

**FLORIDA STATE UNIVERSITY  
STUDENT ELECTIONS COMMISSION**

---

No: SPR-2025-3

---

Attorney General Christian Velasquez, on behalf of Jacob Rampino, Supervisor of Elections & Florida State University Student Government Association, Petitioner  
v.  
Ethan Bischoff, Respondent.

March 17, 2025

*Argued 17 March 2025 and Decided on 17 March 2025. Petitioner Jacob Rampino, Elections Commissioner. Ethan Bischoff for the Respondent. Opinions delivered electronically on 19 March 2025.*

*Supervisor of Elections and Chair Jacob Rampino was in attendance. Commissioners in attendance included Vice-Chair Andrew Barrineau; Cole McClellan, Andrew Otones, Emma Smith, Jake Still.*

## SUMMARY OF ALLEGATIONS

This action was brought before this Commission by Christian Velasquez, Attorney General & Jacob Rampino, Supervisor of Elections, on behalf of the Florida State University Student Government Association (“Petitioner”), against Ethan Bischoff, a candidate for Student Senate (“Respondent”). Petitioner filed these complaints with the Supervisor of Elections (“Supervisor”)—who forwarded them to this Commission—alleging that Respondent violated Student Body Statute (“SBS”) §§ 710.6(c)(3).

## 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.”

## ISSUE

Does the reposting of a social media post that features a political candidate by an official entity of Florida State University constitute a solicitation of support, and therefore campaign material, as defined in §701.1(a)(1) that puts the featured candidate in violation of § 710.6(c)(3), which prohibits the use of campaign materials which fail to comply with University regulations?

## HOLDING

For the Respondent.

## FACTUAL BACKGROUND

Respondent is a student at the Florida State University School of Communication. While campaigning for Student Senate Seat 2, Respondent was the subject of an Instagram post that featured Respondent's photo as well as a brief statement of purpose for Respondent's candidacy. The Instagram post was initially posted by RunIndependentFSU – an on-campus political organization that represents itself as an entity dedicated to supporting non-party-affiliated candidates for office within the student government. The Florida State University School of Communication reposted the material to its official Instagram account, adding an emoji that depicts clapping hands.

Petitioner contends that said reposting constitutes a solicitation of support in violation of the statutes, and thus charges Respondent with a violation of the election code relating to the use of campaign material that violates University policy.

Respondent argues that the cited provisions of the SBS are inapplicable to him as a private citizen and student, who is not subject to a policy that governs the political activity of a University entity. Respondent further argues that since he is not subject the preceding, activities in violation of the same cannot be imputed to him as a violation of the election code.

## OPINION

VICE-CHAIR BARRINEAU delivers the opinion of the Court, with whom COMMISSIONERS STILL, OTANES, and MCLELLAN join.

## ANALYSIS

Neither party to this action seems to dispute that an Instagram post is campaign material under §701.1(e) or that the posting or sharing of campaign material is a solicitation of support, i.e., “campaigning” under §701.1(a). Nor is it disputed that campaigning and the materials associated with it must be in compliance with University Policy as required under §708.1(c), or else the responsible student candidate would have committed a violation of §710.6(c)(3), which categorizes the use of campaign materials that fail to comply with University Regulations as a schedule one violation of the Elections Code. So, at the heart of this matter is Policy 1-4 of the Florida State University Board of Trustees.

Policy 1-4 governs the political conduct of the “University.” As defined in the policy, “University” encompasses the physical buildings that makeup Florida State University, as well as employees, agents, and students. No part of the “University” as defined in the policy may participate in the political process purporting to represent Florida State, nor may the University's physical components (including its information technology) be used to support a position or candidate for public office. Following the Petitioner’s logic, the reposting of the Instagram post that contained the Respondent’s photo and policy positions by the School of Communication is a violation of Policy 1-4 that should make the Respondent subject to the penalties reserved for violators of §710.6(c)(3) because “[the Petitioner] cannot imagine that [the School of Communication] would have reposted it without him asking” as they offered during oral arguments before this Court. It shocks the conscience to ponder what other conclusions could be arrived at by following the Petitioner’s logic.

The Student Government’s filing of this violation borders on frivolity. Resolving in favor of the Petitioner calls for an application of University policy that is so

distant from any articulable causal link between an action by the Respondent and an action by the School of Communication that the Petitioner did not attempt to prove its existence beyond stating that they believed it. There was no assertion that Respondent had coordinated the re-post with anyone who had control over the School of Communication's Instagram account. There was no assertion that RunIndependentFSU had coordinated the action either. No evidence was offered that attempted to show that Respondent had done anything other than be the subject of a social media post – advocating for his own interests.

To say there is no basis for using Policy 1-4 to find a violation of the Student Body Statutes in this matter, much less to impute a breach of policy by a non-student entity onto a student, is the plain articulation of our holding. Yet – it falls short of communicating the impropriety of the narrow and selective application of the law that inheres in alleging a violation based on the facts of this case. As introduced into the record by the Petitioner, per Policy 1-4, “every member of the University community has a right to participate or not, as he or she sees fit, whether off duty and in his or her individual capacity, in the political process.” That is the opening of the Board of Trustees policy statement, and it is the end of the Petitioner's case.

## CONCLUSION

Respondent is adjudicated not guilty. 5-0.