



LEGISLATIVE BRANCH

UCF Student Government
LJR Committee Meeting
Charge on Chambers
04/20/22
10:00 AM

MEETING AGENDA

1. Call to Order: 10:02 AM
2. Roll Call & Verification of Quorum: 7/8

Name	Email	Initial	Final
Chair Urea	sga_ljr@ucf.edu	P	P
Vice-Chair McClellan	sga_ba5@ucf.edu	P	P
Senator Ferguson	sga_ecs3@ucf.edu	P	P
Senator Galloway	sga_grst3@ucf.edu	E	E
Senator Huerta	sga_sci7@ucf.edu	P	A
Senator Martin	sga_sci10@ucf.edu	P	P
Senator Tache	sgsci13@ucf.edu	P	P
Senator Yalamanchili	sgamed3@ucf.edu	A (10:15 AM)	P
Pro Tempore Representative	sga_pro@ucf.edu	P	P

3. Approval of the Minutes: [2nd LJR Meeting Agenda 04/13/22](#) : Approved by GC
4. Approval of the Agenda: Approved by GC
5. Announcements from the Chair-
 - a. Hey everyone! Today we are going to be going through a censure. We will not be going into informal today so please let's stick to Robert's rules of order. Also on that note please be respectful when dealing with this matter.
 - b. Side Note If we vote to bring this to the senate floor please do not gossip or talk about this until then. If we vote to not bring it to the floor the same rules apply. I don't want drama to start and we should be handling everything professionally.
Thank you :)

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6. Announcements from the Vice Chair-

- a. Good morning everyone. Like Chair Urea said, we are going to be seeing a censure today. I want everyone to keep in mind that our job is not to decide whether or not to go through with the censure, rather whether or not it is valid by the rules and statutes to be seen by the senate. During this process I ask everyone to only deal with what is in front of us and to leave the personal at the door to best accomplish this.
- b. As a side note, this is going to be my first time taking down the minutes. I will do my best to summarize and paraphrase what is being said. If you feel, after this meeting upon review, that the minutes do not accurately reflect what you have said or if you wrote up what you said beforehand and want to enter that into the minutes, please reach out to me and I will be happy to replace what I wrote with that.

7. Announcements from Committee Members-

- a. E&A Representative-
- b. GAP Representative-
- c. SBA Representative-
- d. Pro-Temp Ciresi
 - i. Hello everyone!
 - ii. My Schedule for the rest of the week
 1. Wednesday: 12-3 pm
 2. Thursday: 2:30-5 pm
 3. Friday: 12-5 pm (Virtual)
 - iii. The link to schedule 1:1's with me is listed below
 1. <https://calendly.com/pro-temp/1-1-with-pro-temp-ciresi>
 - iv. Will begin conducting training for my two newly confirmed deputies next week. Starting with Position Training and Office Goal Setting.
 - v. All legislation is due by 5 pm today! Please send them to DLeg Wangen and CC me as well.
 - vi. Due to the end of the Spring Semester on Thursday, I would greatly appreciate your feedback on my performance and if there is anything I can improve on going into the next semester
 1. [PT Office Feedback Form](#)

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8. Announcements from Non-Committee Members-

- a. AG Soto: Chair Urea, may I pose a question? In the censure title IX is referenced and does this refer to the title IX statute?
- b. Senator Cox: It refers to the federal statute
- c. AG Soto: it is important to rule that we note the Golden Rule was violated. I recommend discussion on what statute was violated. We cannot rule on whether a title or statute is violated only how it relates to the rules.
- d. Pro Temp Ciresi: Are you stating only UCF Statutes can be referenced in cases like this or are federal statutes allowed?
- e. AG Soto: We cannot rule on if those rules were broken that relate to student conduct or golden rule as that is handled by the Office of Diversity and Inclusion, it is above our pay grade to determine this.
- f. Chair Urea: So we can use the code of ethics as a reference for a ruling?
- g. AG Soto: I do not see statutes referenced. I want to make clear when you vote. You do not vote on whether there was a violation only if there is a connection to statutes
- h. Senator Ferguson: No new charges can be added while it is going on correct?
- i. AG Soto: There is no limit to what it specifically on the censure document. Need to decide what we can and cannot rule on.

