



**72nd Student Senate
Investigative Board
Date: September 18, 2020**

Recording: https://adminmyfsu-my.sharepoint.com/:f:/g/personal/ec19c_my_fsu_edu/EqZZF8wiKBZEuHRjH-HPMikBx6LsMIgNaNZtoiCXy8-k8A?e=ZBGIdI

Admitted Evidence: <https://drive.google.com/drive/folders/1VceKEI6Y-QYPipDdMHxhPcOlqAeErFAo?usp=sharing>

Call to Order: 4:08 p.m.

Members Present: Chair Chabot, Vice Chair Little, Senator(s) Leckie, Wang, Harmon (Ex-Officio)

Members Tardy: Senator(s) Murcia

Members Excused Absent: Senator(s)

Members Absent: Senator(s) Recht, Ross, Ascanio

Guests: Jack Rowan, Abril Hunter

Announcements:

- Chair - Please tell fellow board members to come to meetings for quorum. We're dealing with people who have been unable to get involved with SGA, we owe them our respect and attention. We will continue to meet at this time.
- Vice Chair - X
- Members - Leckie: COVID task force meeting tomorrow at noon
- Guests - X

Committee Business:

Hearings:

Abril Hunter

- Opening Statement
 - Hunter: I applied for Senate Seat 6 through the SGA application. I didn't hear back, so I filled out another form to SGA asking if I would get a response. They also didn't respond to that. I haven't heard from them, and that's all that happened.
- Technical, Non-Debatable
 - Leckie: You sent two separate messages?
 - Hunter: Yes, the first was the application. The second was more of a Q&A "contact us" form on the SGA website.
 - Harmon: Do you know who you emailed specifically?

- Hunter: I emailed the website. There's a portal where you can send a question directly to SGA.
- Chabot: That piece of evidence is **I2** in the drive, if you want to look for it.
- Leckie: We know the application was received, right?
- Chabot: Yes, it was submitted July 6 around 5.
- **Wang moves to go into questioning**
- **Leckie seconds**
- Questioning
 - Leckie: At the time, you applied for a summer seat?
 - Hunter: Yes.
 - Chabot: The seat was Arts and Sciences 6?
 - Hunter: Yes.
 - Chabot: Was it open year round, or did you just apply as a summer Senator?
 - Hunter: I'm not sure because it was my first time applying. I assumed it was a summer seat because I was registered for summer classes, but I don't know.
 - Wang: You weren't contacted by anyone at all?
 - Hunter: No. I went back in my email several times and checked, but I never received any contact.
 - **Leckie, Point of Information:** who occupied that seat in summer?
 - Chabot: I believe it was Senator Dejonge, who resigned over summer.
 - Leckie: So the seat wasn't open?
 - Chabot: The seat was vacant during the spring elections. Anyone who applied over summer would have gotten forwarded for the full term.
 - Leckie: Is this the first completely open seat?
 - Chabot: No, I believe Marcus also applied for this seat
 - Leckie: Is this the seat that was improperly advertised?
 - Chabot: No, it was 7. This one was advertised properly
 - Leckie: Ms. Hunter, do you feel discouraged from joining SGA?
 - Hunter: Yeah, I've been interested since last year. But since this experience, I don't feel like the organization values its applicants. I do want to apply again at some point though.
 - **Wang, Point of Information:** how many people applied for that seat?
 - Chabot: I don't know.
 - Harmon: We haven't confirmed the current nominee. I think there were originally 4 applicants.
 - Wang: We don't know if they got interviews?
 - Harmon: SGA emailed all those candidates to be interviewed. They didn't hear from one person because they got their email incorrect. What will probably happen is we redo the whole interview process from the start.
 - **Leckie moves for non-committee-member to speak**
 - **Wang seconds**
 - Alvarez: To clarify, on the letter from May 19, it says there were 4 applicants to the seat. On another letter from later, it says there were 3.
 - Chabot: Thank you.
 - Harmon: When specifically did you apply for the seat?
 - Hunter: Early July.
 - Chabot: Yes, it says on **I2** the application was submitted July 6.
 - **Leckie moves to end questioning**
 - **Wang seconds**
- Closing Statement
 - Hunter: Thank you for taking the time to look into this!

