



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

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
Nghì 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 Sanctions for Violations of Rules of Procedure

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:

The Election Commission may enforce election rules against candidates through violation hearings under Title VI, issuing campaign limitations or disqualifications, and recommending Notifications of Non-Compliance via the Supervisor of Elections for election-related issues. It also has a narrow authority to maintain order and compliance with the Election Rules of Procedure by imposing reasonable internal measures to deter further violations of those rules, so long as these measures do not conflict with any higher authority in the Statutes or Constitution. However, any punitive actions that affect a Student Government agent, such as censures or removals from office, or other sanctions for violating election procedure, must be pursued through the processes set forth in Title IX or other applicable statutes.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

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: Does the Commission possess the authority to impose reasonable penalties—such as censure, findings of non-compliance, or other sanctions—upon individuals, including Student Government Agents, having business before the Commission who violate the Election Rules of Procedure?

III. Analysis

First, the ERP is a body of rules created by the Election Commission to govern the detailed procedures of elections, for example, how hearings are conducted, timelines, forms to be used, and internal operating rules for the Commission. Title VI 601.7 explicitly requires that Election Commissioners “adhere to all rules outlined in the Election Rules of Procedure”. However, Title VI also limits the Commission in section 601.4(R), stating that the Commission shall not specify additional rules or procedures beyond the Election Statutes unless the Senate has approved them. This structure is set in place to ensure that the Commission’s scope remains under the jurisdiction of what the Student Body Statutes authorize.

Outside the sphere of candidate discipline, the Student Body Statutes have an established accountability system, as outlined in Title IX, which applies to all Student Government members. Title IX outlines how violations of statutes by Student Government agents are to be handled. The enforcement process under Title IX typically involves the Student Senate’s Legislative, Judicial, and Rules (LJR) Committee. For instance, if a Notification of Non-Compliance is issued and the violation persists, the matter will be reviewed, and LJR will recommend a penalty, which the full Student Senate will then vote on. Chapter 904 of Title IX outlines the possible penalties the Senate may impose, ranging from formal warnings and mandatory training to censure, suspension of privileges or pay, and ultimately impeachment or removal from office.

Moreover, to better understand the scope of the Election Commission’s internal powers, it is helpful to compare it to the Judicial Branch’s approach to enforcing its procedures. The Judicial Council operates under a set of Judicial Rules of Procedure (JRP), authorized by Title V of the Statutes. Like the ERP for elections, the JRP governs how the Judicial Council conducts hearings, handles evidence, and manages its internal affairs. All Justices and parties appearing before the Council must abide by the JRP.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

Notably, the Judicial Council is granted a limited sanctioning power within its own proceedings. JRP Rule 1.03, titled “Sanctions for Persons Involved in Judicial Matters,” grants the Council authority, by majority vote, to determine and impose “reasonable sanction(s) proportional to the offense and sufficient to deter further violations of the Judicial Council Rules of Procedure.” The JRP even provides a list of possible sanctions the Council may impose on a respondent found at fault or a non-compliant person, including:

1. Warning
2. Public Reprimand
3. Suspension from office and/or cessation of pay for an explicit amount of time
4. Suspension of Authorization of Activity and Service Fee Funds
5. Recommendation of impeachment should the respondent(s) be a Student Government Agent.

This comparison is relevant because Title VI itself imposes an attendance requirement: per §601.4(U) of the Election Statutes, Commissioners are required to attend the Commission’s regular meetings, and “Two unexpunged absences shall result in automatic dismissal from the Election Commission.” Additionally, for other kinds of misconduct or dereliction by a Commissioner, Title VI §601.6 sets out a process involving the Student Senate. The Senate’s Elections & Appointments Committee investigates and, if it finds a Commissioner likely violated the Election Statutes or failed to perform duties, it can recommend that the Senate take action. Notably, the decision ultimately rests with the Student Senate to impose any formal sanction.

However, what this demonstrates is that the Commission may sanction candidates for violations of the ERP even if those specific rules aren’t written in Title VI, as long as the ERP rules are legitimate and related to the campaign/election process. Conversely, while the Election Commission does not have the power to punish non-candidates with formal sanctions unilaterally, it does have a certain degree of inherent authority to enforce its procedures and maintain order during the conduct of elections. This can be thought of as procedural enforcement and is similar to how a court manages its courtroom or how the Judicial Council utilizes its JRP Rule 1.03 powers in a hearing. The critical distinction is that these measures are internal. For example, the Supervisor of Elections or the Commission as a whole can take steps such as:

Maintaining decorum in hearings: If a person (be it a candidate, a witness, or an observer) is being disruptive, refusing to follow instructions, or otherwise violating hearing rules, the Commission can issue a warning to that person. If the behavior continues, the Commission can have the person removed from the hearing or disregard their input.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

Enforcing deadlines and submission rules: If the ERP requires evidence to be submitted by a particular time or in a specific format, and a candidate or other party fails to comply, the Commission can refuse to consider that evidence or filing. Essentially, the “sanction” for violating that procedural rule is that the person loses the opportunity to have the evidence considered, or their complaint may not be heard if they file it after the deadline.

Issuing reprimands or warnings on record: The Commission can formally note that a person violated an ERP rule and issue a reprimand or caution to deter future violations. For instance, if a candidate repeatedly tries to introduce prohibited campaign material at a hearing or violates an evidentiary rule, the Commission can state on the record that this behavior was inappropriate and warn that continued violations could lead to more severe action.

