



**72nd Student Senate
Investigative Board
Date: 7/9/20**

Call to Order: 5:11 p.m.

Members Present: Chair Chabot, Vice Chair Little, Senator(s) Leckie, Garcia, Cusnier, Alvarez, Rossi

Members Tardy: Senator(s)

Members Excused Absent: Senator(s)

Members Absent: Senator Gabriel

Guests: Rawan Abhari, Jonathan Marcus, Katherine Gipalo, Ashley Gonzales, John Lystad, President Ahmad Daraldik, KP Gnanam, Gabriella Hinks

Announcements:

- Chair - X
- Vice Chair - X
- Members -
 - Alvarez: I have drafted 2 statements of dissent, if you want to be involved please message me.
 - Leckie: Reminder that judiciary will be meeting twice next week, on Monday at 7pm and Tuesday at 2pm.
 - Chabot: I wanted to remind everyone that we aren't requiring anyone to take an official oath, but we ask everyone here for complete honesty.
 - Alvarez: Are we still asking people to affirm their truthfulness via statute 205.E?
 - Chabot: Yes, I will ask SGA members to repeat a statement after me which will affirm their truthfulness.
- Guests - X

Committee Business:

- Hearings
 - Katherine Gipalo
 - Jonathan Marcus
 - Rawan Abhari
 - John "Jake" Alvarez
- Deliberations

Hearings:

Katherine Gipalo

- Opening Statement

- Gipalo: When I applied to be a senator, I didn't know exactly what to expect. There was no guidance on the website about the procedure at all, I just submitted an application with my resume. The first response I got was from President Levin, informing me about a Senate meeting I needed to attend to be confirmed. Aside from that, I got one voicemail from someone I assumed was in SGA, but I didn't know if it had anything to do with my application. I didn't actually hear that voicemail until later, because I got a new phone and didn't see it. I had no idea how Senate worked, and didn't know that I would be asked so many questions at the meeting. I feel that my confusion was taken advantage of. There is an assumption at FSU that people know about SGA and how it works, but that assumption is wrong. Even now as a senator, I feel I only know the bare minimum. If I had been seated for a longer term than just summer, I would have quit already. I hope this board will make sure that others do not have the same negative experience as me.
- Technical, Non-Debatable
 - Alvarez: What was the date of when you applied to be a Senator?
 - Gipalo: I got the response on Wednesday, May 13. That's the day I applied.
 - Alvarez: You mentioned in your opening that you got a voicemail. What was the date of that?
 - Gipalo: I don't think I still have it. It was either the day before or the day of the email from President Levin. I remember thinking that it was too close to the email to have anything to do with an interview. I don't have it, I must have deleted it.
 - Leckie: Just to be clear, you were never interviewed for your position?
 - Gipalo: No, I didn't know that was even a part of the procedure.
 - Leckie: You were only contacted by SGA via email?
 - Gipalo: Yes, aside from that one voicemail.
 - Cusnier: Have you ever served in Senate before?
 - Gipalo: No, I've never been in SGA.
 - Cusnier: Did you ever send SGA an email informing them that your phone number had changed?
 - Gipalo: No, my phone number didn't change, I just got a new phone.
 - Alvarez: You mentioned you received an email from President Levin, but we don't have a copy of that. What was the date on that, and is it possible for us to have a copy?
 - Gipalo: It was a congratulatory email sent to all the applicants who were set to be in summer Senate. It was sent Tuesday, May 19 at 4:07pm. I can forward that to any email you need.
 - Chabot: You can send that to me, please.
 - Gipalo: It was just sent.
 - Cusnier: **point of personal privilege**- could you share that email with all of us once you get it?
 - Chabot: Yes, I'll do that now.
 - Alvarez: **point of inquiry**- regarding our evidentiary procedure, would that email be admissible at this meeting, or should we wait for our next meeting due to lack of notice?
 - Chabot: Rule 3.2 says that any board or group testifying must do so by sending it to the chair through email, which Senator Gipalo has done, but must testify in order for it to be considered. Because Senator Gipalo is testifying now, we can consider that email today.
 - Leckie: Senator Gipalo, do you have an iphone?
 - Gipalo: Yes

