FLORIDA STATE UNIVERSITY
STUDENT ELECTIONS COMMISSION

No: AV22 – FY25

Siddharta Ojha, Petitioner v.
ForwardFSU, Respondent.

October 29, 2025

Argued 28 October, 2025. Decided on 28 October, 2025. For Petitioner, Riley Perantoni and Siddharta Ojha. Logan Rubenstein and Faisal Lalani for the Respondent. Opinions delivered electronically on 29 October, 2025.

Supervisor of Elections Sara Larancuent and Vice-Chair Jake Still were in attendance. Commissioners in attendance included Angel Colon, Serena Cochran, Nathan Grodsky, and Ethan Schaefer.

Summary of Allegations

Siddharta Ojha ("Petitioner") brought forward claims against Chase Morris ("Morris"), as an individual, and Forward FSU ("Respondent"), as a party. According to SBS §710(6)(f)(3), Petitioner claims that Respondent and Morris attempted to perpetrate a fraudulent election. The Supervisor of Elections previously ruled Morris in violation of this statute. In the present case, Petitioner claims, according to SBS §710(5)(c)(1), Respondent should also be held liable for Morris' violations because Morris allegedly "acted as an officer of a party."

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 SBS §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."

Issue

For the purposes of determining whether SBS §710(5)(c)(1) can hold Respondent liable for the actions of Morris, was Morris acting as an officer on behalf of Respondent?

Holding

No. Morris was not acting as an officer on behalf of Respondent.

FACTUAL BACKGROUND

The events of this case begin with the actions of Morris in the Lambda Chi Alpha Flare Chat ("Flare Chat"). In this Flare Chat, Morris posted a message directing members to vote only for Respondent affiliated parties at the ballot. Morris's post also stated that "this is mandatory." Morris is on the Executive Board of the Lambda Chi Alpha fraternity. The Supervisor of Elections has found this action to have constituted two violations of SBS §710(6)(f)(3) and §710(6)(c)(3). Morris was a member of Respondent at the time the violation occurred. However, Respondent has since disaffiliated with him as a member of the party.

OPINION

COMMISSIONER Colon delivers the opinion on behalf of the Commission, with whom VICE-CHAIR Still, and COMMISSIONERS Cochran and Grodsky join.

ANALYSIS

According to SBS §710(5)(c), "when an Election violation is alleged against a party as opposed to an individual naming the party as the respondent, it must meet one or more of the following standards." Petitioners assert that Respondent has met one of these standards because Morris, as a perpetrator, was "acting as an officer of a party." SBS §710(5)(c)(1). Additionally, Petitioner has the burden of proving the Election violation by "clear and convincing evidence." SBS §710(4)(g). Based on the evidence presented in this case, the Majority find that Petitioner has not proven by clear and convincing evidence that Respondent was in violation of statute SBS §710(5)(c)(1).

1. Defining Officer.

If we look at the evidence in the light most favorable to the Respondent, Petitioner's arguments heavily relied on the definition of an "officer" being broadly construed. The evidence behind this argument was the contested fact that Morris was a "blazer". According to Petitioner, being a "blazer" holds more responsibility than that of a general member even if it is not considered an Executive Officer. Following that logic, Petitioner asks the Commission to then hold that because Morris was a "blazer" that means that he has a prominent position in Respondent. As such, Morris' actions as a member of Lambda Chi Alpha in the Flare Chat should be seen as Respondent's fault because he is a "blazer".

Respondent asserts that the term "officer" for the purposes of a Schedule 4 Election Violation under SBS §710.5(C)(1), should not be so broadly construed. Firstly,

Respondent's assert that Morris was not a "blazer", and the conversation of whether he was or was not irrelevant, because "blazers" are considered general body members regardless. As such, Respondent's assert the Commission should narrowly construe the statutory language of "officer" to only mean a party who holds office within the organization. For example, Respondent claims that a member would only be considered an "officer" of Respondent if they were on the Executive Board. They assert that Morris was not on the Executive Board and thus should not be seen as an "officer".

The term "officer" is used only once in the SBS §701: Definitions. Under §701.1(F), "Candidate" is defined as "any student seeking to be elected as an **officer** of the Student Government Association . . . ." In this context, it seems to show that the word "officer" is being used in a more formal way that distinguishes a general student body member from that of a person holding office in the Student Government Association. As such, it seems the intention behind the word "officer" in the SBS is to distinguish a person who holds office. In SBS §710.5(C)(1), the relevant statute to this case, a perpetrator must be acting as an officer of the party that allegations are brought against.

