



EXECUTIVE BRANCH

OFFICE OF THE ATTORNEY GENERAL

Erving Rodriguez

To: E&A Chair Lucas Gorlin-Tarbel
CC: SG Advisor Brodie Taylor, Graduate Assistant Aja Williams, Chief Justice Jessica Oehler, Senate President Emma J. Custis, Senate President Pro Tempore Natalia Correa-Ferro, President Sabrina La Rosa, Supervisor Favriissy Levya.
From: Attorney General Erving Rodriguez
Date: February 18th, 2021
Subject: Determining whether a violation of University policy qualifies as a Tier IV violation.

Dear Colleagues:

The discrepancy at hand is regarding a non-specification in Title VI about the violation regarding the breaking of University policy through the question E&A Chair Gorlin-Tarbel posed, which was “Does a violation of University COVID protocols solely qualifies as a Tier IV violation even though it is not explicitly stated as a Tier IV violation under Title VI?”. I will be further breaking this down into two parts.

- 1) Addressing if breaking University policy is a violation,
- 2) To what extent the violation should be taken if it is proven.

Within Section 5.006 subsection 1a of the Golden Rule Handbook, it specifies that students have the right to participate in Student Government and its elective process as long as it is accomplished in accordance with University policy. This states that any action of someone taking place in the elective process must be in accordance with university policy and subsequently University COVID-19 policy.

Along with having to holdup the regulations within Golden Rule, University Regulation 5.0021 subsection 2a specifies that Student Government is subject to policies, procedures, rules, and regulations governing or promulgated by the University. This essentially reiterates that Student Government is at the discretion of University Regulations.

While these statutes state that Student Government and its elective process must follow University Policy and Regulations, what gives the election commission the authority to enforce this is found within Title VI in 606.28 which gives the election commission power to issue sanctions to a candidate/ticket for violations of election rules and regulations.

- 1) While it is never specifically stated within Student Body Statutes or Constitution, it is in my official opinion that the Election Commission has the authority to hear violations of University policy and regulations and give sanctions accordingly when it corresponds to a candidate/ ticket during an election period.



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- 2) Regarding the violations of University policy and their corresponding sanctions, I refer back to 606.28 in which it states that the election commission has the authority to give sanctions based off the violations and not based off of a tier because Title VI does not outline which tier a violation of University Policy may fall under.

Signed,

Erving Rodriguez

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Attorney General