- **Leckie moves to enter questioning**
- **Alvarez seconds**
- **Motion passes**
- Questioning
 - Alvarez: Senator Gipalo, prior to your application for senator, did you have any relationship- personal, professional, or otherwise, with any members of the Executive branch?
 - Gipalo: No, none of my friends have been involved in SGA at all.
 - Cusnier: After you received the confirmation email from President Levin, did you send SGA any emails with questions about the process?
 - Gipalo: No, I didn't know that I needed to ask any questions. I just assumed that the meeting would be me taking an oath, and had no idea about the interview process or Senate confirmations. I didn't send any questions because I didn't know enough to know what to ask.
 - Alvarez: At any point prior to your confirmation, did former Senate President Denton reach out to you?
 - Gipalo: No. I didn't know who the Senate president was until our first meeting, which is sad but true.
 - Leckie: Just for clarification, you applied for the position on Wednesday May 15, and received the email from President Levin on Tuesday, May 19?
 - Gipalo: Yes
 - Garcia: You mentioned receiving a voicemail from someone after you applied. Do you know who left the voicemail for you? Did they identify themselves?
 - Gipalo: I can't find the voicemail anywhere on my phone. I will search through my old phone to see if I can find it there.
 - Chabot: Take your time.
 - Alvarez: **point of personal privilege**- looking at the forwarding letter for Senator Gipalo, I see that it is the position I attempted to file an injunction for. Due to the conflict of interest, I will recuse myself from further questions.
 - Gipalo: Unfortunately, I can't find the voicemail. I remember receiving it, but I don't have it
 - **Cusnier moves to end questioning**
 - **Leckie seconds, motion passes**
- Closing Statement
 - Gipalo: I want to thank the board for doing their due diligence and trying to improve this process. I would like to see increased transparency about the SGA process, because I simply didn't know enough as an applicant. Maybe I should have done more research before applying, but I still hope that SGA does more to inform their applicants in the future.

Jonathan Marcus

- Opening Statement
 - Marcus: When the summer Senate seats were publicized, I decided to get involved, since I had been financially certified in the past. I am appalled at what I experienced. I applied for Arts and Sciences Seat 6 on May 14, and received my confirmation email that day. Later that evening, I received a call about the application. It was an unknown number, but I picked up. They asked me to confirm that I was in the College of Arts and Sciences, which I am. They also asked if I had applied for seat 4, but I had applied for seat 6. I told them if they wanted to consider me for the other seat, I would be open to it. That first phone call only lasted 1 minute. Then, on May 19, I got another phone call from SBVP.

She again asked me if I was in Arts and Sciences, and had only one other question: "Why do you want to be a Senator?". SBVP told me I would receive an email regarding my application, but I never got one. Then, I attended a Senate meeting and saw that people were getting confirmed for Senate seats. I wouldn't be upset if SGA had just sent me an email saying I didn't get the position. And there were still open seats in the College of Arts and Sciences. So, myself and Senator Hinks applied for a Senate seat at the same time. She got a communication from SGA about an interview, but they never sent me anything. Eventually, she was confirmed, but Arts and Sciences seat 9 was still open. The next week, someone else was appointed to the seat. In regards to my second application, I didn't even get a phone call. I got a confirmation email for that application on June 7, and nothing else. Additionally, Arts and Sciences seat 7 was not listed as an open seat on the SGA website, yet someone was nominated for that seat. It was listed as Applied Studies, not Arts and Sciences, but they still gave someone the position. Those are my primary complaints, and I look forward to the rest of this process.

- Technical, Non-Debatable

- Leckie: Chair Chabot, which statute refers to the standard questionnaire that must be given to all student applicants?
- Chabot: It is 304.3, regarding the candidate screening process.
- Alvarez: Senator Marcus, can you confirm the dates of your applications and the seats?
- Marcus: First, I applied for Arts and Sciences seat 6 on May 14, I got my confirmation email that day. The second application was for Arts and Sciences seats 4 and 9, submitted June 7.
- Cusnier: When SBVP said she would follow up via email, did you give her your email?
- Marcus: Given that I had already received emails from them, I assumed they had my FSU email.
- Leckie: You did receive a phone call for seat 6, but not 4 or 9?
- Marcus: Correct. I got 2 phone calls for my seat 6 application. The first call lasted one minute, and I just confirmed that I was in Arts and Sciences. The second call was from SBVP, which only lasted 4 minutes. She asked me two questions, but it wasn't enough time for an interview.
- Alvarez: Regarding document B2, do you know who it was that called you, and what were the contents of that call?
- Marcus: It was a female, I don't remember her name. That phone call lasted for 1 minute. They just asked me to confirm if I was actually accepted into the College of Arts and Sciences and if I had applied for seat 4.
- Alvarez: In that phone call, did the caller identify themselves by name or title?
- Marcus: Yes, they confirmed they were involved with SGA, and gave their name, I just don't remember that information because I was flustered on the call.
- **Alvarez moves to enter questioning**
- **Cusnier seconds**
- **Motion passes**

- Questioning

- Alvarez: Following either of your applications, have you reached out to members of the Executive Branch regarding your application status?
- Marcus: No, because I saw that people had filled the seats I applied for. I also didn't know exactly who I should contact. And I didn't think it was proper procedure for me to ask them about the process.

