ELECTIONS BOARD AGENDA

Associated Students
10/20/20, 2:00 PM
Virtual Meeting - Zoom

CALL TO ORDER by Andrew Yan at 2:00 PM

A. ROLL CALL

Name	Note:	Name	Note:
Andrew Yan *Chair*	**Present**	Ruth Garcia Guevara *Advisor*	**Present (Arrived 2:40 PM)**
Wessal Esber *Vice Chair*	**Present**	Diana Collins Puente *Advisor*	
Emma Xing	**Present**	Ahura Nezhad *Senate Liaison*	**Present**
Shannon Hollingsworth	**Present**	Dylan Martinez *Senate Liaison*	**Present**
Austin Foreman	**Present**		
Lauren Sullivan	**Present**		
Daniel Ong	**Present**		

Icebreaker:
https://twitter.com/ecologyofgavin/status/1317951200331931648
1 (3), 2 (2), 3 (3)

B. DISCUSSION ITEMS

B.1. SAG

Andrew: As of right now we have 12 candidates for SAG. We started with 26 candidates, we had some withdraw and then others either did not go to the meeting, respond to emails, or submit candidate forums which is a requirement. Everyone here did not submit candidate forums.

> **Motion to disqualify Angel Schneider-Reuter, Berkley Corey, Lea Toubian, Michael Tadros, Noah "Nobie" Colby, Sarah Rivera from the SAG Fall 2020 special election because they have not responded to our emails**
> *First/Second: Esber/Foreman*
> Vote: 6-0 to APPROVE, no abstentions

B.2. Recall

Andrew: Ruth is not here yet because she is at the Judicial Council case right now about countback elections. So I will pass on a message from her about the recall. Her team of AS Staff is currently still verifying signatures as of Tuesday 2:00 PM. We still don't know if it's a yes or no but we will know by tomorrow. At this point we need to be prepared so we are talking today as if the recall is going to go to Senate. The reason for that is because if we find out tomorrow afternoon we don't have time to meet again to try and figure all of this stuff out.
Wessal: Just so you guys are aware, we met with the petitioner at 1pm and we told her the same thing.
Andrew: If there are any motions let's add the stipulation "if petition signature count is valid" so it will not apply if it's not valid.

Andrew: Here is a draft of the statement we would send to Senate only if the petition is valid. Can we have everyone read it real quick.
Austin: The O in office should be capitalized.
Daniel: It should say 2020-21 at the top.

> **Motion to send the document to Senate if signatures of the petition are considered valid**
> *First/Second: Foreman/Esber*
> Vote: 6-0 to APPROVE, no abstentions

Andrew: Let's talk about the ballot language next. Also, everyone, if I were making decisions like this I like to think through the eyes of a freshman. If you were a first-year and you opened this ballot and saw the recall question, what would you think of it?
Ahura: If I saw this line on the ballot as a freshman I would definitely not know what is the reason behind it.
Andrew: Yes, I agree.
Austin: It's not our job to say any type of reasoning as far as the recall goes.
Andrew: Voter outreach is a part of our mission. However I don't know if that applies to things like this as this is certainly a unique circumstance. We obviously can't be for or against.
Ahura: I personally don't know either, that's why I asked the question.
Austin: I think we should educate them that there's an election going on.
Andrew: Also just to let everyone know, whatever decisions we made will not only be in place for this recall but also future recalls. No one knows what would happen in future years. For example, next year It could be someone from another party getting recalled and the same procedure will apply. We're setting precedent here.

Wessal: Should we put the two-thirds part in the ballot language?
Andrew: I think we should. It's more transparent.
Wessal: Let's add a referral to Legal Code.
Ahura: Just to make sure, the second part, the referral to Legal Code is on the ballot?
Wessal: Yes.
Dylan: I think it's really helpful.
Lauren: I think it's a great idea.
Austin: I would say "undergraduate students" instead of "students".

Wessal: Also the petitioner asked if we could change the threshold. We said no because it's already in Legal Code. It's 20%, set at 20%. We verified that with her today.