9. Old Business-

- a. Bills
 - i. None.
- b. Resolutions
 - i. None.
- c. Absences
 - i. None.
- d. Blanket Excuses
 - i. None.

10. New Business-

- a. Bills
 - i. None.
- b. Resolutions
 - i. None.
- c. [Absences](#)
 - i. Akhila Damarla 4/18/2022

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1. Speech
 - a. Work during senate
2. Questioning
 - a. Senator Tache: Did we decide that missing last meeting was ok?
 - b. Brodie: No, it was mandatory although we did advise to be lenient.
3. Debate
 - a. Senator Ferguson: I think this is ok. MTV
4. Voting
 - a. 6-0-1 Approved
- ii. Scarlet Robbins 4/18/2022
 1. Speech
 - a. Class during special session
 2. Questioning
 - a. Pro Temp: I saw her at the session, is this for initial roll call?
 - b. Chair Urea: I am not sure
 3. Debate
 - a. Pro Temp: She had class. MTV
 4. Voting
 - a. 6-0-0
- iii. Evan Caldwell 4/18/2022
 1. Speech
 - a. Work during the special session
 2. Questioning
 - a. Pro Temp: MTD
 3. Debate
 - a. Senator Fergueson: it is fine. MTV
 4. Voting 7-0-0
- iv. Gabriel Becerra 04/18/20228
 1. Speech
 - a. Work during the special session
 2. Questioning
 - a. Senator Ferguson: MTD
 3. Debate

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- a. Senator Fergusson: it is fine. MTV
- 4. Voting 7-0-0
- v. Melissa Saucedo 04/18/2022
 - 1. Speech
 - a. Class during special session
 - 2. Questioning
 - a. Pro temp: MTD
 - 3. Debate
 - a. Senator Tache: She was present after her class.
 - 4. Voting 8-0-0
- vi. Brian Nguyen 04/14/2022
 - 1. Speech
 - a. Sick during the meeting
 - 2. Questioning
 - a. None
 - 3. Debate
 - a. Senator Yalamanchili: It is obvious to excuse a sick person.
MTV
 - 4. Voting 7-0-0
- vii. Alirio Pena 04/18/2022
 - 1. Speech
 - a. Personal training for work
 - 2. Questioning
 - a. None
 - 3. Debate
 - a. Senator Fergusson: I think it is fine. MTV
 - 4. Voting 7-0-0
- viii. Rebekah Galloway 04/18/2022
 - 1. Speech
 - a. Class and was an hour away
 - 2. Questioning
 - a. None
 - 3. Debate
 - a. None
 - 4. Voting 8-0-0

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ix. Mauricio Maroto 04/18/2022

1. Speech
 - a. Driving back from west palm
2. Questioning
 - a. Pro Temp: MTD
3. Debate
 - a. Pro Temp: Easter was on Sunday so that may be why he was driving back. He may not have been looking at his emails, I recommend leniency.
4. Voting 8-0-0

x. Vihan Yalamanchili 04/14/2022

1. Speech
 - a. Senator Yalamnachili: I missed last Thursday's meeting due to a conference I was out of state for. It was funded by CRT.
2. Questioning
 - a. None
3. Debate
 - a. None
4. Voting 7-0-1

xi. Vihan Yalamanchili 04/18/2022

1. Speech
 - a. Senator Yalamanchili: I came back on Sunday at midnight and had an exam on Tuesday I had to study for and the special session caught me off guard.
2. Questioning
 - a. None
3. Debate
 - a. None
4. Voting 7-0-1

d. Blanket Excuses

- i. None.

e. Censure

- i. [Recommendation of Censure](#)

1. Speeches
 - a. Pro-Con: Ferguson-Ciresi

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- i. Pro: Should have time to present
- ii. Con: 5 minutes should be sufficient, have another meeting in here at 11.
- iii. Voting
 - 1. AG Soto: statutes say that any LJR committee member forfeits their position during seeing a censure if they authored the censure.
 - 2. 0-7-1 Objection fails
- b. Evann Cox (They/Them/Theirs):
 - i. Speech: On the evening of April 7th, I went to Chief Justice Gamarra's office to be sworn in as a senator. Being sworn in requires a witness, so the two of us went into the main student government office to find a volunteer. Senator David Ferguson and another individual were there, although I do not recall who the second person was. Ferguson asked what we needed a witness for, and Chief Justice Gamarra explained that I was being sworn in. While doing this, Gamarra referred to me as "she", and so, I gently corrected her with a "my pronouns are actually they" as we re-entered the office. Ferguson was mere feet away from us, and so I am sure that my comment was heard. Gamarra apologized, and we continued.

In order to swear me in, Gamarra needed both of our names. When it was Senator Ferguson's turn to confirm his name, he stated "actually, my name is Bob the Tomato", mimicking the phrasing I had used in order to make a transphobic joke.

I did not say anything at the time because I was in disbelief that this had happened in such a professional setting, but as it set in, I filed a complaint the next day

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with the Office of Institutional Equity. I then also had a conversation with my fellow senators Loki Mole and Michael Kostis about what else I could do, because I felt that additional action was needed considering Senator Ferguson's status as a student government representative, and they recommended I reach out to Brodie Taylor to walk me through the censure process. I did so on the following Monday.

The afternoon the censure was sent out, I entered the student government office to do a little studying as I waited for a meeting. Senator David Ferguson was also there. He immediately approached me, and did begin to apologize, but I insisted on having an impartial witness for both of our sakes. We then entered Brodie Taylor's office after waiting a bit for him to be available, during which time Ferguson tried three more times to speak to me without a witness, even though we had both agreed it was best to have a bystander.

Once inside of Taylor's office, Senator Ferguson apologized to me. I did not and do not accept his apology for the following reasons.

He did not seem genuine. During his apology he repeatedly said that he did not mean to insult my sex, his word, and that it was a stupid comment. He did not apologize to me at any point for how he made me feel, nor did he say why the Bob the Tomato comment was wrong. His apology was focused on him, not me. Furthermore, in his body language and voice, he seemed panicked rather than ashamed.

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I believe he lied to me. I asked him after his apology if he had ever heard an attack helicopter joke, as that is what I compared his comment to in the censure document, and he explicitly said no. I find this unlikely. This transphobic joke is so mainstream that even my grandparents know about it. I have no logical reason to believe that a college student wouldn't.

Finally, at the end of his apology, he asked me to remove the censure, implying that it would be wrong of me to do otherwise. I believe that if I had never started the censure process, he would have never apologized to me. It is my firm belief that Senator Ferguson only did so to prevent his actions from becoming public record.

Finally, and most concerning, after Ferguson left the room, Brodie Taylor informed me that prior to my coming into the office, Senator Ferguson approached him asking how to stop a censure process, during which time he continued to refer to me as a she, and further stated that there are only two genders.

As a person, I felt Senator Ferguson's "Bob the Tomato" comment as an ache in my heart; a reactivation of the hurt I felt when my father told me that wanting to change my name was just a phase, the pain I felt when my mother started crying when I told her of my gender, and the trauma of the times my life has been threatened for being who I am. When I got home that day, I cried, and then I began shaking with anger.

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I did not deserve to be belittled like that at such an important moment as my swearing in. I did not deserve to feel lesser just because I was born differently. And I certainly do not want someone else to be made to feel this way in the future. It Greatly concerns me that Senator Ferguson, even after having this censure issued, continued to misgender me. I find it hateful, and I am genuinely worried about his ability to represent the transgender students in his college without discipline to prevent this from happening in the future. That's my statement.

ii. Questioning:

1. Senator Ferguson: It appears that you have good memory of your conversation with Senator Ferguson. Did Senator Ferguson say anything else at the time of the joke?
2. Senator Cox: he did say it was a stupid joke after being asked to repeat himself. It was a joke, a transphobic joke.
3. Senator Tache: What part of UCF Creed and Golden Rule was violated here?
4. Senator Cox: UCF Golden rule says you can not discriminate against people based on their gender identity. The creed states that you should support an open community. In the senate documents it states that Title IX cannot be violated and transgender people shall not be harassed.
5. Senator Ferguson: is there a subsection of the golden rule and Title IX that you have specifically?