- Chabot: Is there a motion for a non-senator to speak so Secretary Abhari can clarify some things?
- **Cusnier moves to let Secretary Abhari speak**
- **Alvarez seconds**
- Abhari: That was my phone number. I was newly appointed at the time of that call. SBP had sent me a document of people who we wanted clarity for on their applications. I received the students' name, major, and other info. Levin wanted to call and confirm their specific seat number. I understand you(Marcus) may have been flustered, but it was never the intention of that phone call to be an interview.
- Marcus: I knew it wasn't an actual interview.
- Abhari: The call was just to move the appointment process forward. If anyone has questions about that, feel free to ask me.
- Chabot: I ask that we wait to ask Secretary Abhari questions about Mr. Marcus' application until she begins her testimony.
- Alvarez **point of inquiry**- Regarding that specifically, should we separate the information Secretary Abhari has offered for Marcus' case and her own?
- Chabot: All evidence submitted by Secretary Abhari will be documented under her name, regardless of what it pertains to.
- Leckie: Statute 304.3.C.4 says that an interview should be a questionnaire about the applicant's experience, qualifications, and goals of the position. Mr. Marcus, do you think the phone calls you got measured up to that expectation?
- Marcus: No, I don't think it was satisfactory.
- Leckie: And you were only asked one question by SBVP?
- Marcus: It was two questions. First, asking again about my college and my year in school. Second, asking why I applied for Senate. My answer to that question might have answered some other potential questions, but the call wasn't enough time for a full interview.
- Cusnier: Do you have any issues with anyone on the Executive branch?
- Marcus: No. I have been critical of their policies, and have made posts to SBP on social media, but that was after all the positions I applied to were filled.
- Alvarez: Prior to your application for senator, did you have any relationship- personal, professional, or otherwise, with any members of the Executive Branch?
- Marcus: No. But I currently serve as president of a non-RSO. I've sent and received informative texts with some people, but there was no real relationship there.
- Alvarez: Following your June 7 application, you received no contact from the Executive Branch?
- Marcus: Absolutely none. The only reason I know the seats were filled was because my friend Senator Hinks got an email.
- Alvarez: At what point did you become aware of student statute 304.3?
- Marcus: I didn't know about that at all. I assumed it was procedure that everyone got an interview. For most positions I've applied for, there is an interview involved. But I wasn't made aware of that particular statute until this meeting
- Cusnier: During your 4-minute phone conversation with SBVP, did you discuss your experiences?
- Marcus: I told them I was in SGA in high school. I also talked about my experience as treasurer of two campus organizations. I told them I wanted to be a voice for RSOs in my department.
- Cusnier: Would you agree that based on that, you shared your qualifications with SBVP?

- Marcus: Yes, but I wasn't asked any follow-ups. There is more to me than just campus involvement, and I have more qualifications than the ones I mentioned.
 - Cusnier: Did you discuss your goals with SBVP?
 - Marcus: I was never asked about them, but I did tell her that I wanted to be a voice for RSOs.
 - **Alvarez moves to end questioning**
 - **Leckie seconds**
 - **Motion passes**
- Marcus: Did you receive the screenshot where the Applied Studies seat is mentioned?
 - Chabot: Yes, it is documented as B4.
- Closing Statement
 - Marcus: I feel that I am qualified to be in the Senate, but it's clear to me that it's very difficult to actually get involved in SGA. There were seats that were given to people but not listed to the public, which was deeply disturbing. If I had known about it, I would have applied for more seats. I'm frustrated, but I haven't let this halt my desire to get involved. Still, I believe I wasn't given due process for either Senate application I submitted, and I'm saddened by that.
 - Chabot: we will now move on to Secretary Abhari. I ask that we start with questions pertaining to her own case before we talk about Mr. Marcus'. As she is a member of SGA, I will be asking her to affirm her statements. Are you aware of statute 205.E?
 - Abhari: Yes I am.