Andrew: Let's talk about that threshold, continuing a discussion we had last week. The question we had was about an abstain option on the ballot. Any thoughts?

Ahura: I would say yes on abstain considering that if I were a freshman and I saw the recall question I wouldn't know what's happening. Like Austin said it isn't our job to educate the voters on the details of why the president is getting recalled. On the other hand, I think I'm at least anticipating a situation where a lot of people are asking what is happening.

Wessal: I agree.

Austin: I think abstain is fine.

Andrew: Also to let everyone know, the abstain option is significantly different than skipping the question. Just so everyone understands if y'all choose to include the abstain option we are changing the recall question. If people abstain they are included in the 20%. If they skip the question they are not included in the 20%.

Dylan: Does the 2/3 majority come from Legal Code or do we set that?

Wessal: Legal Code.

Austin: To abstain is to say I understand the validity of the issue and the people debating the issue but I don't want to take the side but I do want to participate as a member of the 20%.

Wessal: Personally I would want to put abstain.

Austin: Yes, if you abstain, you're saying I want to participate to give the potential of 20% and allow the vote of yes or no to mean something versus skipping. Since if you skip that isn't included in the 20%.

Wessal: You're also on both sides in a way. If you abstain, you're helping both sides by abstaining. That's why I don't think you're helping one side or the other.

Austin: You're not part of a side but you are part of the 20%. You are not a part of the two-thirds.

Emma: I think what we have is good with the abstain.

Shannon: I agree.

Daniel: I agree. I think it's a great idea.

Ahura: can I ask a question. Did you say you don't think they are going to reach 20% of undergrads.

Austin: I personally don't think that's going to happen.

Andrew: If we decide to include the abstain option I think it makes it significantly more likely to reach 20%.

Austin: It makes it more likely. I wouldn't say it makes it much more likely. What makes it much more likely is the amount of effort that is put in by individuals to get voters to vote.

Wessal: Reaching 20% doesn't mean it passes. Even if it reaches 20% it still needs 2/3.

Austin: The other way around too. If it reaches 20% and not 2/3 it doesn't pass.

Ahura: I was going to reconsider my thought on the abstain option. I was against it because I thought we were setting a very strange precedent. But based on what you said I think we're just offering more options and a healthier election.

Austin: I think that's good wording. I think offering abstain makes the election healthier, as to speak.

Wessal: Exactly. Like you said it's healthier, it's more transparent, plus you still have the option to skip if you want to.

Shall Daevionne Beasley be recalled (removed) from the Office of President of UCSB (2020-21)? (Options YES/NO/ABSTAIN)

This recall will be effective immediately only upon a two-thirds (2/3) majority vote, with at least twenty percent (20%) of UCSB undergraduate students voting. (UCSB AS Legal Code, Article XI Section 4.B)

Motion to approve the ballot language for the 2020 recall election of Daevionne Beasley if signatures of the petition is considered valid
First/Second: Esber/Hollingsworth
Vote: 6-0 to APPROVE, no abstentions

Andrew: So Tyler was at our last meeting and he talked about something related to the recall. He was going to attend our meeting today but he couldn't make it today because he is speaking at the JC case right now. But Austin, Daniel, Dylan, you were there when Tyler was talking last week.
Austin: He said he came to a decision last Spring on something then he re-read Legal Code, confused himself, then he spoke to Marisela. After that then he corrected himself and went back to his initial decision. He got confused but he never said what the initial topic was.
Wessal: I can go ahead and bring it up and we can go ahead and discuss as a board. So the question is on this section of Legal Code:

SECTION 4. RECALL ELECTION

A) Elected Officers of the Associated Students shall be subject to a "Recall Election" upon presentation to the Senate of a petition signed by its constituent members in a number equal to fifty percent plus one (50%+1) of its membership, except Executive Officers which will be in a number equal to ten percent (10%) of the total membership, of its members who voted for the said office in the immediately preceding Associated Students' General Election. Members of the Judicial Council are subject to recall by presentation of a petition, signed by ten percent (10%) of the Associated Students' membership, to the Senate.

