

Elections Committee Meeting Minutes of April 17, 2020

I CALL TO ORDER at **12:06 PM**

II ROLL CALL

Present: Abhay Bilapatte, Kenneth Lefin, Antonio Orejel, Sia Saquee, Erik Pinlac, James Carroll

Absent: Marguerite Hinrichs

III ACTION ITEM – **Approval of the agenda**

Motion to approve the agenda of April 17, 2020 by K. Lefin, second by **A. Bilapatte**, motion **CARRIED.**

IV ACTION ITEM – **Approval of minutes April 6, 2020**

Motion to approve the minutes of April 6, 2020 by **A. Bilapatte**, second by **K. Lefin**, motion **CARRIED.**

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

Euridice Sanchez-Martinez states thank you to the elections committee for taking on ASI elections. This election has been very emotional and mental health was suffered a lot due to the stress and actions of other people. I understand that one of the situations that will be discussed today, goes way beyond anything that could have ever been expected. I want to be clear and transparent with you all. Cyber-hacking is dealt with by the FBI and I, by no means, expect the ASI Elections committee to be like the FBI. I just ask that you be very compassionate. I tried my best to only provide facts and connections, without directly accusing anyone. Thank you once again for your bravery. Please make sure that this election is as fair as it possibly can or could have been.

Daisy Maxion provides a shout-out to the Elections committee and everyone involved. I know during COVID-19, it took out a lot of the programming that was planned, but I wanted to thank you all. I recognize that you all are students and are trying to transition through this time. It is very much appreciated.

Mahdi Fugfugosh thanks the Elections committee for their hard work.

9:02

VI. UNFINISHED ITEMS

A. DISCUSSION ITEM – **Grievance Evaluations**



J. Carroll states that two grievances were received. I will have to download all the supporting data for the grievances to give to the committee to start reviews. One of the grievances was mentioned by Euridice Sanchez-Martinez regarding some hacking of her AT&T and social media accounts. There are supporting documents for us to go through and review. I will be sending the documents for the committee to review so that additional questions can be formulated or see if it needs to be sent to a grievance hearing. The second grievance was submitted by Mahdi Fugfugosh, who had also experienced some attempts of his accounts to be hacked. I will send that information. Given that these came at the run-off time and there is information to be investigated, it will take the committee some time to review. Because the allegations relate to cyber-hacking, it may be an ASI Elections committee issue, but could also be Student Conduct matter, given the allegations of such behavior. It will take some time and if there is anything that needs to be taken to Student Conduct, students would come to my office for the next steps. **A. Orejel** states that it would be hard for the committee to go through the possible hacking that could have been done by Cal State East Bay. I tried to log out of my Instagram and clicked forgot password. The headquarters of Instagram is in Milpitas or San Jose. It does seem complicated on our end and as Euridice Sanchez-Martinez states, it is for the FBI. We will be willing to help out in any way possible and we do take this seriously. **S. Saquee** adds that the issue is not that there is no evidence. Based on the grievance submitted by Euridice Sanchez-Martinez, there is a lot of evidence that needs investigating. It is not that there is no evidence, there is enough evidence to investigate the matter.

13:34

B. DISCUSSION ITEM – **Election Run-Offs**

a. Results & final election results

A. Orejel states that the results were submitted around 11:45 a.m. and from that, we are still waiting. It is a tentative result as investigation is occurring. **Mahdi Fugfugosh** adds that he knew the results would be lower. I created a list that I can share that shows I reached out to 700 people. I can provide the names and net ids after I reach out to them again to make sure if they are willing to tell me they voted for me. I know that there are more numbers than what is shown in the results that did vote for me. **A. Orejel** says that it will be noted, and the committee will go into review. **J. Carroll** clarifies that if Mahdi Fugfugosh would like an elections recount, it will need to be in writing, per the elections code. The numbers for election, everyone has to authenticate with their net id and we go through with the Registrar's office because there are people who have a BaySync account that were former students, not enrolled, graduated or people who are non-voting members. People that are non-voting members are extension students and students continuing students, who are students that do not pay the fee. People can request the recount, but we went through double and triple checks and verified with the Registrar's



office. If someone does have a request, it can be submitted in writing to the Elections committee. **E. Pinlac** states that there is no way to provide a list of those who voted for you. Maybe some of the students did not fully vote or submit their ballot. I double-checked from the spreadsheets that are on BaySync and on excel, as well and in my opinion, they are accurate. Even before verification was done, there was not 700 people that voted for Mahdi Fugfugosh. With the validated voters, the numbers did not reach 700.

