

**2019 Election Supervisory Board**  
**In Re: Unapproved Campaign Materials**  
**ESB Resolution: 2019-006**

Election Supervisory Board Member Carolyn Plein delivered the majority opinion of the board:

*“In the matter of a campaign using unapproved campaign materials”*

*Whereas*, Section 4.6 of the SG-Specific Election Code reads “FILED CAMPAIGN MATERIALS.

A sample of all campaign materials must be filed with the Election Supervisory Board prior to its public distribution or publishing. Candidates who distribute, publish, or disseminate their campaign materials prior to approval from the Election Supervisory Board *shall be appropriately sanctioned for each violation* of this section,” and,

*Whereas*, Section 2.10 of the Campus-Wide Election Code reads as ““CAMPAIGN MATERIALS”

refers to all materials and literature of any kind concerning any candidate that have or are intended to have the effect of soliciting votes, support, or interest for a candidate or elective office but excludes any individual endorsement not approved by the candidate,” and,

*Whereas*, Election Supervisory Board Advisory Opinion 2019-008 reads “The 2019 Election Supervisory Board interprets campaign materials to be those publicly broadcasted or distributed materials. Candidates do not need to submit spontaneous, speech-based, or interpersonal materials” and “Candidates do need to submit those advertisements (posters, videos, banners, fliers, etc.) created for the purpose of garnering votes or support from a public audience. The focus is on printed/digital promotion (fliers, videos, etc.) curated for the campaign and “When in doubt, a candidate should refer to their Election Supervisory Board representative,” and,

*Whereas*, Slide 19 of the Candidate Seminar PowerPoint says “File your campaign materials: Take a picture of all your campaign signage and material before you start campaigning and send it to your ESB representative,” and,

*Whereas*, Failure to submit timely financial disclosures is punishable by the ESB *sua sponte* as outlined in Madison Gardner/Antonio Guevara v. the Election Supervisory Board (Docket Number: 2012SE-005); and,

*Whereas*, As previously argued in the case of financial disclosures and trademark infringement, the ESB being unable to enforce Section 4.6 of the SG-Specific Election Code *sua sponte*, it would be forced to recruit straw-person complaints to file under this section, a result which we think could not have been intended by the code’s authors and which would violate Section 4.1 of the Campus-Wide Election Code, which prohibits ESB members from filing complaints; and

*Whereas*, Section 4.13 of the Campus-Wide Election Code states “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,” and,

*Whereas*, in ESB Hearing 2019-002 (Resolution 2019-005) the Election Supervisory Board was presented with evidence that included previously unapproved campaign materials (the first image included below); and,

*Whereas*, thereafter the Election Supervisory Board discovered 12 other promotional graphics and 2 promotional videos (for a total of 13 promotional graphics and 2 promotional videos, documented below) on the Izzy & Elena 2019 (@IzzyElena2019) Facebook page that were not approved by the Election Supervisory Board; and,

*Whereas*, the Election Supervisory Board has voted each of these infractions of Section 4.6 of the SG-Specific Election Code to be a Class A violation; and,

*Whereas*, the Election Supervisory Board has voted to add a 2% fine to the Izzy-Elena campaign's expenditures for each of the 13 unapproved promotional graphics, and a 5% fine for each of the two unapproved video promotions; and,

*Resolved*, That the Izzy-Elena campaign's expenditures, initially listed at \$391.98, upon the imposition of the cumulative fine of 36%, the Izzy-Elena campaign expenditure is now priced to be \$575.94, thus placing their current expenditure to be 113% of the \$511 spending limit.

*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, "During the voting period, an appeal must be filed within eight (8) hours after the adverse decision."

In conclusion, the Election Supervisory Board submits its resolution on Wednesday, March 6, 2019, at 8:55 PM with the majority of board members who were present at the meeting.

Affirmative Votes:

Dakota Park-Ozee, Chair  
Mariano Bracamontes Akle, Vice Chair  
Dwight Peton, Secretary  
Nicholas Eastwood  
Taylor Lindsey  
Carolyn Plein



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**BY CREATING A FINE ARTS ENDOWMENT OR HORN-RAISER, ARTS AND HUMANITIES PROGRAMS CAN RECEIVE MORE UNIVERSITY FUNDING.**

**REINFORCE STUDENTS PURSUING THESE OVERLOOKED MAJORS VIA SCHOLARSHIP OPPORTUNITY.**

**IZZY ELENA**

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**Izzy & Elena 2019**  
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There has been a systemic issue across the nation with underfunding the arts in comparison with the STEM majors. Just because STEM education is imperative, does not mean that the arts are less important. Just because STEM flourishes does not mean the arts must suffer. Furthermore, over the last year there was a removal of library resources in the arts library and countless professors continually... See More

