

Elections Judicial Council Special Meeting Minutes March 8, 2019

CALL TO ORDER: MacKenzie Sheppard, Elections Director, called the meeting to order at 11:48 a.m.

ROLL CALL Members Present: Abu-Elhajja, Ansari, Cabral, Naz, Powell, Sheppard

Members Absent:

Officers Present: Beisner, Collins, Wiley

Officers Absent:

*Indicates that the member was in attendance prior to the start of Unfinished Business, but left before the scheduled ending of the meeting. [According to the by-laws, a member of the board who does not remain until the scheduled ending for the meeting (3:45 p.m.) is considered not to be in attendance.]

**Indicates that the member was in attendance for a portion of the meeting, but not in attendance prior to the announcement of Unfinished Business. [According to the by-laws, a member of the board who is not in attendance prior to the announcement of Unfinished Business is considered not to be in attendance.]

ROLL CALL

Members:	Attendance	Officers	Attendance
Abu-Elhajja	Y	Beisner	Y
Ansari	Y	Collins	Y
Cabral	Y	Wiley	Y
Naz	Y		
Powell	Y		
Sheppard	Y		

APPROVAL OF AGENDA (Abu-Elhajja-m/Ansari-s) The agenda was approved as presented. There were no objections.

Sheppard made a friendly amendment to change item 8.a to RFI #8; and item 8.b to reflect RFI #7 & #9 since #7/#9 are similar in nature and will be grouped together. There were no objections.

APPROVAL OF MINUTES None

PUBLIC SPEAKERS None

TIME CERTAIN None

REPORTS Sheppard had no report.

UNFINISHED BUSINESS None

NEW BUSINESS

Discussion: Request for Information #8

Sheppard reviewed the request for information for Request For Information #8 which is an attachment to the minutes. The question is as follows:

RFI #8: This year, I implemented a new method of communication with the college's treasurers, presidents, and Vice Presidents of all the ECS organizations where they opted in to receive text messages and emails from me regarding information about our college by filling out a google form I created. They can reply to the all the texts and emails directly if they have any questions or concerns regarding the content I send them. Since ECS ICC operates as a registered club on campus that all the other engineering clubs are required to participate in to receive funding from ASI, and I am an active member of the organization as vice chair, I was wondering if I could use this platform to let them know I am running for office and give them information on how to vote. I understand that I cannot say that ECS ICC endorses my campaign, but would I be allowed to say that as Vice Chair, I am I am running for office and use their contact information to relay information to them?

Sheppard reviewed ASI Bylaws Article XI, Section 6, Class B, Clause 1.d, IV. She asked the members for thoughts and ideas based on the Bylaws in relation to the question.

The EJC members discussed the bylaws, which sections apply to the question, if ICCs are governed by ASI and options all candidates have in reaching out to council members and orgs.

Sheppard asked members to refer to bylaws to determine the best response to the question.

Wiley reminded the EJC that the response should be based on bylaws and the Elections Director will draft a response based on the consensus of the EJC members.

Beisner suggested the members consider questions from ASI Bylaws, Article XI, Section 6 Class B Violations, Clause 1.d, IV when evaluating the candidate's question: Is the email group a list serve/group message mechanism? Does the candidate have permission from the leadership of that organization to use the list for this purpose?

Abu-Elhajia shared that the candidate has indicated that she is in leadership and could possibly have access regardless of permission. She asked if there is a conflict of interest since the person is part of the group leadership.

Ansari, shared since the person holds the position of Vice Chair for the council, it is very likely that other candidates from the same college would not have access to the information that the candidate has as a member of the leadership of the group.

Beisner asked what language would the members use from Bylaws to respond.

Ansari referred to Section 6, clause 1.m.

Abu-Elhajia added Section 6, Clause 1.d.I.

The committee discussed the rules and language to use for responding to RFI #8.

Beisner reminded the members to be as specific as possible from Bylaws to address the question.

Abu-Elhaija asked a clarifying question regarding ICCs and relation to ASI. Wiley provided an overview of the ICC orgs. Shared, ICCs are not officially governed or overseen by ASI they are dually recognized organizations. Funds provided to ICCs by ASI have policy rules governed by ASI. He referred to endorsement section of bylaws, which refers to using ASI funding.

Abu-Elhaija asked if ICCs fall under Section 1, Endorsements, Clause 3. Wiley shared clubs are autonomous entities, not part of ASI. Oversight for clubs is under Student Life & Leadership.

Sheppard returned to the question RFI #8, asked members for input regarding which area of the bylaws would apply.

Ansari confirmed, section 6 Clause 1, part d.I, d.II and d.IV

Naz confirmed Section 6, Clause 1, part M would be applicable because using resources on campus, influence a moderate group of people and for that reason the ICC email list should not be allowed. Ansari agreed.

Sheppard shared that based on the committee's responses, it seems there is a consensus regarding the bylaw sections that apply.

Wiley reminded the EJC to be open if there are contesting views once the RFI response is distributed.

Naz asked about giving students ideas through the response process. Sheppard indicated that it is not the purpose of the RFI to give ideas, but to answer the question. Ansari shared there should not be any further direction provided, just answer the question.

Wiley shared response goes to all candidates. Abu-Elhaija stated if someone asks how to use network within ICC without violating, then the EJC could provide more information.