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6. Senator Cox: I have dyscalculia (number dyslexia), but if you give me time I will find it. I did pick direct quotes.
7. Chair Urea: refer to the affidavit
8. Senator Ferguson; I would point out it is pointless because I did not have time to review the statutes. It is not fair to put new charges on me.
9. Chair Urea: these are not new claims
10. Senator Yalamanchili: You stated that when you asked Senator Ferguson if he knew about the attack helicopter joke and he said he did not. You said that is impossible to not know of that joke. Did you assume that he was lying?
11. Senator Cox: I do believe he was lying, which would, to a point be an assumption, as is any time you believe someone is lying.
12. Senator Ferguson: Do you have any proof the accused knew of this joke?
13. Cox: other than logic, no.
14. Ferguson: Clarification, you stated that i lied without proof, correct?
15. Cox: I have witnesses of the comment and your continued misgendering
16. Senator Tache: just to clarify, one of the reasons why you can get a censure put on you is for lying. That is not why the censure was brought up correct?
17. Cox: No, it is about the transphobia.
18. Senator Ferguson: My belief (that there are two genders) is protected by religious protections
19. Ferguson: Why wasn't the comment about the joke being a stupid one included in the statement?

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20. Cox: I could've added the way you tried to play it off because of fear of being reprimanded, but I didn't feel it was necessary
21. Huerta: Would you agree that words don't have meaning without action?
22. Cox: No, words have meaning. That's why death threats are investigated without action..
23. Huerta: Even though Senator Ferguson apologized, do you think his apology is meaningful without action?
24. Cox: No, I do not think his apology means anything without being backed up.
25. McClellan: You mentioned the way death threats online are held, are we to consider jokes on the same level as this sort of this, being held to these same standards?
26. Cox: There have been many times where things intended by the author as jokes have been taken seriously. I believe Senator Ferguson violated my freedom of expression by being transphobic.
27. AG Soto: Sex discrimination definition according to Golden Rule.
28. McClellan: Based off this definition, would you still hold that the joke met the requirement?
29. Cox: Yes, I felt that I was being belittled and bullied away from Senate?
30. Ferguson: Are you accusing me of breaking the law?
31. Ferguson: Do you feel my speech was protected by the first amendment?
32. Cox: Will not answer, feel you are trying to derail the conversation
33. Pro-Con MTD: Ferguson: feels they should be allowed to ask more questions. Tache: Feels

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we should move on and stop allowing
Ferguson to make his case during questioning.

i. Voting 0-7-1 Objection fails

c. David Ferguson:

i. Speech:

So when I am going to show you today is simple. What I Said is protected by the first amendment. There is no evidence that what I said was transphobic. I meant no harm to Senator Cox and meant to cause no harm at all and it was a stupid comment. The charges on this recommendation goes far beyond what happened. These charges are not based on the UCF statutes. It was made with a lot of inflammatory statement. Three key points. Missing context, Senator Cox did not mention how I did indeed apologize shortly after and the Chief Justice did not consider my statement transphobic. Senator Cox provided no witness evidence. It was a stupid but not unlawful thing to say. I wanted more than five minutes but alas. Missing charges, the censure has zero specific charges. I had to go through many pages of the rules and I found that I violated no statutes. The case Matal v. Tam is precedent to show that what I said is protected by the first amendment. Discrimination is unlawful speech and what i said does not qualify. Harassment falls into either quid pro quo or hostile environment harassment and neither requirements were met.

ii. Questioning:

1. Chair urea: Can you display the title IX document you have. It's not that you violated

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the law or a first amendment case, just the title.