Thus, without any clear and convincing evidence to the contrary, the Commission finds that for the purposes of determining what is considered an "officer" of Respondent, the Respondent's argument that it must be a member holding office in the organization as being more persuasive.

Additionally, because no evidence was presented against Respondent's assertion that Morris was not an Executive Board member at the time of the violation, the Commission finds that Morris was not an "officer".

2. *Determining Whether the Party was "acting" as an officer.*

Within the Commission, there was also discussion about what it means to be "acting as an" officer, for the purposes of a violation under SBS §710.5(C)(1). Here, Petitioners have a stronger case seeing as Morris, as an individual, has already been found to be in violation of the Election Code. Respondents were unable to present any strong evidence against the fact that Morris acted in violation of the Code.

Petitioners believe that Morris was "acting" as an officer when he sent those messages out because he was campaigning on behalf of Respondent and that should be seen as a sufficient act to find that Morris was "acting" as an officer. We agree.

However, the Majority does not place the same amount of emphasis on the word "acting" as the Dissent would like us to. One of the biggest flaws of the Dissent's opinion is that it makes an argument for the Petitioner's case that was not brought forward by the Petitioner themselves. Our role as Commissioners is not to argue the case. The entirety of the Petitioner's argument

was centered around the word "officer". Petitioners brought forward evidence to show that Morris was an officer of Respondent. In fact, Petitioner's argument is in direct conflict with the Dissent's hyper fixation on the word "acting". Petitioner's claim that we should assume someone is "acting" as an officer because of the mere fact that person *is* an officer.

The Dissent claims that: "A member of an organization who acts with power and authority to further that organization's interests is acting as an officer." No other evidence was presented by the Dissent as to why that is the truth. In my first year of law school, my writing professor made a point to all of us: "A rule is not a rule simply because you say it is. Show me convincing evidence." I'm afraid the only connection between the Petitioner's argument and the Dissent's argument is that they both suffer from a lack of clear and convincing evidence for the arguments they make, resulting in conclusory statements.

Regardless, though it is true the statutory language states "acting as an officer," the Dissent may be getting lost in the weeds of statutory interpretation. SBS §710(5)(c)(1) is much more procedural, than substantive. This statute is invoked when a party is named instead of an individual. So, the Petitioner must be able to show that the individual in alleged violation of the Election Code can be causally linked to the named party. Half of America is a democrat, but it does not make a lot of sense to state that your neighbor who is a democrat telling their friends to vote is the same as the presidential nominee saying it. The intention of this statute is to protect elections from negative interference. So, the only relevant question to be asked, is not about whether someone was "acting" in a way that would lead someone to believe they are a leader for Respondent, but if the individual in violation was performing their official duties, and in that capacity, broke the Election Code, so much so, the party can be named alongside the individual.

3. *Was Morris acting as an officer of Respondent?*

Even though it is true that Petitioners have made a compelling case to demonstrate that Morris' actions were in violation of the code, Petitioners failed to present clear and convincing evidence that his actions were performed as a part of his duties as an officer of Respondent. Thus, the Commission is unable to hold that Morris was acting as an officer of Respondent, and therefore, finds Respondent not in violation of SBS §710.5(C)(1).

The unfortunate circumstance in this case is that a Morris is now disaffiliated with Respondent because of his actions that could have easily been prevented should Respondent had been more responsible in defining internal structure of their organization and regulating external outreach of its members.

Though the Commission finds in favor of Respondent,

it urges student organizations to be more thoughtful in their processes. If the goal is to move FSU Forward, it seems Respondent might be missing the mark. We agree with the Dissent on that point.

CONCLUSION

Based on the information reviewed, the alleged conduct does not constitute a violation of SBS §710.5(C)(1). The Commission rules in favor of Respondent. 3-1.

DISSENT

Commissioner Schaefer, Dissenting.

Can any organization, now and in the future, exculpate themselves from a members adverse actions by simply disbanding that member? No.

Organizations set the standards that their members adhere to. Those standards cannot be merely implicit or assumed. They must be explicitly stated and engrained into each member. The sufficiency of such a process should be a matter of evidence that demonstrates an effort to educate members prior to any adverse conduct, rather than an effort to quickly disband them after the fact.

This Commission was wrongly asked to define "officer" and made a judgment based on that definition. But the language specifically targets a member "act[ing] as an officer." The two must not be conflated. Any argument seeking to define what an officer *is*, that does not also include what an officer *does*, is unconvincing. A member of an organization who acts with power and authority to further that organization's interests is acting as an officer. That is exactly what Morris did as a member of ForwardFSU.

ForwardFSU, an organization who is in the best position to deter their members from adverse actions should do so, and failure to do so must be at least partially addressed to them.