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**COMPARABLE UNIVERSITY STADIUMS AND FESTIVALS ALLOW ATTENDEES TO ENTER VENUES WITH EMPTY, CLEAR WATER CONTAINERS.**

**LET'S REVISE CURRENT POLICY TO BATTLE DEHYDRATION DURING HOME FOOTBALL GAMES.**

**IZZY ELENA**

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**Izzy & Elena 2019**  
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Many students in recent years have had to seek emergency medical attention following symptoms of dehydration. Comparable university stadiums and Austin City Limits allow attendees to enter the venue with an empty, clear water container. We propose to meet with administrators and implement this policy to battle bouts of dehydration during home football games.

Vote March 4th and 5th at [utexasvote.org](http://utexasvote.org) #izzyelela2019

3

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**THE 2008 CAMPUS MASTERPLAN FEATURED AN ELIMINATION OF THE EAST MALL FOUNTAIN AREA IN LIEU OF A MORE ACCESSIBLE RAMP AND STAIRCASE.**

**REPURPOSE THE FOUNTAIN IN ORDER TO IMPROVE ACCESSIBILITY FOR DIFFERENTLY ABLED STUDENTS.**

**IZZY ELENA**

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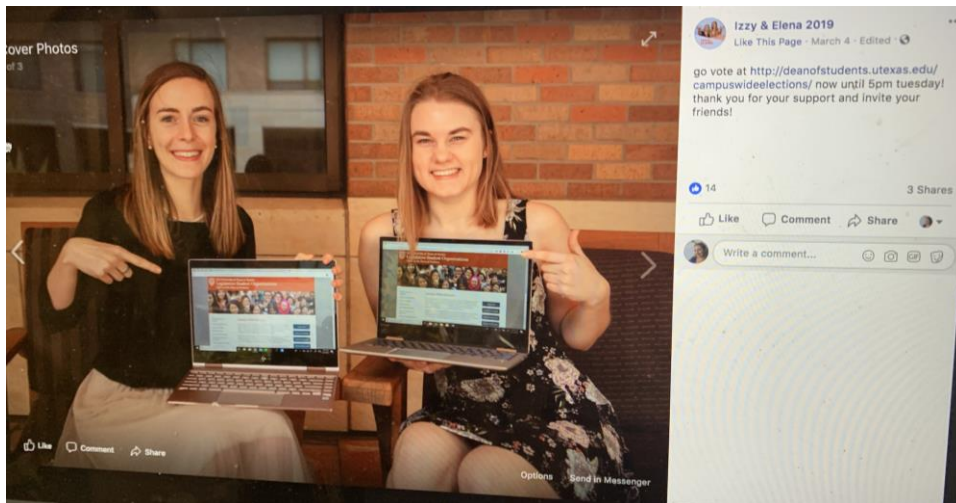
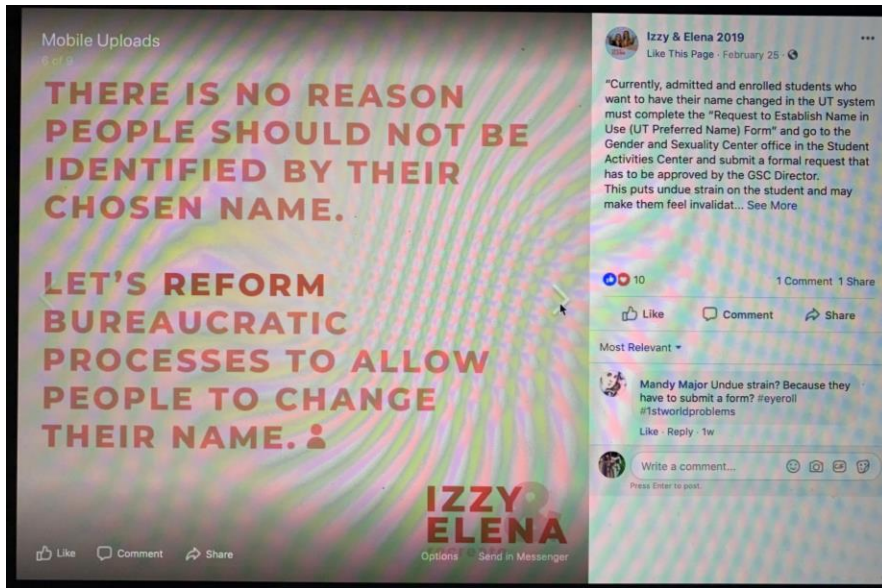
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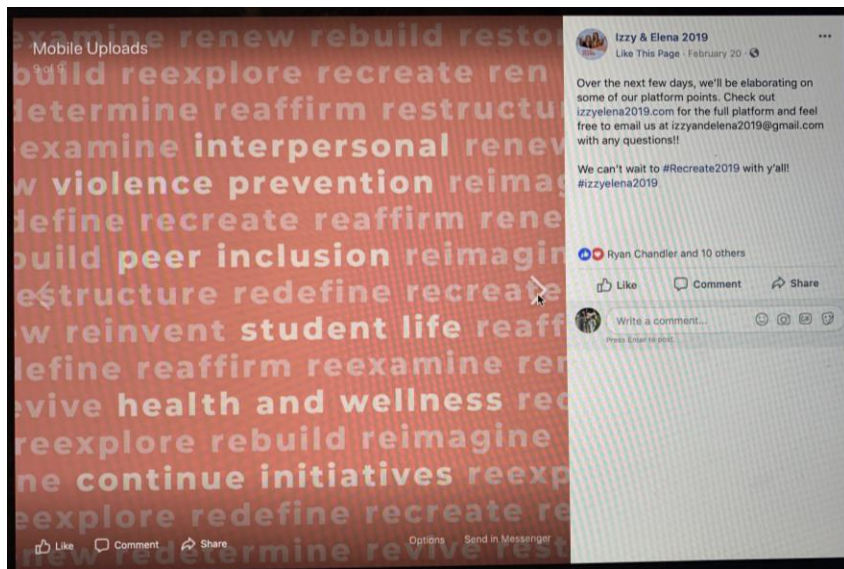
The 2008 Campus Masterplan featured a reconstruction of the area surrounding and including the East Mall fountain. This reconstruction would eliminate the fountain area in lieu of a more accessible ramp and staircase reminiscent of the steps by Littlefield Fountain. This plan never came to fruition. Our long term goal is add this back to the campaign masterplan with a few new additions. To further... See More