Deliberations:

- **Senator Leckie moves to enter Deliberations**
- **Senator Wang seconds**
- Leckie: Doesn't SGA get emails from the qualtrics when they submit?
- Chabot: Yes, they should.
- Harmon: Can someone clarify the outcome of this board for me? Can we reverse decisions about appointments?
- Chabot: At the end of our investigation, we will write a report with our findings and opinions. Right now, we're trying to find the disconnect in the application and appointment process. Something is going wrong that people aren't being contacted or forwarded.
- Leckie: We don't want this to keep happening. We had stories about inappropriate interviews as well. The goal is to find things that shouldn't happen in the process and prevent them from happening again.
- Leckie: I think Ms. Hunter's case is a little more serious because it was for a full term seat, not just a summer seat. There were some damages as a result of her not getting an interview. The applicant also sent a follow up email, actively trying to reach out to someone in SGA. I don't know why they weren't listened to, this seems like a pretty serious case
- Harmon: I agree, I think this was embarrassing for SGA. I've sent out incorrect emails before, but I always double check so I can correct my mistakes. In a professional setting this shouldn't happen. In the transition process between faculty advisors, something might have gotten lost. But overall, I think there should be a different process for applying. Leckie was right saying that this is more important due to the full term length. It's embarrassing that we have 4 people in limbo, trying to figure out if their applications are valid. It's wrong. I think the blame is on the exec branch for their management and their choices in the process.
- Chabot: Back in May, there were 4 applications for Seat 6. In September, there were 3, so we lost one. And if you count Ms. Hunter, there should technically be 5 applicants. Just wanted to clarify that.
- Leckie: Do we have a list of our official findings as a board so far?
- Chabot: Let me bring it up.
- Harmon: Can someone inform me who Mr. Marcus is?
- Chabot: He applied during the summer. He was asked one question during a phone call about the application, which doesn't constitute a full interview. So, he applied again and then never heard back from them at all. I think he applied for Arts & Sciences 6, but I'd have to check.
- Leckie: He was also interviewed by someone not on exec in the process.
- Chabot: Correct, he was called by Rwan Abhari, days before she was confirmed to the cabinet. She asked him one question, and that was the only contact he got from SGA on that application.
- Leckie: Has AG Ready given us the cabinet meeting minutes we requested?
- Chabot: No. I was unable to contact him this week, but I will in the next week.
- Leckie: Have we followed up at all with him? I think these minutes would be relevant for us to understand how exec members viewed applications and what they thought of the process.
- Chabot: Yes. AG Ready sent me the letter and asked for time. I followed up saying we would give him time, but that we did need the minutes eventually. He never responded.
- Leckie: When was that?

- Chabot: Over the summer.
- Leckie: So it has been months since we asked for them?
- Chabot: Yes, and they still haven't been sent.
- Wang: There seems to be a lot of inconsistency in the college of A&S applications specifically.
- Chabot: I received AG Ready's email on 7/14. I sent him a follow up email explaining the Board's purpose and our goals, and asking for the minutes. I never received a response.
- Leckie: Does the public have access to the minutes we are requesting?
- Chabot: I don't believe they are published anywhere on the SGA website.
- Leckie: Is there a way to attend these cabinet meetings?
- Chabot: No, there's nothing on the SGA calendar about them.
- Leckie: I don't think these issues are related to the application process, but it's impeding our ability to get information.
- Chabot: The executive branch tab on the website has no information about cabinet meetings.
- Leckie: Specifically which office do we think violated statutes by not sending minutes?
- Chabot: It falls under the purview of SBVP Janvier, who is ultimately responsible for the cabinet.
- Leckie: Have we contacted SBVP Janvier?
- Chabot: Yes, I did and I was referred to AG Ready.
- Leckie: The specific statute in question is 203.6. I think a violation of it is clear, it's a matter of who committed it.
- Chabot: I sent the request for minutes to the Director of Cabinet Affairs and SBVP Janvier.
- Wang: You said you contacted SBVP Janvier?
- Chabot: Yes, I asked for any and all recordings of cabinet meetings. I was referred to AG Ready, and received nothing from SBVP Janvier.
- Harmon: So we're requesting minutes from exec, who referred you to AG, who hasn't sent them?
- Chabot: Yes, 2 months ago.
- Harmo: Have you spoken with them recently?
- Chabot: Not this semester.
- Harmon: I think we should wait a week, see if they respond to our email. If they don't we can assume they just won't give them to us.
- Wang: Who are you referring to, Harmon?
- Harmon: SBVP Janvier and Director of Cabinet Affairs.
- Little: It's possible that the minutes we're asking for don't actually exist at all.
- Wang: Either way, that's a violation of statutes.
- Leckie: Also, it looks like these meetings aren't public either. That's a whole other issue. Unless the constitution says the meetings should be closed off, they should be public.
- Chabot: I'll email them this week and ask again, and we'll discuss next week. How do we feel?
- Leckie: I think that's fine. But it's been 2 months, this wasn't supposed to be optional
- Wang: So we need to decide who violated the statute?
- Leckie: Yes. It's SBVP Janvier and Director of Cabinet Affairs' jobs, but we've only heard back from AG Ready.
- Chabot: I received a follow up email from the Director of Cabinet Affairs, emailed AG Ready as requested, got an email from AG Ready, responded, and got nothing back. That was in July after our last summer meeting.