Rawan Abhari

- Opening Statement
 - Abhari: Thank you for being here, I'm all for transparency. My complaints are minimal to none, but I'm here to share pertinent information I have. Whether it's bad or good, it needs to be heard. As a rising freshman, I completed my SGA interest survey. Spring semester, I applied to be Deputy Supervisor of Elections. The only communication with that department is through one email, which easily gets bogged down. My only complaint is that I had to reach out to them twice before receiving a response. I was brought into an interview, where they asked good personal questions about why I wanted the position. They allowed me to prep myself on the election material before further consideration, and I passed the exam and got to work. I also went through IA for that position, which was a positive experience for me. Later, I applied for the Executive Branch. It was all online because of COVID. I had an interview with SBP, SBVP, and SBT. I was asked to sing by SBVP. It seemed like an ice breaker question, but I thought it might bleed over into hazing. I'm an extrovert, and I did what they asked, but I can see why that might cause problems for some people, and I know that there are other ways to break the ice. I was later confirmed for my current position through the Senate.
- Technical, Non-Debatable
 - Leckie: What position do you currently hold?
 - Abhari: Secretary of Internal Affairs.
 - Leckie: What position did you apply for?
 - Abhari: Secretary of Student Life. They called me and said they'd rather have me in Internal Affairs based on my elections experience.
 - Chabot: That information is included in document C1.

- Alvarez: Which Executive Administration did you work under as Deputy Supervisor of Elections?
- Abhari: The Steinburg administration. I was interviewed by Ahan.
- Alvarez: Did you apply for any other positions under that administration?
- Abhari: There was only one other position besides Deputy Supervisor of Elections, which was never followed up on.
- Alvarez: Did you apply for any other positions under the Levin administration?
- Abhari: No.
- Alvarez: What is the date of the application for your current position?
- Abhari: May 18.
- Chabot: That is also included in C1.
- **Leckie moves to enter questioning**
- **Garcia seconds**
- **Motion passes**
- Questioning
 - Chabot: Please limit questions now to Secretary Abhari's personal SGA applications, not those of Mr. Marcus.
 - Alvarez: Secretary Abhari, In your statement on the qualtrics, you brought up FLI and DEP. Were those things brought up in any of your interviews?
 - Abhari: Deputy Supervisor of Elections was early this year, so there were just basic background questions for that one. For the most part, I would have discussed them because it was pertinent info for a freshman applicant to share.
 - Alvarez: When was it made clear to you that the Executive Branch wanted you for Internal Affairs?
 - Abhari: In the interview, they asked me if I would feel comfortable in another position, and I said yes. I was applying for something higher than I felt qualified for. On May 7, Levin called me and asked me to join as Secretary of Internal Affairs; I agreed.
 - Alvarez: You mentioned being asked to sing. Can you describe to us when that question was brought up, how it was brought up, and in what manner?
 - Abhari: The interview began with standard pertinent questions. SBVP talked about how the administration wanted to create a family environment in the Executive Branch. The singing question was asked in the middle or end of the interview. SBVP asked me to sing a part of a song that resonated with me and my feelings. I sang a short section of a song I felt comfortable with, and we moved on. I felt it was an icebreaker to get us out of such a stuffy situation. And again, I think SBVP wanted to emphasize the close personal relationships in the Executive Branch.
 - Alvarez: In your opinion, understanding that statute 304.C.3 says that the interview must be in a professional form, is the singing question considered professional?
 - Abhari: When I hear the statute, I hear that interviews must be standardized, not conducted in a casual setting. I'm a human being, and I think we approach the business world too stiffly. That's not what leadership is to me, I think it's about relatability and being open to others, not closed off. People have the capacity to be professional and also personable. I had no problem with the question, and I think they were still being professional, since I believe that an important part of leadership is being personable. I can see how other people might have found it offensive, but I didn't think it was a problem that SBVP wanted to break down some walls in an interview.
 - Leckie: Did you feel that you could opt out of the singing?

