. Kassandra: Address the first part of the writ. If FIU had an issue and accused them of slander/libel, they would have taken legal action. It has been a few months, and no action has been taken. The first amendment protects them



**Student Government
Association**

from their opinion of the war being a genocide, the ICJ has also said that. Says she is allowed to ask the university to divest from war and funding genocide. The flyers were posted at 2:30 and taken down before 3. She went to Melanie for clarification and took action to take the flyers down. The picture of the three of them for the crafts event does not tell people to go vote for them at all. It is not campaigning. There is no evidence at all that they put those flyers in SIPA.

- ii. Daniel: Reiterates that the charges are all conclusions based on false premises. It is not libel to have an opinion. Says what Matthew said about noone calling it a genocide is false. There is proof. Difference of opinion is not slander or libel. They have ensured themselves of the policies and are sure they have rectified their mistakes, even if they were unaware of what was occurring. States that a tier 1 violation is absurd. The craft event was not a collaborative event with the three of them. It is a bogus accusation.
 - iii. JonCarlos: says that the accuser has not built a case that strongly shows that they are defaming FIU with their opinion. Strived for compliance with the campaigning policies. The accusations do not qualify for a tier 1 violation. None of them are on the board of YDSA and have no control over what they do. They were accused of breaking 100 ft rule of campaigning in housing but they were not even there but the accuser was there. He finds that suspicious
 - iv. Matthew:states section 600.1 which supports his accusations. He said the president of the YDSA said to create campaign material for the three for the crafts event. There is no evidence that the three did not contribute to that. The campaigners have to read the policies and codes and to explain to YDSA. He says that the post is still up on Cassandra's story for the campaign. He said that the three said to divest funds from FIU because the school supports genocide. He says that is just hearsay and stands firm in wanting them to be tried for tier 1 violation.
 - v. Joselyn: wants to reiterate that the majority of the violations have been done by her like the green library pillars of the flyers. It was corrected after being notified and it was not done intentionally. Says the craft event of what Matthew said was also hearsay.
- d. Deliberation
- i. Desiree Dawson: shared screen showing the evidence brought forth



Student Government
Association

- ii. Jazmin L: asked if Matthew took the pictures of evidence himself? Desiree said that she was not sure.
 - iii. Jazmin L: asked to review the craft evidence
 - iv. Desiree D: explained the 3 violations and reviewed the tiers
 - v. Desiree thinks that it does not fall under tier 1 and the evidence is not that strong
 - vi. Johnny thinks that tier 3 is better suited for this case. The libel was not probably intentional
 - vii. Jazmin says that the evidence is not sufficient enough for tier 1 violation. It is not backed up by Matthew strongly.
 - viii. Melanie agrees that it should fall under tier 3, not 1
 - ix. Grace says it should be tier 3 based on what was presented, not tier 1.
- e. Voting Period
- i. Desiree motions to move into voting period based on Matthew Gaynor's writ based on elections code sections 6005.5, 6006.3, and 6006.6 against Cassandra Toussaint, JonCarlo Ospina, and Daniel Salup-Sid for tier 1 violation
 - ii. Jazmin: Seconded
 - iii. Melanie: No
 - iv. Desiree: No
 - v. Jazmin: No
 - vi. Grace: No
 - vii. Johnny: No
 - viii. Based on tier 1 violation
- V. Desiree motions to move into voting period based on Matthew Gaynor's writ 3 sections of the violations, which are 6005.5, 6006.3, and 6006.6 against Cassandra Toussaint, JonCarlo Ospina, and Daniel Salup-Sid for tier 3 violation
- VI. Melanie: Yes for tier 3
- VII. Desiree: Yes for tier 3
- VIII. Jazmin: Yes for tier 3
- IX. Grace: Yes for tier 3
- X. Johnny: Yes for tier 3
- i. Based on unanimous decision for tier 3 violation
- XI. Desiree motions to move that the candidates will not be able to campaign for 72 hours starting today at 5:30 pm until Thursday 5:30 pm
- XII. Melanie: Yes
- XIII. Desiree: Yes
- XIV. Jazmin: Yes
- XV. Grace: Yes
- XVI. Johnny: Yes
- XVII. Questions asked after results

FIU**Student Government
Association**

- a. Meeting minutes requested by JonCarlo, Kassandra, and Matthew
 - b. The specifics of campaigning in adherence to the 72 hour suspension and if other organizations can post campaigning items about them.
 - c. If they could post about their violation
- XVIII. Meeting Adjournment
- a. The meeting adjourned at 5:34 pm