- Leckie: I would like to see another attempt to get minutes. I also would like to see proof that cabinet meetings in the past have been public. Because to my knowledge, they have not been.
- Chabot: This board is only investigating the appointment process. We are only talking about minutes because it pertains to our investigation.
- Leckie: I personally think it's relevant because it's impeding our abilities actually find information.
- Harmon: I agree, we should give them a week. If they don't hand it over, we can hold them accountable.
- Chabot: How about the meetings being public?
- Harmon: Yeah, students should be able to attend meetings if they want.
- Leckie: Exec can attend our meetings, but apparently we aren't allowed to attend theirs.
- Chabot: I am just saying that we would need a standing committee vote to include this in our board's official business. For now, I want to focus on Ms. Hunter's case.
- Leckie: I feel like we can't make a decision until we know how exec handled it on their end. The fact that she got no response is a violation of her rights, though.
- Chabot: So what should we do as a board?
- Little: I think we can adopt the same opinion as we did for Mr. Marcus, because the circumstances are the same.
- Chabot: I'll read what we determined for Mr. Marcus. *reads IB official opinion on Jonathan Marcus*
- **Wang moves to adopt a majority opinion:**
 - "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."
- **Leckie seconds**
 - VOTE Y (Leckie, Wang, Little) N () A (Harmon)
 - **MAJORITY OPINION ADOPTED**
- Leckie: Can the same opinion be made for Katherine Gipalo?
- Chabot: The circumstances are a little different. Gipalo applied, was not contacted at all, and only got an email when she was being forwarded for the position without an interview.
- Leckie: Yeah those circumstances violate statutes and also go against case law.
- Wang: I don't think that this applies, because she still got to serve in the position.
- Chabot: Actually Mr. Alvarez applied for Ms. Gipalo's seat originally. Then he was forwarded and confirmed for a different seat.
- **Wang Point of Information:** what case law was it violating?
- Leckie: Ravelo v. Wilson
- **Wang moves to adopt majority opinion:**
 - "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."
- **Little seconds**
 - VOTE: Y(Leckie, Wang, Little), N (), A (Harmon)
- Leckie: The case law also determines that everyone is entitled to a basic questionnaire for the interview. That means there should be a basic set of questions for all candidates.

We haven't heard any evidence of that, do we want to take it into consideration? Gipalo was not interviewed, Marcus was asked one question, Abhari was asked to sing. There is no standard set there, and there should be.

- Wang: Do you mean as an official opinion?
- Leckie: Yes, the basic questionnaire standard is a whole other issue. It's impossible to ask 5-6 standard questions in 60 seconds.
- **Leckie moves to adopt an official opinion:**
 - "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. "
- **Wang seconds**
 - VOTE Y (Leckie, Wang, Little), N(), A (Harmon, Murcia)
- **Leckie moves to exit deliberations**
- **Wang seconds**

Final Announcements:

- Chabot: Good job today, we adopted multiple majority opinions. Please keep this time open going forward so we can continue to meet on Fridays. Encourage your other board members to come to meetings. Be safe and I love you all!
- Little: I just wanted to thank Pro Tempore Harmon for joining us today so that we could have our meeting! I'll see you all next week.
- Murcia: Racial Inclusivity ad hoc is meeting today at 6 and we'd love to hear from you!
- Harmon: Thank you for having me, you all are doing great work. Reminder that these meetings are required for attendance, as are all committees. I'll probably stop by next week as well to check in.

Murcia moves to adjourn

Wang seconds

Date and Time of Next Meeting: Friday, September 25 @4pm

Adjourned: 5:21 p.m.

Elizabeth Chabot

Signature of Chair

MAJORITY OPINIONS ADOPTED:

- Adopt Majority Opinion: 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.
- Adopt Majority Opinion: 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*.

- Adopt Majority Opinion: The Executive Branch violated student body statutes 304.3 and 304.4 as well as the standard set in the Supreme Court case *Ravelo v. Wilson* to provide a basic questionnaire and professional form for interviews.