- Abhari: I think I told them that I couldn't sing well. If I had told them I was not able to sing, they probably would have been fine with it. I can see how people who don't sit in the same spaces as me might have felt forced to do it, though. I personally didn't feel that way.
- Leckie: You mentioned that the Executive Branch was trying to create a family environment, and that the singing question might have been related to that. If you had chosen not to sing, do you think they would have considered you as a bad fit for the family environment?
- Abhari: I think if someone showed up with honesty about not wanting to sing, that would be admirable. I believe in the administration's ability to look at all the other questions asked to candidates for consideration. I would say that you guys should ask other applicants who did and didn't get positions what their experience was.
- Cusnier: Prior to your current position, did you have any relationship with SBVP?
- Abhari: She's a very powerful person, and I saw her in a lot of spaces on campus, but we never talked individually.
- Cusnier: Do you think the singing question was in good will or breaking the ice?
- Abhari: I believe it was asked in good will. I had later conversations about the blurred lines of hazing and how the question could potentially seem like coercion, though.
- Alvarez: Before your interview did you have any relationship with anyone on the Executive Branch?
- Abhari: Did you mean the whole cabinet, or just SBP, SBVP, and SBT?
- Alvarez: I'll clarify just the top 3.
- Abhari: I knew SBP was a senator and mentor in noles engaged in politics. The first time we spoke was at the interview. I knew who SBVP was, her presence was powerful, and I knew her work with NAACP. I had never spoken with her. SBT followed me on instagram, that's it
- Alvarez: **point of personal privilege:** can we begin questioning regarding the case of Jonathan Marcus?
- Chabot: I believe we still have more questions about Secretary Abhari's case.
- Leckie: Secretary Abhari, are you aware of any other applicants asked to sing?
- Abhari: I was told by other people that they were asked to in an Executive Board group chat. I assumed it was a standard question for people in the cabinet. I can disclose names, but I don't know if I am allowed.
- Alvarez: You just mentioned you were in a group chat with other Executive Branch members, and you were contacted. Would you tell us what those people had to say about this investigative board?
- Abhari: We talked about it at a standard cabinet meeting zoom call. SBVP was giving us a run down. She said that the investigation was mostly about the singing question. I asked why. Slimak commented that it might bleed into hazing.
- Alvarez: Were there minutes for this meeting?
- Abhari: Colby, our Cabinet Secretary, would have minutes. I don't know how detailed they are. I have personal notes, but I doubt I wrote anything about this investigation. Tazzy might have something about it in a run down document somewhere. It was mostly mentioned in passing, so the likelihood of there being written proof is low.
- Alvarez: Do you believe that this particular cabinet zoom meeting was held under the authority of the SGA?
- Abhari: Yes, it was official. We have meetings every Sunday.

- Alvarez: Was there 24 hour notice of this meeting, and was it made public? Was there opportunity for public comment at the meeting?
- Abhari: I'm not sure what notice was given. I have been asked if students can come to the meetings, which I have responded yes to. I would refer to SBP's interpretation of those meetings. They're more for our body than the student body. But it depends on if you think every meeting of SGA personnel counts under that statute. Sometimes, I am my Secretary self, sometimes I'm just a person. Where that lies legally is up to you, but I would ask SBP for clarification on the nature of this meeting.
- Alvarez: What was the date of that meeting if you know?
- Abhari: I believe it was June 28.
- Leckie: When does the Executive Branch sit down as a whole and make official policy decisions?
- Abhari: I would say we don't. We had our first meeting where we went over a task list, which was very personable. Then we started having meetings as a cabinet, with SBVP sitting in as she could. Then we started the branch-wide meetings on June 28. They're supposed to be bi-weekly, but SBP said if they became repetitive, we would not meet so often. Those were mostly just briefings from SBP, SBVP, and SBT. There is no real official time where the three of them direct us on how to perform our duties. Most of our communication is through text, because of the familial environment they wanted to create. Sunday meetings aren't a direct delegation because we are all capable individuals who can work independently.
- Leckie: What was the date of the last cabinet meeting?
- Abhari: June 28.
- Cusnier: I would like to start asking questions about the Marcus case.
- Chabot: If there are no other questions about Abhari's personal experience, then yes, we will entertain questions about Marcus' case.
- Alvarez: Secretary Abhari, what was the date of when SBP asked you to contact Mr. Marcus about the Senate position?
- Abhari: Monday, May 18.
- Alvarez: You made the call on the 18th, and you were confirmed as Secretary of Internal Affairs on the 20th. So you made that call as an individual?
- Abhari: I was just asking some questions, interpret that as you will.
- Alvarez: Are you willing to provide us a copy of SBP asking you to do so?
- Abhari: As long as SBP is fine with it, I'm fine with it. I don't know about legal precedent regarding that.
- Alvarez: As long as it doesn't include full phone numbers or emails, it is ok.
- Abhari: There are other people's personal information on there
- Alvarez: My question pertains more to the time frame than the actual content.
- Abhari: I was a new friend of his at the time, and I made every call on behalf of SBP, not myself. I urge you to ask him if he is fine with me sharing the messages.
- Alvarez: When you were requested to make these phone calls on Levin's behalf, did you believe you would be conducting interviews? What did you think you would be doing?
- Abhari: What was told to me was that we needed to make a decision on Senate appointment. We were missing some information for candidates. Name, grade level, which kind of seat, and email were on the doc. I was told to just ask 2 questions to each of the senators, and I was helping out the rest of them. I was asked to just assist in confirming the important information on people's

applications. Specifically we needed to check that people were actually admitted to their respective colleges.

