



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

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To: John Grouse

CC: Luci Blanco, Student Body President
Jarib Benitez, Student Body Vice President
Kirsten Courts, Speaker of the Senate
Jason Hameed, Senate President Pro Tempore
Bella Pazera, Chief Justice
Collin Hoffner, Internal Assistant Chief Justice
Victoria Marie Villadarez, External Assistant Chief Justice
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Juan Varela, Government Affairs and Policy Committee Chair
Mila Teodorescu, Student Body Advocacy Committee Chair
Amarah Presley, Supervisor of Elections
Andrew Collazo Borges, Assistant Supervisor of Elections

From: Jorge Altuna, Attorney General and Judicial Advisor

Date: July 24, 2025

Subject: Opinion on the Rights of Candidates in Student Government Elections

Time: 7:50 PM EST

I. Foreword

I, Jorge Altuna, the Student Government Attorney General, in accordance with the Student Body Constitution, Statutes, and Senate Rules, hereby issue the following opinion:

For the reasons detailed below, it is the opinion of this Office that a candidate remains responsible for complying with all election laws, even if the candidate was misadvised by the Supervisor of Elections. In other words, acting in reliance on erroneous guidance from the Supervisor **does not** excuse an otherwise unlawful act under the Student Body Statutes. It is the candidate's independent duty to be familiar with and obey all applicable election rules.



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However, if the candidate can show that they relied in good faith on the Supervisor's incorrect information, the Election Commission may, in its discretion, take that into account during the violation hearing when determining any appropriate sanction. Additionally, if the Supervisor of Elections' conduct in providing the incorrect guidance constitutes a breach of duty and impartiality, or an ethical lapse, that conduct may be addressed through the proper accountability mechanisms example, a formal Notification of Non-Compliance issued to the Supervisor.

II. Question Presented

This opinion is issued in response to an inquiry from UCF student John Grouse, regarding candidate liability for election violations when acting on incorrect official advice. The question presented is: If the Supervisor of Elections provides a candidate with incorrect information about the election rules, and the candidate relies on that misinformation in a way that violates the Election Statutes, can the candidate still be held responsible for committing that violation?

III. Background and Statutory Framework

UCF's Student Body Statutes, specifically Title VI, the Election Statutes, govern all Student Government elections and set forth the duties of candidates and election officials. All candidates for Student Government office are expected to know and abide by the Election Statutes and related regulations. In fact, Title VI explicitly provides that:

606.10 Ignorance of these tiers and corresponding consequences shall not be an acceptable defense in response to any offense in any election, either by the candidate themselves or by individuals campaigning on behalf of a candidate.

Evidently, the legislative intent of the statutes delineate that candidates cannot avoid liability by claiming they did not understand or know the rules, or were misinformed. The statutes even hold candidates accountable for violations committed by others on their behalf:

606.12 All candidates/tickets must be aware that they are liable for actions in violation of any provisions of the Golden Rule, Student Body Constitution, or Student Body Statutes by an induced or condoned person because of authorization, assistance, or advisement from said candidate/ticket.



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It is also worth addressing the role and potential accountability of the Supervisor of Elections in this scenario. The Supervisor's duty is to faithfully execute the election rules and guide all participants fairly. Providing incorrect information to a candidate is a serious error. However, the Student Body Statutes provides remedies for such situations. A Notification of Non-Compliance (Title IX, Chapter 900) is the appropriate instrument to formally acknowledge the Supervisor's mistake. By issuing a Notification of Non-Compliance to the Supervisor, agents can put in writing that the Supervisor failed to comply with the Statutes in the course of their duties.

This could be specifically framed as the Supervisor not adhering to Title VI and XI, for instance, by giving advice contrary to the election rules, the Supervisor did not uphold the Statutes, and misrepresented the rules to a candidate. Once such a notification is issued, the misinformation can be remedied by promptly clarifying the correct rule to all candidates.

VI. Conclusion

Ultimately, a candidate who violates an election rule remains subject to accountability even if the violation stemmed from reliance on incorrect information from the Supervisor of Elections. The Election Commission can and should find the candidate in violation if the facts support it, because each candidate is independently responsible for following the published election statutes.

However, the Commission may exercise its discretion to consider the candidate's good-faith reliance as a mitigating factor when determining the sanction, potentially reducing the penalty in light of the candidate's lack of willful fault. Concurrently, the Supervisor of Elections' erroneous guidance can be addressed through a Notification of Non-Compliance or other appropriate action to uphold the integrity of the election process. By maintaining this balance, enforcing the rules against the candidate, yet acknowledging the extenuating circumstances, and holding the official accountable for the mistake, Student Government can ensure that election laws are applied fairly while also rectifying any official misconduct or error that contributed to the situation.

Issued with due consideration and in service to the Constitution,

Jorge Altuna
Attorney General & Judicial Advisor
University of Central Florida Student Government



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VIII. References

University of Central Florida. (2025). UCF Student Body Constitution. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>

University of Central Florida. (2025). UCF Student Body Statutes. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>