

Elections Committee Special Meeting Minutes April 25th, 2019

I. CALL TO ORDER at **12:22 PM**

II. ROLL CALL

Present: Imani Davis, Khushboo Malhotra, James Carroll (advisor), Marguerite Hinrichs, Erik Pinlac

Absent: James De La O

Late: Bomani Howard, Masoud Hamidi

III. ACTION ITEM - **Approval of the Agenda**

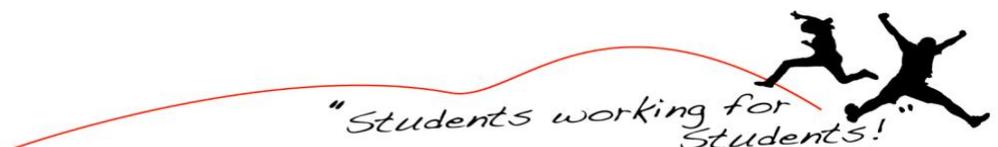
Motion to approve the agenda by **Imani Davis**, second by Khushboo Malhotra motion **PASSED**.

IV. ACTION ITEM - **Approval of Minutes March 28, 2019, April 8, 2019 (Grievance Hearing Transform and Revive) April 8, 2019 (Grievance Hearing Evolve and Empower)**

Move to amend the minutes by **I. Davis** to strike out the statement that there were multiple meanings where there was miscommunication where the recording was turned on and off seconded by **M. Hamidi**. **Motion** to approve the minutes of March 21, 2019 by **M. Hamidi**, second by **K. Malhotra**, motion **PASSED**. **Motion** to approve the minutes of April 8, 2019 by **S. Saquee**, second by **K. Malhotra**.

V. PUBLIC COMMENT – **Public Comment is intended as a time for any member of the public to address the committee on any issues affection ASI and/or the California State University, East Bay.**

Daryl Williams states a concern about the disqualification of some candidates and that the voices of the student body were not being heard during the elections. He said that the easiest route to take would be to offer a re-election to give students the ability to speak for themselves. **Ivan Montelongo** also states that his voice was not heard. He adds that some candidates were disqualified, without any evidence to support, and were disqualified without receiving the three strikes rule. **M. Fugfugosh** proceeds to ask if the disqualification was based off of the election code. **S. Saquee** states that the disqualifications were based off the election code and the evidences that were given by the students. **M. Fugfugosh** wanted to clarify who is required to follow the election code. **S. Saquee** states that the election committee and the candidates must follow the rules of the election code. **M. Fugfugosh** states that there were four grievances that were made. He quotes article 9, section J and questions why he was referred to Martine for the appeal because it states that the Board of Directors is the only and final appeal body for all election appeal complaints. He adds that in the election code article 9, section I number 2, the issue to reprimand rule states that the first reprimand resulting in a written warning, did not happen, the second reprimand would be a second written warning, and the third one would be for disqualification, which did not happen. He said that in article 11, section B, it explains



specifically what the campaign reprimands or strikes may be. Disqualification is based on evidence and election code. He states that the election codes does not state once of housing or anything with residents as well what the minutes state that it does not directly approve that it was directed by anyone and the minutes stated by **J. Carroll**. He addresses that the process is not taken fairly and grievance filed against them that were serious enough to be brought to the hearing of the election committee of the last meeting were not given in advance and were given to Evolve and Empower. All the series grievances that were filed, were not filed by the person or from the witness itself, but were filed by the opposite candidates and fluffed up to make it seem how it can be a violation and submitted. Also, he adds, how can we be held responsible for other people and how can other people be held responsible to the election code when it clearly states that this code is for candidates. Another point he makes is that the election committee did state clearly in the beginning that grievances should not be used as a way to win. Myles Watkins adds that in the minutes approved, **J. Carroll** states that the evidence does not approve that anyone was directed to but directed to campaign for anyone. **M. Watkins** would like the committee to review that there is a connection with those individuals and have to determine if the complaint is compliant whether they are official campaign workers. **M. Watkins** clarifies that there is no language in ASI that says what a campaign worker is. Therefore, since there is no language specifying what a campaign worker is, everyone and no one is a campaign worker. **M. Watkins** states that although there are some things that were done during campaigning, the rules need to be followed.