- Alvarez: After your phone call with Mr. Marcus, what information did you give to SBP? Did he have any response to that information?
- Abhari: I gave him all the information that I got on the phone call- which college and seat number. Levin simply thanked me for it.
- **Leckie moves to end questioning**
- **Cusnier seconds**
- **Motion passes**
- Closing Statement
 - Abhari: Thank you guys for doing the work, I always support transparency and separation of powers. I appreciate the thorough questioning, and I'm always willing to answer more questions. I'm sure the rest of the Executive Branch would also be open to answering questions, so we can move forward and stay accountable for our actions. I hope we can continue as a solid governing body, and thank you again for all your hard work.
- **Leckie moves to move directly into deliberations**
- **Cusnier seconds**
- **Motion passes**

John Alvarez- TABLED

- Opening Statement
 - X:
- Technical, Non-Debatable
 - X:
- Questioning
 - X:
- Senator X moves to end questioning
- Senator X seconds
- Closing Statement

Deliberations:

- Alvarez: I request that we move Gipalo's deliberation to the end, as I will have to recuse myself for it.
- Chabot: Noted. This is a space for us to discuss what we have heard at the meeting. Only senators can speak, unless someone makes a motion for someone else to comment.
- Alvarez: Beyond testimony from Mr. Marcus and Secretary Abhari, the fact that Mr. Marcus filled out 2 applications and had no interview is bad in itself. I have sent a copy of Revell v. Wilson to the supreme court. For this case, the petitioner did not receive an interview for his position, and the supreme court ruled that every individual deserves an interview for each respective position. So, even though Mr. Marcus applied twice, his second application was not addressed in any capacity. There is a question of if the phone call from Secretary Abhari is an interview. I don't believe it is. If that's true, Mr. Marcus was failed twice by our system. I want to open this discussion up to the rest of the board, but my opinion is that Mr. Marcus should seek legal options for damages from June 7. If the phone call is not an interview, then also for the first application.
- Cusnier: I agree, the fact that his second application was not addressed gives him legal grounds for reparations. Marcus did say that he shared some of his experiences,

qualifications, and goals on his call with SBVP, though. There is an argument that she heard all she needed to hear. But I do agree with Senator Alvarez, that Mr. Marcus is entitled to take legal action based on what happened with his applications.

- Leckie: To respond to Senator Cusnier, considering he was only asked two questions on that phone call, that doesn't even qualify as a standard questionnaire in my eyes. I see the point Cusnier was getting at, but I don't think the call fits the definition of standard questionnaire.
- Alvarez: I haven't been able to testify yet, but based on my conversations with SBP, and if you look at D4, the brief conversation I had near my interview was not considered to be an interview. Marcus deserves that same recognition in his case. Regarding the second application, **motion to adopt an official opinion:**
 - "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."
- Chabot: To clarify, this is the first official opinion we will adopt as a board. This majority opinion will be included in our report. We will put this motion up for a vote if there is a second.
- Garcia: It says that we encourage him to seek compensation, what would that look like? Would it be permitting him to be a senator, or redoing the interview process, or a financial compensation?
- Alvarez: That would be decided by Mr. Marcus, should he seek compensation. It is not our place to tell him what compensation he should seek, just that he does have standing to seek it.
- **Garcia seconds the motion**
- Cusnier: **point of parliamentary inquiry:** can we advise Mr. Marcus on how to file for compensation?
- Chabot: The motion presented has outlined the statutes. Mr. Marcus can also seek general counsel if he wants to make a case.
- **Motion does pass**
 - Vote: Y(Alvarez, Garcia, Rossi, Little) N (X) (Leckie, Cusnier abstain)
- **Alvarez moves to allow a non-senator to speak- Jonathan Marcus**
- **Cusnier seconds**
- **Motion passes**
- Marcus: I wanted to clarify the nature of the first phone call for my first interview. The first call was one minute, and the second call was the 4 minute one which may be considered an interview. I just wanted to clarify.
- Chabot: Thank you, we will now return to internal deliberation.
- Leckie: I think since we made an opinion for Mr. Marcus, we should move on to Secretary Abhari's testimony.
- Alvarez: I wanted to ask the board's opinion when we should discuss the 4 minute phone call's status as an interview. Senator Leckie, do you want to move on to Abhari's experiences, or her experiences regarding the application of Mr. Marcus?
- Chabot: To clarify, Mr. Marcus' first application received 2 phone calls, and his second application received none.
- Leckie: Did Senator Rossi vote on the motion?
- Little: Yes.
- Leckie: Was the number of abstentions more than 25%? If so, don't we need to revote?
- Alvarez: Yes it was, but that rule only applies to the full Senate.