B) Recall shall be effective immediately upon a two-thirds (2/3) majority vote of the appropriate constituency, with at least twenty percent (20%) of the constituency voting.

Wessal: It says signatures to recall executive officers shall be equal to a number equal to 10% of the total membership, of its members who voted for the said office in the immediately preceding AS General Election. So let's say 1000 people voted for an executive officer, so 10% of 1000 is 100, so 100 people would need to sign the recall petition in order to present it to the Senate. So we take the number who voted, 10% of that.
Wessal: Another perspective that I don't think is valid is this other one. The other position would say that every person that signed must have voted in the election and they must have specifically voted for President. So that would mean you open up last year's election, you pull up every single voter that voted and then check who voted on the petition. I have a main reason why I don't think that's the right way to interpret it, this code was written when ballots used to be on anonymous Scantrons, so you fill the Scantron and just turn that in. Back then for recalls there was no way to tell who voted for which candidates.

Austin: Yes, I also agree with Wessal's interpretation, and I also have an additional point. especially because seniors get to vote for the incoming freshmen because they're leaving. They don't get to have that AS President as their own but they're kind of proxy votes for the incoming freshmen. That's why they're kind of passing off their membership. Every student at UCSB is a member of Associated Students, that's just how it works, they all pay the fee so I agree that it's 10% of the population that is voting for that executive officer and that population is all undergraduate students.

Ahura: I was going to interpret this as the second scenario but honestly the whole thing with Scantrons makes perfect sense. And with what Austin talked about, we do pay the AS fee no matter what and we're all part of the total membership so I do think the first interpretation is more valid, meaning that the 10% is just like the code is putting it, it's part of the total membership of AS, so all students. And part of the total membership is upcoming freshmen who did not participate in the last election.

Wessal: I like the point that Austin brought up. If I could bring up another point, it's also a breach of privacy to go into everyone's individual ballot.

Ruth: Also consider that you would have to open up ballots if checking who voted for what. A vote is supposed to be anonymous.

Andrew: When you vote there's an expectation of privacy in my opinion.

Ruth: Yes when you start looking for who voted for what then it's no longer anonymous.

> **Motion to interpret Article XI Section 4.A of Elections Code as follows: in order to recall an executive officer, 10% of the total number of constituent members of Associated Students (the UCSB undergraduate student body) who voted for that office in the previous election need to sign the recall petition. The 10% number only refers to the total number of student voters for that position and it does not refer to the specific people who voted for that office.**
> *First/Second: Xing/Foreman*
> Vote: 6-0 to APPROVE, no abstentions

B.3. Closing

Andrew: I wanted to go to the Senate liaisons, do you have anything you wanted to bring up at today's meeting.

Dylan: I don't think there's anything that you all are not aware of.

Andrew: Ok that's it for today. Anything else?

Austin: Who is running for SAG?

Andrew: It's on the election website as a supplement.

Austin: What is the order of names?

Wessal: Ruth says all names would be randomized on the ballot.

Dylan: Would it be possible to do a grid layout. If it was a grid you might potentially be able to see all of them on the same page.

Andrew: I'll talk to Sean about that, we'll all discuss that outside the meeting.

Ruth: Also since I'm here now, here is an update on the signatures. I am working through them. I'm doing it the rest of today and I'm hoping I can finish soon but for sure before Senate.

Ruth: Andrew, will you tell the IVP about the recall petition?

Andrew: Yes I will, but the validation won't be done until tomorrow right?

Ruth: Yes, I would have her include this on the agenda regardless if they have the signatures or not. You will want to speak either way, either to say it is good or not good.

Andrew: Yes. and we still have to show up to approve the SAG ballot even if the signature count isn't enough.

Wessal: Whenever a ballot opens, Sean wants someone on Elections Board to go vote early. I'm doing it next week, anyone else?

Dylan: I can too.

Andrew: When you vote early you are basically just checking the ballot to make sure it works with no bugs, and you're also confirming that you receive the email receipt.

MEETING ADJOURNED by Andrew Yan at 3:09 PM