



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

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To: Andrew Collazo Borges, Assistant Supervisor of Elections
Amarah Presley, Supervisor of Elections

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
Anna Reed, External Legislative Assistant
Grace Rudie, Internal Legislative Assistant
Ryan Kaufman, Deputy Pro Tempore of Legislative Affairs
James Kapinos, Deputy Pro Tempore of Senate Relations
Zachary Gaudio, Legislative, Judicial, and Rules Committee Chair
Owen Sherman, Conference, Registration, and Travel Committee Chair
Niklas Luecht, Financial Allocations for Organizations Committee Chair
Samuel Rose, Operations Review & Sanctions Committee Chair
Nghi Chau, Elections and Appointments Committee Chair
Juan Varela, Government Affairs and Policy Committee Chair
Mila Teodorescu, Student Body Advocacy Committee Chair
Jordan Lipner, Caucus Leadership Committee Chair

From: Jorge Altuna, Attorney General and Judicial Advisor
Subject: Opinion on Suspension of Election Times for Hearings

Date: September 18, 2025

Time: 7:00 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 the Election Commission may not suspend or delay election times for violation hearings because the statutory period is mandatory without an emergency suspension by the Student Body President. The Student Union polling location must be continuously staffed by Election Officers during voting hours, and an unattended tent would not constitute an active election. While volunteers may assist, they cannot substitute for the presence of at least one authorized officer, who must always remain at the polling site.



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II. Question Presented

This opinion is issued in response to an inquiry from the Assistant Supervisor of Elections, Andrew Collazo Borges. The question presented is: May the Election Commission temporarily suspend or delay the Election Times prescribed in §604.3(B) and (C) in order to conduct a violation hearing? If not, is the physical presence of Election Officers at the Student Union Tent required for the Election to be deemed “active”? Furthermore, must the polling location itself have the ballot system open and operating during such periods? In essence, is it sufficient for poll volunteers to manage the tent while Commissioners are engaged in a hearing, or must Commissioners themselves be physically present at the polling site?

III. Background and Statutory Framework

The governing authority for Student Government elections is derived first from the Student Body Constitution and, by extension, from Title VI of the Student Body Statutes. Article I (1.03) of the Constitution guarantees the franchise to all students and in doing so, suggests that elections be conducted in a fair and orderly manner under the statutes. Furthermore, Title VI establishes both the timing of elections and the duties of the Election Commission in administering them.

First, Title VI of the Student Body Statutes sets the timing of general elections precisely:

Chapter 604 Election Procedures

604.3 Election Times

A. Elections shall be held the week before spring break, or the 10th week of the semester, whichever comes first.

B. Election times will commence at 8:00 a.m. on Monday and will continue through 5:00 p.m. Wednesday, noting that the election system will shut down every day between the hours of 12:00 a.m. and 5:00 a.m.

C. Elections will run from 8:00 a.m. to 5:00 p.m. for the Student Union Tent.

These provisions establish a clear, continuous voting period during which polls must remain open and operational.



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Particularly, the Student Body Statutes contemplate only one circumstance under which an ongoing or scheduled election may be suspended or delayed, an official campus-wide emergency. Title VI, §604.9 vests this power in the Student Body President, who, upon consultation with the Supervisor of Elections, may suspend or postpone an election period in the event of an emergency and reschedule it accordingly. However, no similar jurisdiction is granted solely to the Election Commission itself. In other words, aside from an intervention by the Student Body President due to a campus-wide emergency (such as a hurricane, a network outage affecting voting, or safety concerns), the dates and times of elections as set by Title VI are fixed.

Moreover, the Election Commission is the sole entity responsible for enforcing election rules and adjudicating violations, per Chapter 606 of Title VI. Violation hearings must be scheduled by the Supervisor of Elections and conducted within a prompt timeframe (generally within 3–5 academic days of filing an affidavit) with the concurrence of the Commission (Title VI, §606.19). These hearings require the Election Commissioners to meet and consider evidence and testimony regarding alleged violations of campaign rules. Nevertheless, nowhere in Title VI does it explicitly authorize pausing or altering active voting hours to hold a hearing for a violation. On the contrary, the Commission's responsibility is to carry out the election pursuant to the Statutes while simultaneously handling violations as they arise.

On another note, Title VI also provides detailed and enumerated responsibilities specifically under the jurisdiction of the Election Commission. For instance, Section 601.4(B) distinguishes the approved polling places and mandates that the Commission:

601.4 Duties of the Election Commission

C. Shall make arrangements for voting materials for the elections. The Election Commissioners shall arrange for other such things as required for the proper, efficient, impartial, and legal completion of the elections.

Additionally, Election Commissioners are expected to work a minimum of ten hours during election week, which includes presiding over polling, assisting voters, and monitoring compliance, including the 15-foot boundary. Lastly, independence and impartiality is expected since Election Commission members may not engage in any partisan conduct or be identified with any campaign.



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IV. Analysis

Ultimately, the Election Commission does not have the authority to suspend or delay the election times established in §604.3(B)–(C). Those provisions mandate that voting must run continuously from Monday at 8:00 a.m. through Wednesday at 5:00 p.m. The only statutory approach for altering this schedule is found in §604.9, which allows the Student Body President, in consultation with the Supervisor of Elections, to suspend or postpone voting in the event of an emergency. Although violation hearings are significant and highly important, they are part of the normal election process and do not constitute an emergency. To pause voting for a hearing would contradict the statutory language that voting “will continue” throughout the defined hours and could risk disenfranchising students who attempt to cast ballots during the pause.

Similarly, equally critical is the requirement that official polling locations remain staffed by Election Commissioners throughout the statutory election times. Title VI tasks the Commission with ensuring the “proper, efficient, impartial, and legal completion of the elections” (§601.4(C)) and requires Commissioners to work a minimum number of hours during election week (§601.4(F)). These obligations, combined with the 15-foot campaign-free buffer (§604.2(A)(3)(f)), make clear that elections are expected to be supervised in person. An unmanned polling location would undermine the neutrality of the election, deprive voters of assistance by an Election Commissioner, and expose the election to contests under §607.

Therefore, while poll volunteers may assist with logistical tasks such as line management or directing voters, their role is strictly as a volunteer. Title VI does not recognize volunteers as election officials. They lack the statutory authority to enforce election rules, resolve disputes, or certify procedures. Nor are they subject to the accountability provisions of Title IX, which apply to Commissioners as officers appointed by the President, confirmed by the Student Body Senate, and administered the oath of office by the Judicial Branch. Because they have no independent or statutory authority, volunteers may supplement official staffing, but they cannot substitute, or replace it.

Evidently, Commissioners, along with the Supervisor and Assistant Supervisor, by statute, with the responsibility for administering impartial and lawful elections. The Election Commission is a separate entity from the three Branches because they alone possess the authority and accountability to enforce campaign boundaries, address voter issues, and resolve irregularities. This safeguard ensures not only that polls remain open, but also that elections are conducted with integrity, impartiality, and enforceability.



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V. Conclusion

In conclusion, the Election Commission must adhere to the election timeframe established by Title VI and has no authority to pause, suspend, or delay the voting period on its own initiative without the Student Body President. Violation hearings or other Commission business must be accommodated in a manner that does not interrupt the voting period. The statutory responsibility to run a fair election includes staffing polls with Commissioners as neutral officials who can assist voters and enforce rules. Any lapse in that presence could call the validity of the election process into question. By upholding these requirements, the Election Commission protects the student body's constitutional right to vote, the integrity of the election, and ensures that no candidate is prejudiced.

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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VI. 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>