The important caveat is that any internal or procedural sanction must remain within the bounds of the Commission’s authority and not conflict with the Statutes. However, the Commission could enforce the ERP in many ways. For example:

Internal Reprimand or Warning: The Commission could vote that a particular behavior (e.g., absence or breach of neutrality) was unacceptable and warn the Commissioner that if it happens again, the matter will be referred for formal discipline.

Reassignment or Restriction of Duties: The Commission could decide that a Commissioner who missed a mandatory event will not be given specific responsibilities in the next event. Since the Supervisor of Elections has discretion to direct the Commission’s work, the Supervisor can sideline a non-performing member by not assigning them crucial tasks.

Loss of Privileges: Generally, a Commissioner’s vote on official matters cannot be taken away without apparent authority. However, the Commission could potentially create a rule stating that if a Commissioner is not present for a hearing or a substantial portion of it, they cannot vote on the outcome of that hearing because they missed the evidence.

What the Commission cannot do through the ERP is anything that would be considered a formal punishment or that would deprive the individual of a right conferred by statute.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

Title VI outlines this:

601.6 Removal of Election Commission Members

A. The Senate-designated Committee shall meet and determine if an Election commissioner may have violated the Election Statutes. Member(s) may have committed a major/minor violation of Election Statutes; they shall notify the Student Senate in writing by the next Senate meeting following the committee action.

Therefore, the Commission may enforce internal procedural rules informally by using mechanisms within its discretion (warnings, task reassignments, internal notes) to encourage compliance, and it may craft its ERP to include reasonable expectations and consequences (subject to Senate committee approval). However, any penalty that affects a person's position or official standing ultimately must be implemented through the formal processes outlined in the statutes.

IV. Recommendations

To avoid confusion and ensure consistent application of Student Body law, the Senate should consider amending the Statutes to more clearly delineate the jurisdiction of the Judicial Rules of Procedure (JRP) and the Election Rules of Procedure (ERP). This would give the Judicial Council and the Election Commission more statutorily-granted authority to exercise limited, internal enforcement powers under their respective rules, while still reaffirming that all formal penalties on Student Government agents remain governed by Title IX and subject to Senate oversight.

For example, Title VI §601.2(G) currently requires the Supervisor of Elections to submit a memorandum to the Student Body President and the Senate-designated committee chair if Election Commission members fail to fulfill the duties assigned in Chapter 601. Similarly, §601.2(K) gives the Supervisor authority to expunge Election Commissioner absences upon petition, with a majority vote of the Commission able to overturn that decision. And §601.6(A)–(D) places removal of Election Commission members squarely within the Senate's jurisdiction, including notices of non-compliance, 48-hour compliance periods, and appeal rights to the Judicial Council. Finally, §601.7(A) requires that the ERP itself be approved by both the Commission and the Senate-designated committee by majority vote.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu
studentgovernment.ucf.edu

Together, these provisions show that Senate oversight is already assumed, but they do not expressly state how much procedural autonomy the Judicial Council, and even more so the Commission, may exercise inside its own hearings (e.g., attendance, decorum, deadlines) before triggering Title IX action. Likewise, Title V §505.8 (Judicial Rules of Procedure) recognizes the Judicial Council's authority to adopt procedural rules but does not clarify the scope of permissible internal sanctions.

Accordingly, the Elections & Appointments Committee (E&A) and the Legislative, Judicial & Rules Committee (LJR) should jointly review:

- Title V §505.8 (Judicial Rules of Procedure);
- Title VI §601.2(G) (Supervisor's memorandum on non-performing Commissioners);
- Title VI §601.2(K) (Commission Absences);
- Title VI §601.6 (Removal of Commission members); and
- Title VI §601.7(A) (Approval and modification of the ERP).

The Student Body Senate should consider adding a statutory change that affirms that the Election Commission may impose reasonable procedural sanctions within its hearings to enforce compliance with the ERP, while also reaffirming that any formal penalties affecting a Student Government Agent's position, pay, or status remain governed by the Enforcement and Accountability Statutes. Conversely, Title IX itself could be clarified to state that violations of the Election Statutes or ERP by non-candidates must be processed through the Notification of Non-Compliance and Senate review mechanism, not by independent Commission action.

Doing so would give the Judicial Council and the Commission a clear statutory footing for internal, procedural enforcement while still preserving the final say and Senate supremacy over disciplinary actions. This approach would also allow for moving the Election Commission removal process into Title IX or VII, alongside other SG agent enforcement, and placing the Commission's attendance policies within the ERP (paralleling Senate Rule 8 on absences and the JRP's own attendance provisions).



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

V. Conclusion

In sum, the Election Commission may exercise limited procedural authority under the ERP, such as issuing warnings, excluding disruptive participants, or rejecting untimely filings, to maintain order and ensure compliance during its proceedings. These measures are internal and do not affect an individual's statutory rights or official status. All formal penalties, including censure, suspension, or removal of Student Government agents, remain governed by Title IX and subject to Senate oversight. By clarifying the statutory standing of both the ERP and the JRP and aligning the Election Commission's removal and attendance processes with Title IX and Senate Rule 8, the Student Body can ensure clear, consistent, and legally grounded procedures that balance internal autonomy with Senate supremacy.

Issued with due consideration and in service to the Constitution,

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



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

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>