17:48

VII. NEW BUSINESS ITEM

K. Parada states that her comment is in regard to the election run-offs. I am not a part of the committee, but from a student standpoint, when the results are posted, I properly inform students on how counting is being done. I think adding information on how votes are counted in the post would be very beneficial and it will limit confusion. Giving students information is beneficial and also, we are being transparent with them. Other than that, thank you for all that you do. **Z. Perez** says that it would be good to make it known on social media that the results are not final. **A. Orejel** replies that clarification will be made. **S. Saquee** asks J. Carroll if the result are final or if they are pending based on the outcome of the investigations that will be done. **J. Carroll** states that they are tentative results of the investigations. In regard to the last couple of speakers, when the results are posted, it would be helpful to put in the chat how votes are verified and a second piece that the votes are tentative pending on the investigation. Once the investigations are completed, the results will be sent to the University President and then the results will be certified partially, or it depends on the President's questions regarding the results. The reality is that they are relatively final, pending on any results that might change the people who are currently listed as winners. **S. Saquee** asks if the results will be published now so that students are aware of the results and provide explanations on social media. **J. Carroll** states that they are required to send the tentative results, similar to what had been done for the elections prior to the run-offs. The information that was sent to all the candidates in the committee with the results, should be posted on social media. When any outstanding grievances re resolved or any certification of the election and conformation by the University President has been received, the final results will be posted. It is public for everyone to know the results at this point. **S. Saquee** states that the celebration will not go on as planned for the candidates. It was supposed to be for today, but because there are investigations to be done, it could not happen. **Zaira Perez** states that depending on who was involved, the results are not final. Is it just for the two people who filed grievances or for the whole list? **A. Orejel** states that it is not final, but tentative. **E. Pinlac** clarifies that the results are tentative until the President signs off on it. We will not send it to the President until all grievances are resolved. Once we do that and are confident with the results, it will be sent to the President's office. **S. Valecha** asks who all will be involved in



the investigation and how it will be conducted. **A. Bilapatte** states that the elections committee will review the grievances that have been sent to us. After we all discuss it goes to J. Carroll. **J. Carroll** states that the first step the first step is for the elections committee to review it, while send out clarifying questions in order to be sent to a grievance hearing. If we don't have any evidence, then we close the hearing case. In other cases, if there's evidence then we move forward for a review that will be done by the elections committee. If anyone wants to appeal that decision and will be reviewed by The Board and Martin Castillo. At times, the Board will not have enough time to review the information or quorum. Due to those who are running for Board positions and are currently on the Board will not have a vote on the matter.

29:40

VIII. ROUNDTABLE REMARKS

Mahdi Fugfugosh states that the grievances that were filed, are they going to be discussed in this meeting?

A. Orejel states that the grievances will not be discussed all together with everyone that is involved.

A. Bilapatte states that we will review as a committee and by our next meeting we will have more discussion.

J. Carroll states that for some grievances there's a lot of information to review. We will discuss in our next meeting if we have enough information to move forward with a hearing.

A. Orejel states that he would like to thank everyone who participated in this zoom meeting. It is great we have more members participate instead of having eight people participating. I would suggest for future references, if you are running for an ASI position to participate in the elections committee meeting. This will help clarify any questions you may have. As **S. Saquee** has stated we are planning a celebration outside of the meeting in order to have everyone that was involved in the ASI Elections.

Mahdi Fugfugosh states that the decision to move forward with a hearing, how is the process selected or who chooses it.

A. Bilapatte states that in the code of conduct it briefly states that we may choose to have a hearing.

S. Saquee states that everyone in this committee is aware that if a candidate doesn't have a 50% plus one vote will go into a runoff. I know the question regarding runoffs did come up, and we were very clear as to this rule. It is not a decision that we made when the results came out, this has been implemented since before some of us arrived to CSUEB.

K. Parada states that along with the comment I made earlier. By providing student context and background on how, what, and why the elections committee makes its decisions. This type of information will be a great resource for students to read. The voter's guide is an inaccessible link due to not everyone having the Lumin PDF app.



A. Orejel states that they did realize that was happening with the app. I agree that for next year, we should add clarification on how things our ran in the elections committee.

Mahdi Fugfugosh states that regarding the runoffs, the ASI Elections Code was updated thoroughly due to last year's elections. However, now the 50% plus one is not clearly stated in the elections code. Last year, I was disqualified for things my friends did, and the Elections Code was updated that friends cannot be your campaign workers. Now that this rule of 50% plus one was tradition, it was not enforced in the Elections Code. Which is why it has caused such a dilemma.

S. Saquee states that there has been a lot of going back and forth. If E. Pinlac can correct me but we are not supposed to be debating or talking outside of the agenda item of roundtable remarks. In regard to what Mahdi Fugfugosh has stated we can use this information moving forward to make corrections on the Elections Code. Every candidate knew the rules and signed the forms. Despite the rules not stated clearly, it was an understanding from us and the candidates if runoffs were to occur.

E. Pinlac states that we are getting off topic from the agenda. If you want to discuss something it has to be on the agenda. People can make statements on the roundtable remarks; however, we cannot address the issue.

Euridice Pamela-Sanchez states that it's common sense that the majority vote by definition is 50% plus one.

K. Dhillon states that he would like to thank the committee for their hard work. K. Parada did bring up a good point in making the elections committee duties more informative to the students.

Z. Perez states that she would like to thank everyone for their hard work. It was sad to see the backlash you received.

A. Depappa states thank you for all your hard work. I would recommend making a survey in order to receive student feedback, as well as, creating a breakdown as to what next year's committee will task consist of.

Euridice Pamela-Sanchez states thank you for your bravery and hard work. I think by being transparent about the decisions made by the elections committee is very important in order for students to have the information.

A. Bilapatte states thank you everyone and to stay healthy.

A. Orejel states that there will be revisions made for the Elections Code for the following year.

IX. ADJOURNMENT at **12:53 PM**

Minutes Reviewed By:

Committee Chair

Name: Antonio Orejel



Minutes Approved On:
Date:

