



DECISIONAL MEMORANDUM

Date: 4/3/2019

Re: Elections Committee v. BecomingTU 2

ISSUES

- Whether BecomingTU's misuse of TSG resources violates the Elections Code.

I. STATEMENT OF FACTS

On March 20, 2019, Alex Rosenberg, who is a current TSG member and RiseTU candidate was removed from the TSG website's personnel page by TSG's communication team.

II. CONSTITUTIONAL ANALYSIS

A.

According to the Temple Student Government Constitution, the Elections Commissioner shall “[m]aintain[...], interpret[...], and enforc[e] the Elections Code in all Temple Student Government elections” TSG V. ii. ii. iii. iii. Temple Student Government's Elections Code further states, “For all matters related to the elections for which there are no established provision within the Temple Student Government Constitution, Bylaws or supplementary elections materials, the Elections Commissioner shall have the authority to establish and maintain those provisions necessary to ensure a fair, honest and efficient elections” EC IV. iii. iv. As the Elections Commissioner and drafter of the Elections Code, it is my obligation to ensure that each campaign team is in compliance with the Elections Code. Furthermore, it is my duty to ensure that action is taken when violations occur.

B.

“TSG's Elections Code states “Campaign Members are restricted from using the Temple Student Government office for any campaigning activity...” II.i.i. It further states,

“Any Campaign member who holds a current position within Temple Student Government must fulfill their duties until the end of the term of the current administration regardless of winning or losing the election” II.ii.vi. In this case, if it is found that the Communications Team of TSG, specifically the BecomingTU campaign members among them, purposely removed Alex Rosenberg from the personnel page, then BecomingTU has violated the Elections Code. It is uncontested whether Dimo Ortiz and Alex Rosenberg was removed from the website. In defense, the Executive Branch has claimed a clerical error in relation to a purge of ex-TSG members from the website. However, it was found that many ex-TSG members were not removed even as current member, Rosenberg, was. They include Kylie Webster and Alex Mare not removed, even as current member Rosenberg was. Thus, this defense fails and with limited time for an investigation, this is sufficient for me to find that there was wrongdoing on behalf of individuals who are both members of the TSG Communications team and BecomingTU.

III. CONCLUSION

For the foregoing reasons, The Elections Committee finds that BecomingTU acted in violation of the Elections Code. As stated in Section 501.3 of the Elections Code, since this is BecomingTU’s second offense, they are hereby suspended. BecomingTU now has two penalty points, due to the severity of this violation.



Rofiat Oseni, *Elections Commissioner*