

2016 Election Supervisory Board

In Res. Sahil Bhandari, Michael Scott, and (Name Redacted)

ESB Resolution: 2016-006

Election Supervisory Board Chair David Engleman delivered the majority opinion of the board: *“the matter of Sahil Bhandari/Michael Scott, Graduate Student Assembly Executive Alliance Candidates, and (Name Redacted), worker for the Bhandari/Scott campaign, the Election Supervisory Board heard a complaint outlining multiple violations the election code.”*

Whereas, Section 1.6 of the Campus-wide Election Code reads, “CANDIDATE REFERENCES INCLUDE ALL CAMPAIGN STAFF. References to candidates shall be construed to apply to their agents and workers as well,” and,

Whereas, Section 1.8 of the Campus-wide Election Code reads, “IGNORANCE. Ignorance of this code shall not be an acceptable defense in response to any offence committed in any election under this code; either by the candidates themselves, their agents or workers, or the election regulatory bodies, as defined by this code,” and,

Whereas, Section 2.20 of the Campus-wide Election Code reads, “WORKER” refers to any person that contributes time, effort, or services, for the purpose of supporting or furthering a candidacy, where the candidate or agent has knowledge of said contributions,” and,

Whereas, Section 4.10 of the Graduate Student Assembly Specific Election Code reads, “Candidates shall refrain from knowingly deceptive or misleading campaign activities, including any act or statement reasonably calculated to injure or compromise the rights or interests of any member of the university community,” and,

Whereas, Section 4.19 of the Campus-wide Election Code reads, “CONSEQUENCES OF A CLASS D VIOLATION OR OTHER DISQUALIFICATION RULING. If after a hearing, the Election Supervisory Board finds that provisions of this code or the decisions, opinions, orders, or rulings of the Election Supervisory Board or appellate entity with jurisdiction over the election in-question have been violated by a candidate, or a candidate’s agents or workers, or finds a Class D violation to have been committed, the Election Supervisory Board may disqualify the candidate,” and,

Whereas, the Bhandari/Scott campaign erred in posting press releases which contained an endorsement of their campaign in an official GSA Facebook event page, and,

Whereas, the Bhandari/Scott campaign erred in posting the aforementioned press releases to an official GSA Facebook event page which was distributed by email to thousands of graduate students without the consent of the email's author, Brian Wilkey, Graduate Student Assembly President, and,

Whereas, the Bhandari/Scott campaign, by their own admission, posted the aforementioned press releases as official members of GSA Legislative Affairs Committee, not as campaign workers or private individuals, and

Whereas, the Bhandari/Scott campaign erred in distributing a press release which suggested that the official GSA event was a partnership between GSA and UT Graduate Students Against Campus Carry, an organization which endorsed the Bhandari/Scott campaign and did not partner with the GSA to host the aforementioned event, and,

Whereas, the Bhandari/Scott campaign admitted in the hearing that common members of the Bhandari/Scott campaign and the GSA Legislative Affairs Committee should distance themselves from the organization of the aforementioned event in order to avoid even a hint of impropriety - yet all three Facebook event hosts were declared workers of the Bhandari/Scott campaign (though Michael Barnes disputes his association with the Bhandari/Scott campaign), and,

Whereas, an event host, (Name Redacted), who posted the aforementioned press releases is a registered worker of the Bhandari/Scott campaign and had, herself, brokered the endorsement of the campaign by non-UT organization UT Graduate Students Against Campus Carry, and,

Whereas, gross negligence on the part of a campaign which cannot be remedied by lesser violations merits punishment by disqualification, and,

Whereas, the unanimous majority of Election Supervisory Board members present at the hearing concluded that such gross negligence occurred, therefore, be it

Resolved, that Sahil Bhandari/Michael Scott, Graduate Student Assembly Executive Alliance Candidates, are hereby disqualified, effective immediately, and, therefore, be it

Further resolved, that any adversely-affected party has the right to appeal this decision pursuant to Section 5.1 of the Campus-wide Election Code, which reads, "APPEAL OF ESB DECISION: Any party adversely affected by a decision of the Election Supervisory Board may file an appeal with the entity with appellate jurisdiction within twenty-four (24) hours after the adverse

decision is announced, unless the Election Supervisory Board's decision takes place during a voting period.”

In conclusion, the Election Supervisory Board submits its resolution on Tuesday, March 1, 2016 with the majority of board members who were present at the meeting.

David Engleman, Chair

Zachary Long, Vice Chair

Courtney May, Member

David McDonald, Member

Elizabeth Vigants, Member

Erin Larson, Alternate Member