- Chabot: Our rules say that the abstention rule applies to bills.
- Cusnier: During your conversation with SBVP, was it a monologue or a dialog?
- Marcus: I would say monologue.
- Cusnier: I would like to deliberate on Marcus's application now, if that's ok with everyone.
- Chabot: Mr. Marcus has two separate incidents, to clarify.
- Alvarez: Understanding that I have not testified, and my testimony might shine more light on the situation regarding phone calls, I think it is in our best interest to save the conversation of Mr. Marcus' first application for a later date and move on to the case of Secretary Abhari.
- Chabot: Given that, we should move into deliberation on Secretary Abhari's SGA application process.
- Leckie: Based on what we heard, I think it's reasonable to call in more cabinet secretaries and reach out to those who didn't get the positions. I also think we should obtain the record of what was said at the Sunday cabinet meetings. These should fall in official SGA capacity, and I find it disturbing that they weren't properly documented.
- Chabot: Our job is to investigate presidential appointments. If we wanted to expand the scope to include Executive meetings, we would have to vote on that in Judiciary.
- Leckie: I don't think we should expand the scope of the investigation, but what was said at the meeting could help us with this discussion.
- Alvarez: I really appreciate that Secretary Abhari came and testified today. I understand that the singing question was not seen as unprofessional to her, but on a broad scope, we need to make sure that others feel that way too. I think we should hold off on an official opinion of this matter. We haven't heard sufficient testimony about the singing question to make a conclusion. I would encourage the Chair to reach out to cabinet secretaries and those who applied and were not forwarded to see if others were asked that question. If it was a consistent thing and not just SBVP reading the room, the question could be seen as problematic. Another concern is presidential discretion of appointments, and the SBP appointing people to similar but non-identical positions than those they applied for. I would like to look over our statutes and see what the SBP's power is to do this. And I would also like to see if Secretary Abhari was the only case where the applicant was awarded a different position. I agree with Senator Leckie that there may be pertinent information at those Sunday cabinet meetings. I'd like to see that in writing or a recording of the meeting so we can determine what was said. I hope more evidence and documentation that was eluded to is found sooner rather than later.
- Leckie: I'm wondering how the board feels about how Secretary Abhari was asked to contact applicants before being confirmed to the cabinet.
- Cusnier: I'm not trying to disqualify her, but when she was making those phone calls, she wasn't acting as a secretary. I think SBP is allowed to ask for help from other individuals, and I think that's what he did with Secretary Abhari.
- Chabot: Regarding the legislative certification program, I spoke with Dr. Acosta about this topic. We mentioned that asking subordinates to do duties they're not officially responsible for may be seen as hazing.
- Alvarez: It definitely gives me pause that a private student was taking on the responsibilities of an SGA officer. But I think that's more pertinent to Mr. Marcus' case, which has been unofficially tabled for the time being, so we can wait to discuss that matter as well. I'd prefer to return the focus to Secretary Abhari's process of being appointed.
- Cusnier: The only instance where that would not be hazing, is if she volunteered to do it and was not coerced in any way.