2. Ferguson:
3. Chair Urea: I am wondering about the discriminatory harassment claim
4. Ferguson: The two categories i mentioned before and I did not do either.
5. AG Soto: So what Ferguson is relaying is true for sexual discrimination, but as Ferguson pointed out which is different from discriminatory harassment whcih does not have to be unlawful
6. Tache: you showed a lot concerning federal law, do you think you'll go to jail?
7. Ferguson: I am trying to clear my name and am using the materials to prove my innocence
8. Senator Yalamanchili: Why would you assume a Cis person has the ability to determine what is or isnt Transphobic
9. Ferguson: it isn't whether or not I said something transphobic but whether what I did is against the rules and statutes. It is Senator Cox's responsibility to prove that I did something wrong
10. Martin: In you speech you mention you went through a lot of pages although Senator Cox cited certain parts of the rules in the censure.
11. Ferguson: Cox presented a summary, not specifics. I looked at the specifics and that is what makes it clear that I did nothing wrong. I really haven't had enough time to expound on my arguments but I also think it is clear I did not violate the harassment statutes.
12. Ure: can you provide the intent of the joke?

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13. Ferguson: to make people laugh, not to insult. I don't try to do that.
14. Tache: according to the statement you went to Brodie and stated that there are only two genders. If you believe this then why did you apologize?
15. Ferguson: I apologized for insulting senator cox, not what I believe. Finals are coming up and now I have to defend myself. I have not had time to prepare, the apology was not a part of the censure.
16. Urea: we are running short on time
17. Ferguson: I would also like to state that the UCF creed also says to strive for high academic excellence. I should not be censured for trying to do my best and I do not believe that this censure is relevant.
18. Huerta: So you spoke a lot about the first amendment and as someone who is pre-law, let us just say it is protected. But that does not free you of consequences of your words. Clearly it wasn't a joke when you say this after Cox clarifies their pronouns. What made you think the joke was ok to say and would make them laugh?
19. Ferguson: I do not have an answer, I am an idiot sometimes. I am from rural Alabama and I am unfamiliar with these things. If Senator Cox noted my apology it would have been better. I did not commit hate speech but the first amendment protects that. I have learned my lesson and I believe that was the point of the censure. It is not illegal to be stupid and I do not believe I am guilty before the rules and regulations of UCF. This has been a good

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experience to learn my lesson. I would like to point out that I did not mimic anything that anyone was saying when i made that joke. You will not hear a statement like that from me again.

20. Martin: I am a little confused, could you clarify? Are you not guilty, you say won't say it again but remain to say you aren't guilty?

21. Ferguson: I am not guilty, I just apologized for the harm that was done. Legally speaking I am 100% innocent.

22. Urea: Brooke isn't accusing you of anything

23. Ferguson: I am not apologizing for the intent, just the outcome. I did not violate any regulations. I try to make things right when I do something wrong. I have not said anything since that would cause any emotional harm to Senator Cox. I did not know of the censure until after six days of it being made.

24. Urea: We do have time constraints

25. Yalamanchili: I believe that apologies need to be backed by actions. You say that you did not mean to insult them. If this is so, why did you not respect their pronouns?

26. Ferguson: I believe in the Bible and I cannot go against nay faith. I try to be respectful as well as I can and try not to misgender people on purpose. What Brodie said is hearsay,m and it is not relevant what he said. I have shown that my apology is sincere and genuine. In regard to the pronouns, I cannot go against my faith and what God says. I would say that my actions have shown I have not done anything since the incident.

i. Recess called at 11:25 AM

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- ii. Reconvened at 11:29 AM
 - b. Tache: when it says disregard for UCF regulations, is the creed and rules a part of SG regulations
 - c. SG Soto: no they are top. The office of student equity oversee title IX and the office of student conduct see conduct issues
 - d. Ferguson: POI there are no student body statutes listed that I violated and I have no prep to defend myself.
- 2. Debate:
 - a. Yalamanchili: Firstly I would like to state that the office of institutional equality prohibits discrimination on race, sex, gender identity/expression, etc. I believe that Senator Ferguson has infringed on Senator Cox's person and I do not believe that religion is an excuse for bigotry. It is not morally acceptable to do so just because a religion says so. Ferguson has apologized but I do not see it as genuine due to further misgendering. I do not see this as remorseful. Such discriminatory actions do not have to be unlawful and I would like to say that the first amendment protects speech from the gender ent. We at UCF are not prohibited from Taking action against Senator Ferguson.
 - b. AG Soto: technically we count as a public entity and are bound by the rules and constitutions thereof
 - c. Martin: Just because Ferguson apologized, Cox does not have to agree. I have witnessed Ferguson say many inappropriate things and has an issue with his apology and I do respect his religious bellies I cannot accept the insults. It is worrying to me that he represents his whole college and he has many non-binary student. You are held to a higher standard and we cannot let this stand in 2022. If you do not have anything nice to say do not say anything

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- d. Tache: In review chapter 9.05 I misread it. I wanted to note that. I forgot to read the not limited to and there are no specific limits in it. We should edit this later and make it a call for dismissal. We have these rules and religion does not justify and excuse everything. The golden rule and creed have a section about community and respect. Pretending to apologize and then misgender is not respectful. As the one who has spoken to Cox the most, they are a very lenient person and senator Ferguson lost their good faith. I want to know that he is willing to change but he is not. He has said that he would not change his mind under threat to his life. Cox is not the only one in there change to identify as non-binary. I do not like what David did, he is wrong and I will vote to recommend the censure
- e. Urea: I will abstain from voting. We are referring to the statutes. In 1100 there is a part about ethical behavior but it concerns their representation for the student body and not to commit slander or libel. There may be issues with our rules and statutes, we are not to look at that.
- f. AG Soto: I wanted to add that you may take things into consideration but you are voting on the merit of the censure in accordance to the SG constitution.
- g. Tache: I did want to add that title IX is reasonable to bring up and the harassment documented that Ferguson brought up and those things can be used against what Ferguson has done.
- h. DPT Wangen: AG how would you define repeated disruptive behavior
- i. AG Soto: repeated disruptive behaviors is more than on disruptive behavior disrupting the senate.
- j. Tache: one last point to that, that is not for this censure, but can be brought against him.
- k. DPT Wangen: As far as this censure is concerned, since the individual did speak of many transphobic comments, would this be considered two accounts?

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- l. AG Soto: as to the first if other things can be considered, statutes say that the consideration be given to the allocations brought up in the recommendation. It says if the LJR find no merit the recommendation is dropped. Based on that it has to be based on the allegations of the recommendation. If other things were considered yes.
- m. Ferguson: is it true that the censure meeting has to be seen at least one week after the censure
- n. AG Soto: My understanding is that would be seen in the following meeting. It will be presented at least one week after and at the next regularly meeting LJR meet. At least one week is superseded by the next meeting of LJRE. This would be that meeting
- o. Pro Tempore Ciresi: since this is the last week before break that is why it is being seen now
- p. Ferguson: motion to object the consideration due to lack of time to prep and things were said about me and there is no evidence that has been presented that I have said anything to Cox or Taylor. There are no relevant statutes that I broke. I only had five minutes to defend against a lot of statements against me.
- q. Pro Tempore Ciresi: There was a motion to have five minutes debate and it passed pro-con and it was fair .
- r. AG Soto: Did senator Ferguson make a motion to not see this?
- s. Urea: if you resign then we wouldn't be able to see this
- t. Ferguson: there have been statements made against me
- u. Brodie: that is not relevant, if the conversation is abolition whether it should be seen today then that is fine
- v. Tache: MTV
- w. Yalamanchili: we are voting to pass this as a whole

3. Voting: 3-1-2 Passes

11. Member Discussion-

- a. None

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Chair Urea sga_ljr@ucf.edu



LEGISLATIVE BRANCH

UCF Student Government
LJR Committee Meeting
Charge on Chambers
04/20/22
10:00 AM

12. Miscellaneous Business-

a. Committee Rep Elections? PP

13. Final Roll Call: 7/8

14. Adjournment: 11:56 AM

Key:

P - Present

A - Absent

MTD - Move to Debate

MTV - Move to Vote

MTA- Move to Amend

PP - Postpone

PPI - Postpone Indefinitely

GC - General Consent

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