15:00

VI. UNFINISHED ITEMS
No Unfinished Items

VII. NEW BUSINESS ITEMS

a. DISCUSSION ITEM- **Update on Grievance Hearings and Appeals**(Sia and James)

J. Carroll clarifies that two people did file grievances and heard it as one situation, which they were followed up on. He states that the code does not state that there must be three reprimands in order for disqualification, but in the hearing section, it states the different options the committee can consider. **M. Hamidi** article 6, section a, Violations of any provisions of the Spirit of the Elections Code shall be grounds for the Elections Committee to offer remedies or impose sanctions up to and including disqualification of the candidate/candidates if necessary. **S. Saquee** adds that at the mandatory elections committee meeting, before the elections, it was stated that candidates are responsible for whoever campaigns for you and are prohibited from campaign in housing, which is included in campus policy. **M. Castillo** said he was told that there was a conflict of interest with the board and opted to meet with nine disqualified candidates. After meeting with the candidates, (unknown) went into further investigation by observing footage from the dorms and statements, there were regularities in the votes. He also states that the candidates involved in such acts admitted to doing wrong and did not feel that they should be held responsible, since they left before the actions took place. The disqualifications were based off physical evidence. Which proves that the candidates disqualified were either aware of the violations of the Elections Code happening or were the ones going door to door soliciting votes. **S. Saquee** requested that the evidence found be given.



b. DISCUSSION ITEM- **Run-offs**(Erik)

J. Carroll states the run-offs will be based on eight positions. Four of the positions, V.P. of University Affairs, Senator of CBE, Senator for Class, and Senator for College of Science, did not relate to the grievances and did not receive the minimum of over fifty percent of votes. The four relating to the grievances, President, Executive Vice President, Director of Programming Council and Director of Sustainability, candidates were removed for disqualification or did not receive at least fifty percent of the vote. Daisy and Annalisa would be in the run-off. EVP **H. Dao** would have been removed, but Kabir did not get fifty percent, even though he was unopposed, would be placed on the run-off. The Director of Sustainability would have been removed. The Director of Concord needs appointment and currently, since Grant was removed from for the College of Education, Outline Studies, a position must be appointed by the incoming board. The dates for the run-offs would update and students would be emailed and provided with run-off dates. For campaigning, candidates will be allowed Friday, Saturday, Sunday, Monday, Tuesday, and Wednesday of next week to campaign. Run-offs would begin next Tuesday, April 30 at 8:00 a.m. through Wednesday, May 1, until 11:59 p.m. He clarifies that Friday, May 3 at 11:59 p.m., would be the cutoff for grievances. **K. Malhotra** asks whether comments on Instagram should be deleted. **I. Davis** recommends that comments should be disabled and students should send or direct their concerns to the committee directly through private messaging. **S. Saquee** states that the comments should be enabled, as it will be shutting down students' voices by disabling comments on Instagram. She said that if there are any comments that are directed towards the Elections Committee, they should not take it to heart. **M. Castillo** said he apologizes for taking too long to review the appeals and he applauds the Elections Committee for the decision that they made even though they had limited evidence as during his investigations he found more evidence that support the decision made by the Elections Committee. He said there could be people unhappy with the said decision but he knows that they will understand why the decisions were made if they had the full story.

VIII. ROUNDTABLE REMARKS

J. Carroll states that he understands that it has been a difficult process and even from the public comments that were made, while folks might have their own perspectives, the Elections Committee can always improve and learn. He knows that this has been hard as he knows that the Elections Committee was committed to having the Elections Process go well for everyone but things don't always work out that way and wants to give kudos to Elections Committee members for all their hard work. **B. Howard** stated that it has been hard for him but he is happy about the decision he made especially after more evidence came out from Martin's investigations in support of his decision. **E. Pinalac** stated that regardless of what the decision was it was going to make his job harder on the ASI side of things and he is hoping that it is over. **I. Davis**, states that things have been though, but regardless of the matter, some people will be happy, others will not be and she thinks that it is interesting to see how students really run on this campus. **M. Hinrichs** recommends that every year she recommends that the Elections Code be managed a semester in advance of the elections, otherwise we will continue to have issues with the elections if we don't fix the Elections Code. Secondly, the ASI should rethink the concept of slates, this could be in the



form of making it an informal concept as we tell students to run on slates and then make the votes individual. We have to be clear about what the concept of slates is. Adding on, **I. Davis** adds that to manage people who are helping promote candidates, there should be a signup sheet. **K. Malhotra** states that it was interesting seeing both sides of the Elections process both as a part of the Elections Committee and being a student. She said it has been hard and recommends that every Elections Committee should provide a recommendation to incoming committee members to help them in their roles. **M. Hamidi** states that he has a draft of the Elections Code that he is reviewing and wants everyone to look at it and provide him with feedback. He said this has been a great learning experience, he is sad about what happened. **S. Saquee** said that it has been a learning process for her as well. She said she has grown and is thankful for the opportunity. She also said that she believes that the Elections Code should be revisited and revised as some of the languages are very vague and can be misinterpreted if the Elections Committee does not clarify what they intend to state.

IX. ADJOURNMENT at **1:22 PM**

Committee Chair

Name: Sia Saquee

Minutes Approved on:

5-2-19

Date:

