



THE FLORIDA STATE UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION

73rd STUDENT SENATE
Senate Resolution

Resolution #: 12

Primary Sponsor: Little

Co-Sponsor(s): Soto, Wang, Murcia, Boole

Whereas: The Judiciary Committee voted unanimously to initiate the Investigative Board on Presidential Appointments on June 23rd, 2020 following multiple allegations of unprofessional interview conduct, failure to interview all candidates for open positions within SGA, and other alleged misconduct, and,

Whereas: The scope of the Investigative Board was expanded on September 23rd, 2020 to allow the board to investigate broader allegations of misconduct within the Executive Branch, and,

Whereas: The Investigative board collected evidence and/or testimony from Katherine Gipalo (Former Senator), John Alvarez (Former Senator), Emily Pacenti (Applicant for Senate), Nastassia Janvier (Student Body Vice President), Jonathan Marcus (Senator), Gabriella Hinks (Former Senator), Ash Soto (Senator), Ashley Gonzalez (Senator), Jonathan Levin (Student Body President), Rawan Abhari (Executive Cabinet Member), Matthew Harris (Applicant for the Executive Cabinet), Abril Hunter (Senator), Christian Sam (Senator), Ahmad Daraldik (Senator), Sam Jacobsen (Senior Class Treasurer), Deia Medley-Neyra (Former Senator), Travis Waters (Former Senator), and,

Whereas: Katherine Gipalo applied for an open Senate Seat on May 13th, 2020 and received no contact from the Executive Branch until after she had received the nomination on May 19th. She was never interviewed, and,

Whereas: John “Jake” Alvarez applied for the open COSSPP Senate Seat 3 on May 19th, 2020 in which he received one phone call from the Executive Branch informing him he would receive an email regarding the position. The forwarding letter published that same day listed another candidate for COSSPP Seat 3. Student Body President Levin notified Mr. Alvarez that he would be reconsidered for COSSPP Senate Seat 1 and was forwarded for that seat on June 15th, 2020, and,

Whereas: Jonathan Marcus applied for Senate on two separate occasions during the summer of 2020. His first application was for Arts and Sciences Seat 6, submitted on May 14th. Mr. Marcus received a phone call later that evening from Rawan Abhari, who at the time was a private citizen, to confirm information on his application. On May 19th, Mr. Marcus received a second phone call from Student Body Vice President Janiver, and was asked two questions over the span of a four minute phone call. After not receiving the nomination for this Senate seat, Mr. Marcus applied for a different open seat (Arts and Sciences 4) on June 7th, 2020. For this application, Mr. Marcus received no interview nor any contact from the Executive Branch. Gabriella Hinks was then confirmed to Arts and Sciences Seat 4 on June 17, 2020, and,

Whereas: Rawan Abhari submitted an application for the position of Secretary of Student Life on May 18th, 2020. Ms. Abhari was later forwarded to become the Secretary of Internal Affairs. During her interview with Student Body President Levin and Student Body Vice President Janiver, she was asked to “sing a part of a song that resonated with me and my feelings” by the Vice President. Furthermore, Secretary Abhari was asked by President Levin on May 18th to

reach out to Mr. Marcus and ask questions about his application. She was confirmed as the Secretary of Internal Affairs on May 20th, and,

Whereas: Matthew Harris applied to the position of the Secretary of Internal Affairs on April 22nd, 2020 and was asked to sing in an interview with Student Body President Levin and Student Body Vice President Janvier, and,

Whereas: Emily Pacenti applied for an open Senate Seat on June 25th, 2020 and was never contacted nor interviewed, and,

Whereas: Ash Soto submitted an application for the position of College of Music Senate Seat 1 on July 9th, 2020. They were offered an interview by Chief of Staff Max Roca and Secretary of Appointments Emany Desinor, and then they received an email from Desinor on August 6th, 2020, explaining that they were being offered the seat. In the email, it explained that the interview to be confirmed would take place during the Rules and Calendar committee meeting on September 2nd, 2020 at 6pm, and if confirmed, the senate meeting at 7:30pm that same day. When they attended the Rules and Calendar committee meeting for their interview, Pro-Tempore Alexander Harmon made applicant Soto aware that they never received any documentation about their confirmation for the seat taking place that night. All they did was apologize to applicant Soto and let them know that they may be interviewed the next week, but that they were not sure, and

Whereas: Throughout this process, the Investigative Board never received any minutes from meetings of the Executive Cabinet, despite requesting them on multiple occasions, obstructing the Board's ability to understand the full scope of the Executive Branch's decision-making process, and,

Whereas: The Executive Branch's unwillingness to provide minutes to the Senate may impede future attempts to conduct oversight, one of the most essential functions of the Legislative Branch.

Be it resolved by the Seventy-third Student Senate at Florida State

University that: The Investigative Board believes that Jonathan Marcus' rights, as outlined in Chapter 304.3 of Student Body Statutes, were violated as he did not receive any contact from the Executive Branch following his application submitted on June 7th, 2020, and the Board encourages him to seek some form of compensation for these damages within the Judicial System of the FSU Student Government Association.

Be it further resolved that: The Investigative Board believes that Abril Hunter's rights, as outlined in Chapter 304.3 of Student Body Statutes, were violated as she did not receive any contact from the Executive Branch following her application submitted on July 6th, 2020, and the Board encourages her to seek some form of compensation for these damages within the Judicial System of the FSU Student Government Association.

Be it further resolved that: The Investigative Board believes that Katherine Gipalo's rights, as outlined in Chapter 304.3 of Student Body Statutes, were violated as she only received contact upon being forwarded by the Executive Branch on May 19th without an interview. This presents a clear violation of statutes and Supreme Court case *Ravelo v. Wilson*.

Be it further resolved that: The Investigative Board believes that the Executive Branch did not follow the basic questionnaire and professional form required by student body statutes 304.3 and 304.4, as well as Supreme Court case *Ravelo v. Wilson* in multiple cases.

Be it further resolved that: The Investigative Board believes that 203.3 was violated, as the cabinet meetings “held under the auspices of Student Government Association” were not open to the public. Furthermore, 203.6 was violated as no minutes were published nor made available to the investigative board upon request.

Be it further resolved that: The Investigative Board believes that the Student Body President violated statute 205.3.E.1 by compelling two individuals to misrepresent themselves as student government officers when they were not: Rawan Abhari and Abby Salter.

Be it further resolved that: The Investigative Board believes that the Student Body President violated statute 304.3.C.1 by failing to interview candidates after they have applied for a position in student government: John “Jake” Alvarez and Gabriella Hinks.

Be it further resolved that: There is an undeniable pattern of candidates for open Student Senate Seats not receiving an interview, as mandated by Student Body Statute 304.3 and Ravelo V. Wilson. Furthermore, as stated in his written response to the Investigative Board’s questionnaire, it is highly concerning that President Levin admitted to not being aware of candidates failing to be interviewed. While the early months of the current administration were chaotic and disorganized due to COVID, this cannot excuse a violation of statutes. The Board believes that President Levin has violated the precedent established in Ravelo, and having forwarded candidates before all candidates had been interviewed, has also violated 304.3C.5.

Be it further resolved that: In a memorandum sent on June 23rd, 2020, Abby Salter listed herself as Acting Chief Justice under the direction of Student Body President Levin. Student Body Statute 205.3E.1 states “no officer or employee will willfully misrepresent themselves while acting in an official capacity”, and Statute 205.3D states “no officer or employee shall knowingly aid, advise, encourage, or threaten another officer or employee of Student Government Association or student to act in violation of this chapter”. Abby Salter admitted to the Summer Judiciary Committee on July 14th, 2020 that she did not believe the title Acting Chief Justice was appropriate for the memorandum and that she had been told to use that title by President Levin. The Investigative Board believes President Levin has violated 205.3D by explicitly instructing Abby Salter to represent herself as Acting Chief Justice rather than Appointed Chief Justice, as she was never confirmed to the position by the full Senate.

Be it further resolved that: Two separate individuals have come to the Investigative Board and claimed that Vice President Janvier had asked them to sing during their interviews. Matthew Harris “was taken aback but tried not to act surprised” when “told to sing.” He was “confused and beyond uncomfortable.” This was further corroborated by both Secretary Rawan Abhari and President Levin. Secretary Abhari testified that she was asked to sing and that she was aware of others. President Levin responded “yes” when asked “Have you ever witnessed an applicant for an SGA position be asked to sing in an interview?” President Levin claims that the question asked during the interviews was “Please sing us a song about our current mood and feeling of this season in your life”, yet, Vice President Janiver claims that the question was “What song describes your current season in life? It may be geared towards the pandemic, the semester or anything you feel comfortable with. If you would like you may choose to sing that song.” President Levin’s recollection of the question, while different from Vice President Janiver’s, is corroborated by the statements given by

Matthew Harris and Secretary Abhari. The Investigative Board believes that Vice President Janiver violated statute 304.3C.4 by failing to offer interviews in “a standardized and professional form.” Furthermore, the imbalance between powerful elected officials and candidates seeking appointments within student government is vast. No matter the intention, this conduct does not rise to the standard that our Student Government should hold itself to.

Be it further resolved that: For future interviews, the Executive Branch should use the “forwarding interview questions” listed on the SGA website as a guide. The Senate should continue to conduct oversight over the Executive Branch to ensure that all interviews conducted by the Student Government are held to the enumerated standard of professionalism.

Be it further resolved that: The Senate should take steps to ensure that the Executive Branch abides by Statute 304.3.C.1 and interviews all applicants for SGA positions, to encourage the FSU Student Body in general to engage with Student Government.

Be it further resolved that: A copy of this resolution be sent to the following:
Alex Harmon, Student Senate President
Renee Wang, Student Senate Pro-Tempore
John Thrasher, President of Florida State University
Amy Hecht, Vice President for Student Affairs
Angela L. Chong, Associate Vice President of Student Affairs
Dr. Brandon Bowden, Assistant Vice President of Student Affairs
Jonathan Levin, Student Body President
Nastassia Janvier, Student Body Vice President

OFFICIAL: _____

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Alexander Harmon
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Student Senate President

3/10/2021 | 9:26 AM EST

SENATE VOTE: 27Y – 8N – 0A
PASSED: February 3rd, 2021