Delaney Davis, Christine Li and 4 others 1 Share

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Timeline Photos  
1 of 1

**NO STUDENT SHOULD HAVE TROUBLE FINDING A BATHROOM ON CAMPUS.**

**LET'S REBUILD CAMPUS INFRASTRUCTURE TO INCLUDE AT LEAST ONE GENDER-INCLUSIVE BATHROOM IN EVERY UT BUILDING.**

**IZZY & ELENA**  
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The Gender and Sexuality Center has a goal of having at least one gender-inclusive bathroom in each building on campus. While some already exist, several buildings still only have male and female bathrooms. These buildings include Waggener Hall, Butler School of Music, Creekside Residence Hall, Garrison Hall, and Painter Hall. We plan to convert some single-stall bathrooms that are still designated as male or female into gender-inclusive bathrooms. From there, we will seek to formalize a proposal to build single-stall, gender-inclusive bathrooms in buildings that do not have this capability. Voting is March 4th and 5th [utexasvote.org](http://utexasvote.org)!

#izzyelena2019 #recreate2019

Ryan Chandler and 17 others · 5 Shares

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**THE STIGMA SURROUNDING MENTAL HEALTH SHOULD NOT IMPEDE STUDENTS FROM GETTING THE CARE THEY NEED.**

**LET'S RETHINK HOW CMHC CAN PROVIDE MENTAL HEALTH CARE THROUGH ONLINE SERVICES.**

**IZZY & ELENA**  
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As telemedicine is getting increased hype across the country, virtual appointments with professionals are increasing accessibility to physical and mental health services. While UHS does not currently have the infrastructure or appropriate salary model to introduce telehealth, the CMHC is well-positioned to introduce virtual appointments via Skype, AdobeConnect, or a similar online webcam service. ... See More

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**THERE ARE ONLY TWO FORMALLY TRAINED CONFIDENTIAL ADVOCATES ON CAMPUS.**

**LET'S REEXAMINE THIS SHORTAGE AND INCREASE THIS VITAL SUPPORT. ♥**

**IZZY ELENA**  
recreate

**Izzy & Elena 2019**  
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When seeking help after an assault, survivors have to decide whether they are choosing to report the violence against them or not. If they choose to not report, then they must seek out a confidential resource or advocate.

As of now, there are only two formally trained confidential advocates on the entire UT campus. One is located in the basement of the SSB and the other is in an office in the UT ... See More

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