



Ethics Investigation of Vice President of Financial Affairs Hunter Scott

After being confirmed by the Student Government Association Senate on Thursday September 26th I, Attorney General Justin Cenname, was made aware of an allegation of ethical malfeasance against Vice President of Financial Affairs Hunter Scott. In this anonymous allegation it was alleged that Vice President of Financial Affairs Hunter Scott promised a member of his fraternity, one Colin Marcum, a spot on First Year Council, as well as divulging privileged information to him. Pursuant to the Student Government Association's Code of Laws chapter 202.5.2, which states “The Attorney General shall be responsible for looking into matters of ethical malfeasance by any SGA member, elected or otherwise, regarding ethics, efficiency, and competence. The Attorney General will also conduct investigations when reasonable accusations against certain SGA members are made, and supporting evidence are brought against the accused”, I decided to open an ethics investigation to ensure the integrity of the Student Government Association. In compliance with Code of Laws chapter 202.5.2.1, which mandates the President be informed of the opening of any investigation, I emailed Student Government Association President Harrison Adams on Friday September 27th to officially notify him of the beginning of the investigation. My findings follow below.

The main issue of this case boils down to whether Vice President of Financial Affairs Hunter Scott used his position within the SGA to positively influence the First Year Council

application of a member of his fraternity, and whether he broke a non disclosure agreement in the process. To answer this question it is imperative to examine what role Hunter Scott played in this process, and if it helped the applicant in question. To assess these claims I interviewed several student government officials, and received several documents from the Chief Justice of the Student Judiciary, Clayton Lawing.

We must start by examining Mr. Marcum's application and establish a clear timeline of events. Colin Marcum began his application for First Year Council at 8:01 AM on July 11th, 2019 and submitted his completed application at 10:20 AM on the same day. Mr. Marcum's blinded application was then graded by First Year Council Director Kimri Goerke at 10:29 AM on August 21st, 2019. Later that day at 1:19 PM on August 21st VPFA Scott first received the grading rubric for First Year Council Applicants immediately after being trained on the grading processes and being given access to the document holding the blinded applications. The first time VPFA Scott would actually grade an application was the next day, August 22nd, at 10:07 AM. Scott would then sign the non disclosure agreement on September 16th, 2019. Lastly, Mr. Marcum was ultimately not selected for the interview stage of First Year Council.

On the first issue in this case, whether or not VPFA Scott used his position to aid the First Year Council application of Colin Marcum, this Attorney General can find no such evidence of this claim. The applicant in question spent only two hours and nineteen minutes total on his application between creation and submission, which would make it nearly impossible for him to send a draft to VPFA Scott, have VPFA Scott make edits to this draft, and then send them back to Mr. Marcum for submission. Additionally, even if VPFA Scott wanted to help Mr. Marcum by telling him what the First Year Council Selection Committee was looking for in candidates he

was only given access to the grading rubric 41 days after Mr. Marcum had submitted his application and an entire three hours after Mr. Marcum's application had already been graded by Ms. Goerke. I can find no where in this timeline where VPFA Scott could have possibly acted to the benefit of Mr. Marcum's application and therefore have come to the conclusion that, while I am sure the anonymous complainant in this case had good intentions, any insinuation that VPFA Scott conspired to help this applicant is pure applesauce. I do concede, however, that I remain unsure of VPFA Scott's access to time travel technology, but I stand confident in my initial conclusion for if he did use this technology to get around the rules of space and time he must be a terrible time traveler, as Mr. Marcum did not make it to the first stage of First Year Council interviews.

On the second issue of whether Vice President of Financial Affairs was in breach of a non disclosure agreement signed on September 16th, 2019 we must examine what exactly was claimed by the anonymous complaint and by those who were named in the case. The anonymous complaint claims that VPFA Scott has promised members of his fraternity "positions on the council and has been giving them confidential information regarding their essay and interview scores" Additionally, it is claimed that Mr. Marcum was told he missed the interview stage by "two points". It has now come to my attention that two different conversations are being construed into one here. Mr. Marcum claims that in a conversation with SGA Senator Jack Kappelman that after he asked for feedback on his application he was told by VPFA Scott that he had "heard his application was strong", and additionally he was later told that he "missed the cut off by a few points". It has come to light in this investigation that the second comment, erroneously referenced in the initial complaint where it is claimed he missed the cut off by

exactly two points, was actually made to Colin Marcum by a senior member of VPFA Scott's staff, who was privy to the First Year Council application process, when asked by Marcum why he did not make it to the interview round. In regards to the actual contract signed by Vice President of Financial Affairs Hunter Scott it is clearly specified that it only pertains to the "First Year Council interview process" and this ethics case never entered the purview of the interview process because, as previously stated, Mr. Marcum did not make it to the interview process for First Year Council. In this regard I see no place in which specific confidential information was shared with anyone because, while VPFA Scott never even signed any confidentiality agreement for the application grading process, the applicant was only told that he "missed the cut by a few points", which was information he already knew as by definition all applicants who were told they did not qualify for an interview did not qualify precisely because they had missed the cut by a point or more. It is the finding of this Attorney General that no confidentiality agreement was broken, and no confidential information was shared with Mr. Marcum. It seems as if the conversation between Mr. Marcum and Senator Kappelman was taken out of context by the anonymous complainant, as I am sure the forthright Senator Kappelman would never purposefully misconstrue a private conversation to create a mass misunderstanding of circumstances.

Chapter 202.5.2.4 of the Student Government Association's Code of Laws states that "Following an investigation the Attorney General may drop a charge, issue no recommendation, issue a warning of removal, and initiate removal of that officer". Therefore, I will be dropping the charges against Vice President of Financial Affairs Hunter Scott for the reasons listed in the above paragraphs.

Additionally, Article 3 Section 10 subsection C number 5 of the Student Government Association Constitution states that the Attorney General “may issue legal opinions on matters pertaining to this Constitution and any rules or regulations which may be established pursuant to this Constitution”. I feel that it is necessary to include a brief legal opinion in this case with my background being a former Chief Justice of the SGA who personally helped to rewrite the FYC process. This case brings up an issue that we potentially did not address when we were fixing how the process is described last year and, while this is in no way an order, it could do the campus well to look into a formal process for FYC applicants to get feedback from their applications. After all, through programs like FYC we are hoping to create leaders out of the freshman members of our campus. If they were able to receive feedback on their rejected applications that could help them with application processes throughout their lives and keep them interested in joining the Student Government Association in some other capacity. I believe the Student Government Association should be as transparent as possible, and if Freshmen students can see this ideal first hand, and learn to champion it, then it should certainly be explored.



Attorney General Justin Cenname

10/4/19

Date