

**Election Supervisory Board Resolution: 2024-002**  
**In Res. Candidate Seminar Absence (Resolved: Saturday, February 17, 2024)**

Election Supervisory Board Vice-Chair Sydney Baker delivered the majority opinion of the board:

“In the matter of a candidate not appearing at the Candidate Seminar”

Whereas, Section 6.11 (b) of the Campus-Wide Election Code reads “Attendance at the candidate seminar is required of each candidate running in a race that is part of the Campus-Wide elections process. Failure to attend the Seminar shall not be an acceptable excuse for violating this Code.”

Whereas, Section 6.12 of the Campus-Wide Election Code reads “If the candidate has an excused absence as determined by the Election Supervisory Board, then they may send an authorized agent in his or her place” but that the “Election Supervisory Board must be notified of the substitution at least eight (8) hours in advance of the Candidate Seminar.”

Whereas, Election Supervisory Board Advisory Opinion 2024-002 reads “Any candidate encountering an extenuating circumstance (e.g. family emergency, illness) within the 8-hour window should notify the ESB as soon as possible at [esb@austin.utexas.edu](mailto:esb@austin.utexas.edu). The Board will grant exceptions at their discretion.”

Whereas, Section 4.10 (v) of the Campus-Wide Election Code reads “The complaining party shall bear the burden of proof.”

Whereas, the complaining party accused Sarah Sheriff of being absent from the candidate seminar that occurred on February 5th, 2024 at 8:30pm.

Whereas, Sarah Sheriff explained that she had been exposed to COVID-19 within a timeframe that could put others at-risk if she had contracted the disease. She explained that she did not know who to contact for this absence and therefore did not send an email to the Election Supervisory Board notifying of her absence.

Whereas, Section 1.9 reads “Ignorance of this code shall not be an acceptable defense in response to any offense 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.”

Whereas, Section 4.14 reads “Within the ranges established by the Election Supervisory Board, the Election Supervisory Board shall select the amount of the fine or length of the suspension most appropriate to both the severity of the infraction and the intent of the violator as determined by the Election Supervisory Board. At the candidate seminar, the Election Supervisory Board shall clearly define what would constitute each class of a violation.”

Whereas, the Election Supervisory Board Members present at the hearing have voted to issue a class C violation, resulting in a **10% fine** and a **24-hour moratorium starting Tuesday, February 20th 8:00 am to Wednesday, February 21st 8:00 am.**

Whereas, Sec. 4.16 reads, “If, after a hearing, the Election Supervisory Board finds a candidate, or a candidate’s agents or workers, has committed a Class B or Class C violation, the Election Supervisory Board may restrict the candidate, or the candidate’s agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign period. If an order is issued covering only part of the remaining campaign period, it shall take 24 hours so that after its termination, the candidate will have an opportunity to resume campaigning during the days immediately prior to and including the election days.

a. A moratorium of campaigning is defined as restricting a candidate, or a candidate’s agents or workers, from soliciting votes from students or promoting materials that have the intended purpose of soliciting votes.”

Resolved, that any adversely affected party has the right to appeal this decision pursuant to Section 4.18 of the Campus-Wide Election Code, which reads, “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.”

In conclusion, The Election Supervisory Board submitted its resolution on Saturday, February 17th, 2024, with a five-to-zero majority of the board members who were present at the meeting.

Affirmative Votes:

Ty Gribble (Chair)

Sydney Baker (Vice Chair)

Dilan Patel

Tessa Slagle

Lauren Guerra-Flores