Discussion: Requests for Information #7 & #9

Sheppard reviewed RFI #7 and #9, which is an attachment to the minutes.

General Question for RFI #7 & #9:

Am I allowed to include "re-elect" on campaign materials and use the term "re-elect" when speaking with students?

Sheppard referred to ASI Bylaws article XI, section 7, clause 1.e. False claim, does not apply since the candidates asking the question are both current student leaders.

Ansari stated that since both candidates currently sit on the TSC Board, there is no conflict with using the statement and it should be permitted. Abu-Elhaija and Naz confirmed. Abu-Elhaija shared it is great that they asked for clarification and does not think it is a misuse of their position to state they are seeking reelection.

Biesner asked for clarification on how to respond without encouraging one way or the other. Abu-Elhaija, gave an example of a possible response, as per ASI Bylaws Article XI, section 7, clause 1.e, the use of the term "re-elect" is permissible.

Announcements/Members
Privilege

Ansari encouraged Sheppard and shared that she is doing a great job.

Wiley shared will inquire with compliance and related resources to ensure that the EJC's RFI response process is valid. Will bring update at the next meeting.

Abu-Elhaija asked about minutes posting timeline and when would answers be provided to the candidates. She asked about holding special meetings if something needs to be urgently addressed. Wiley shared meetings need to be established according to Open Meeting laws. Challenge can sometimes be scheduling all required parties.

Abu-Elhaija suggested that in the future setting earlier meetings to give students timely response. Sheppard shared must follow open meeting laws, to be as transparent as possible, and will see if there is a better option to consider in the future.

Adjourn

Sheppard adjourned the meeting at 12:28 p.m.



Mackenzie Sheppard, Elections Director



Susan Collins, Recording Secretary

Collins, Susan

From: Wiley, Drew
Sent: Thursday, March 7, 2019 12:46 PM
To: Collins, Susan
Subject: FW: ASI Election Request for Information Form [#7]

From: ASI Election RFI <no-reply@wufoo.com>
Sent: Sunday, March 3, 2019 5:34 PM
To: ASI Elections <aselections@fullerton.edu>; Wiley, Drew <dwiley@fullerton.edu>
Subject: ASI Election Request for Information Form [#7]

Requester Name (the person filling out this form) * Chris Evans

Requester Email *

[REDACTED]

Requester Phone Number (Recommended)

[REDACTED]

Request for Information--Please include a detailed summary of your request including: The general description and specific application of what you would like to do, the ASI Bylaws clause you want clarification on and in what way, and any other pertinent information to your request.

I am currently on the BOT and I was wondering if I am allowed to put re-elect on my campaign material and use the word re-elect when I am talking to people. Thanks!

Collins, Susan

From: Wiley, Drew
Sent: Thursday, March 7, 2019 12:46 PM
To: Collins, Susan
Subject: FW: ASI Election Request for Information Form [#8]

From: ASI Election RFI <no-reply@wufoo.com>
Sent: Monday, March 4, 2019 4:47 PM
To: ASI Elections <aselections@fullerton.edu>; Wiley, Drew <dwiley@fullerton.edu>
Subject: ASI Election Request for Information Form [#8]

Requester Sharon Pak

Name (the person filling out this form) *

Requester Email [REDACTED]

*

Requester [REDACTED]

Phone Number
(Recommended)

Request for Information--Please include a detailed summary of your request including: The general description and specific application of what you would like to do, the ASI Bylaws clause you want clarification on and in what way, and any other pertinent information to your request.

I had a question regarding my involvement as Vice Chair of ICC of ECS. I tried filling out the form, but it currently doesn't work.

This year, I implemented a new method of communication with the college's treasurers, presidents, and Vice Presidents of all the ECS organizations where they opted in to receive text messages and emails from me regarding information about our college by filling out a google form I created. They can reply to the all the texts and emails directly if they have any questions or concerns regarding the content I send them. Since ECS ICC operates as a registered club on campus that all the other engineering clubs are required to participate in to receive funding from ASI, and I am an active member of the organization as vice chair, I was wondering if I could use this platform to let them know I am running for office and give them information on how to vote. I understand that I can not say that ECS ICC endorses my campaign,

but would I be allowed to say that as Vice Chair, I am I am running for office and use their contact information to relay information to them?

Collins, Susan

From: Wiley, Drew
Sent: Thursday, March 7, 2019 12:46 PM
To: Collins, Susan
Subject: FW: ASI Election Request for Information Form [#9]

From: ASI Election RFI <no-reply@wufoo.com>
Sent: Wednesday, March 6, 2019 4:09 PM
To: ASI Elections <aselections@fullerton.edu>; Wiley, Drew <dwiley@fullerton.edu>
Subject: ASI Election Request for Information Form [#9]

Requester Name (the person filling out this form) * Douglas Kurtz

Requester Email *

Requester Phone Number (Recommended)

Request for Information--Please include a detailed summary of your request including: The general description and specific application of what you would like to do, the ASI Bylaws clause you want clarification on and in what way, and any other pertinent information to your request.

I am wondering if I am allowed to put "Re-elect" on my campaign material. I am currently in a student elected position, am I allowed to say "Re-elect".

Thanks.