

“Anonymous Complaints”

In order to better utilize the time and resources of the Election Supervisory Board (ESB), no anonymous complaints will be heard as a prelude to a disciplinary hearing. As such, anonymous complaints will be immediately dismissed by this and any future ESBs that this Advisory Opinion shall hereafter govern.

Anonymous complaints will be classified and defined as any informal complaints communicated to the Chair of the ESB or any other member of the ESB, or any other faculty member, administrator, staff member, and/or agent of the University of Texas, or any other student or agent that deals with the ESB via email, cell phone, mail, or any other manner or any formal complaint via the UT SG website whereby the identity of the complainer is not revealed.

The factuality of these complaints cannot be verified, since the identity of the complainer cannot be verified. As such, the veracity of the complaint is questionable at best, and therefore the ESB would not be able to accurately pursue it. Also, as the Election Code, passed by the Student Government Assembly 2009-2010, states that for a complaint to warrant a hearing, the complaining party or parties must, in good faith, attempt to resolve their differences (§4.06). Anonymity does not guarantee that such an attempt can be verified.

Further, the burden is on the complainer to prove his or her case before the ESB. Anonymity, by its very nature, prohibits the complainer from appearing before the ESB to prove such a case. In addition, all disciplinary meetings of the ESB are open to the public, and the testimony and/or arguments would and must therefore be open (§4.11). Thus, the person seeking to remain anonymous would have to reveal his or her identity, or not have his or her testimony and/or arguments heard before the ESB.

If, however, a complainer who wishes to remain anonymous is able to identify his or herself for the purpose of filing a complaint and is able to negotiate with the ESB to the ESB’s satisfaction to remain anonymous until the complainer’s identity is safe to be revealed prior to a disciplinary hearing, then such a complaint may be heard.

Charles E. Maddox – Chair, Election Supervisory Board  
Shara Ticku – Vice-Chair, Election Supervisory Board  
Jimmy Cardenas – Member, Election Supervisory Board  
Matthew Hite – Member, Election Supervisory Board  
Eric Nimmer – Member, Election Supervisory Board  
Alyssa Flores – Member, Election Supervisory Board  
Ryan Murphy – Member, Election Supervisory Board  
Eugene Wood – Member, Election Supervisory Board