- Garcia: I agree with Senator Alvarez that we should put a pin in that conversation about her acting as a private student. We should be getting more information on how many times people received positions different than the ones they applied for, as well as more information about the singing question and how it was interpreted by other people who were asked it.
- Alvarez: **point of information-** under FSU definition, is it considered hazing if both parties are consenting? Or are there power dynamics included in the explanation?
- Chabot: I will pull up the official definition.
- Little: Based on my experience with the official FSU hazing module, it still can be considered hazing even if both people give consent.
- Chabot: Yes, it is considered hazing whether the individual consents or not.
- Alvarez: Senator Garcia, what are you asking the board to consider specifically?
- Garcia: What I wanted to know was what is our goal with this? It's possible there are more than one violation here, so how will we be determining what is a violation?
- Leckie: What we're trying to do is get the full story of these issues. Our job is to compile that information so the Senate can read it and recommend a course of action. At this point, we can't make many more conclusions without more evidence. We should reach out to more people involved in these issues, and try to obtain the minutes from the June 28th cabinet meeting. In general we need more information before we conclude anything else.
- Cusnier: I believe the word hazing is a strong word, and if we are going to label the singing question as that, we need to talk to VP Janvier. We deserve to know her perspective and why it was asked. I know we can't force anyone to speak with us, but we should ask her to come in and testify before we make any decision.
- Chabor: After we finish hearing from SGA applicant, we will be hearing from more members of the Executive branch,
- Alvarez: To address Garcia's question- there has been a negative feeling toward the presidential appointment process. Our job is to compile the facts, and find trends. Then, we can get involved and make change through changing statutes. Our main job is to find the facts.
- Garcia: Thank you Senator Alvarez. In statute 304.3.C, it says that the interview is conducted by the Chief of Staff. If more cases arise similar to Marcus, and none of the communication was made by the chief of staff, wouldn't that be a violation anyways?
- Leckie: When some of these interviews happened, we didn't have a chief of staff, so I don't think it's a huge issue.
- Alvarez: That piece of the investigation (chief of staff) can be a part of the whole recommendation we can make to the Senate. I personally think that we should have a discussion about that part. It was also brought up in Revell v. Wilson. We should discuss it at a later time.
- Cusnier: In reference to Marcus' first application, I think there is a lot of debate. I also **move to adjourn**. I know it would cause Senator Gipalo's testimony to be tabled, but we did have a discussion about ending at 7:30.
- Chabot: We need to move out of deliberations before we adjourn. Additionally, we have a piece of pertinent evidence that must be reviewed.
- Alvarez: **point of inquiry:** what is the other evidence that should be considered?
- Chabot: We need to adopt a subpoena process.
- Alvarez: For time's sake, **motion to waive Investigative Board rule 3.9.E for the remainder of the meeting.**
- **Cusnier seconds**
- **Motion passes**
- Chabot: That will be the first order of business at our next meeting.

- **Alvarez moves to exit deliberations**
- **Cusnier seconds**
- **Final Announcements:**
 - **Cusnier moves to table Alvarez's testimony**
 - **Garcia seconds**
 - **Motion passes**
 - Chabot: Thank you all for your hard work, we uncovered a lot of important information. We are not allowed to do business during the last week of July because of finals. How do we feel about meeting next Thursday?
 - Alvarez: It depends on what time the meeting is, I have another engagement.
 - Chabot: We were thinking about 7pm.
 - Alvarez: That works for me.
 - Chabot: With that, our next meeting will be next Thursday at 7. Thank you again for coming. I am here to support you all in any capacity I can.
 - Little: Thank you all for coming! This is such an important process, and I look forward to making more progress.
 - Alvarez: Thank you to all who came to speak. Your evidence and testimony is so important for our board. Today was productive for our first meeting, and is a good sign for the future. I want to remind Senators that I have drafts of my statements of dissent. Contact me if you want to get involved.
 - Cusnier: I wanted to also thank you all for coming out. We will do the best we can to find the truth and do what's right.
 - Garcia: I want to echo everyone's sentiments, we really appreciate you guys. I know I didn't ask too many questions, but I was hearing your stories and experiences, so I hear all of you. We are going to do the best we can to represent you all.
 - Marcus: Since there's only one more meeting of this committee and so much left to do, can we make sure we give enough time for all that?
 - Chabot: Next week will be our last meeting of the summer, but not of the board as a whole.
 - Marcus: There are multiple summer senators on this committee, will we need to re-testify in front of new board members in the fall?
 - Chabot: It is up to the new senators if they wish for you to come in and testify again. But they will have access to all the evidence and minutes from the summer session.
 - Marcus: How do I get more information about getting compensation for my second application?
 - Chabot: Senator Alvarez, do we have general counsel now?
 - Alvarez: I believe you can find it on the SGA website under the judicial branch. Or you can email a member of SGA and ask them to contact the college of law on your behalf.
 - **Alvarez moves to adjourn**
 - **Cusnier seconds**
 - **Meeting is adjourned.**

Date and Time of Next Meeting: Thursday, July 18 at 7pm

Adjourned: 7:44 p.m.

Elizabeth Chabot

Signature of Chair