

**FLORIDA STATE UNIVERSITY
STUDENT ELECTIONS COMMISSION**

Consolidated No.'s:

SPR-2022-2	“BBQ”	6-0
SPR-2022-9	“Forward Pizza 2”	6-0
SPR-2022-12	“The Den”	6-0
SPR-2022-13	“Bellamy”	6-0
SPR-2022-14	“Bellamy 2”	6-0

RAWAN ABHARI, Petitioner *v.* FORWARD FSU,
Respondents.

[March 1, 2022]

Argued and Decided on 1 March 2022. Gabrielle Little, Rawan Abhari, and Renee Wang for the Petitioner. Jason Puwalski, Trevor Murray, and Bella Suarez for the Respondents. Opinions delivered electronically on 7 March 2022.

Chair: Supervisor of Elections Spencer Greenwood. Commissioners in attendance included Nicholas Concilla, Vice Chair; Corey Adamyk, Kelvin Ready, Mackie Taranto, Khamisi Thorpe, and Hank Thompson. Commissioner Carter Pope was in attendance but did not vote.

At the time of the hearing and decision, Commissioner Khamisi Thorpe was a voting member of the Elections Commission. Between that time and the publishing of this opinion, Mr. Thorpe has been confirmed as the Student Attorney General, and as such has stepped down from his position. Mr. Thorpe does not join in these opinions in any capacity except for his vote at the time of deliberation.

SUMMARY OF ALLEGATIONS

This action was brought before this Commission in five complaints (here consolidated) filed by Rawan Abhari, a Florida State University (“FSU”) student and member of Surge FSU (“Petitioner”), against Forward FSU, (“Respondents”) for violating Student Body Statutes (“SBS”) § 711.6(C)(6) and § 711.6(B)(9) by holding events where food was provided and for distributing literature in improper locations. The alleged violation occurred between 20 February 2022 and 24 February 2022.

JURISDICTION

The Elections Commission has the power to investigate and make findings of fact regarding alleged violations of the Elections Code pursuant to SBS § 703.2(F) and § 703.2(G). Chapter 700 of the SBS states, “Once the date of an election has been determined, according to 705.4 and 706.5, the election code used for that election cannot be changed. The Election Code will be enforced in a time period beginning three (3) weeks prior to an election and ending upon the certification of that election. This does not preclude the reporting of violations later enumerated in Chapter 711.”

RIGHT TO APPEAL

According to SBS § 703.2(I), “Any decision made by the Elections Commission may be appealed by a party to the hearing to the Student Supreme Court no later than thirty-six (36) hours after said decision and all accompanying opinions have posted to the SGA website pursuant to Chapter § 703.2(F)(1) of the Student Body Statutes. No appeals of decisions made by the Elections Commission shall be accepted after this thirty-six (36) hour period.”

OPINION

CONCILLA, V.C., delivers this *Per Curiam* opinion on behalf of the Commission.

This Commission believes that Ms. Abhari failed to meet burden of “clear and convincing evidence” as set forth in SBS § 711.4(F). We recommend to the legislature that they re-evaluate the codified evidentiary standard.

DONE and ORDERED, this 7th day of March 2022.