



ASUCI ELECTIONS COMMISSION

Under Art. X § 2 of the ASUCI Constitution, the Elections Commission “has all authority for ASUCI elections and related activities, and under this authority has the power:

(a) To plan and manage all ASUCI elections;

(c) To enforce all ASUCI candidate disclosure requirements;

(o) To investigate, on their own initiative, possibilities of electoral nonfeasance, misfeasance, and malfeasance, including any action that could affect the outcome of an election;

(p) To adjudicate electoral disputes, including allegations of Elections Code violations, subject to appeal to the Judicial Board;”

Decision of the Elections Commission Regarding At-Large Senatorial Candidate Montaña

Dated: March 21, 2026

Preface

On November 6, 2024, the ASUCI Judicial Board released [*Opinion on Investigative Authority in Elections-Related Cases*](#), delineating the ASUCI Elections Commission’s procedural obligations into two broad categories — administrative and adjudicative. To quote the opinion:

Under its administrative capacity, the Elections Commission operates much like the Federal Elections Commission or its various analogues in the several states, making preliminary quasi-judicial decisions to enforce the elections procedures it has been charged to uphold and, if necessary, defending them in full courts of law.

The ASUCI Constitution presents us with a unique departure from this pattern, however, in that it delegates to the Elections Commission the position of a full judicial body. Whereas the aforementioned analogues to the Elections Commission may focus solely on their administrative capacities, outsourcing all judicial functions to distinct courts of law, the Elections Commission’s primary jurisdiction forces an ordering in such cases where these roles may contradict one another. (Bolek et al., 2024)

Following the revision of the ASUCI Elections Code on February 20, 2025, the Judicial Board added on March 15, 2025, that “[their] ruling in [*Opinion on Investigative Authority in Elections-Related Cases*] was found to remain in force” with the revisions.

In observing an explicit violation of the Elections Code, the Elections Commission has determined that an administrative approach would be most appropriate for the circumstances at hand.

Synopsis

On March 13, 2026, undergraduate student Brianna Montaña filed a Declaration of Candidacy for the position of At-Large Senator, officially becoming a Candidate for ASUCI elected office. Per Art. VI § A of the Elections Code, “prior to filing a Declaration of Candidacy, all Candidates for ASUCI elected office must:

- Have paid the ASUCI fee for at least two (2) consecutive Quarters, not including the Summer Quarter, prior to the beginning of the Filing Period.
- Not be on University disciplinary probation and be in good standing with the University, as defined by the UCI Code of Student Conduct.
- All Senate candidates, prior to filing a declaration of candidacy, shall possess a cumulative GPA of 2.5 or higher on a 4.0 scale.

DECISION OF THE ELECTIONS COMMISSION REGARDING [POSITION] CANDIDATE [NAME]

- Consistent with Art. X § C(A, C) of the ASUCI Constitution, all candidates, in filing a valid declaration of candidacy, must consent to partial waiver of their rights under the Family Educational Rights and Privacy Act (FERPA) in order to confirm compliance with relevant requirements for office listed in this Section. All compliance review will be done by SGSM Professional Staff only and communicated, as needed, directly with the impacted candidate only.

On March 19, 2026, Elections Commissioner Nicole Nowak was informed by Student Government Student Media (SGSM) professional staff that At-Large Senatorial Candidate Brianna Montaña did not meet one of the qualifications listed in the aforementioned article of the Elections Code. To respect the privacy of Candidate Montaña, the specific qualification in question will not be published in this decision. After confirming with SGSM professional staff Candidate Montaña's ineligibility to run for At-Large Senator, pursuant to the Elections Commission's authorities as an administrative body, the following decision is released.

The Elections Commission has deemed At-Large Senatorial Candidate Brianna Montaña ineligible to run for At-Large Senator for the 2026 ASUCI Spring General Elections and has levied a Level 5 sanction – Campaign Disqualification – on their campaign, disqualifying them from their respective race.

NOWAK, N. delivered the decision of the Commission. LEE, A. approves of what is written. GROVER, K.; SUH, K; GARCLA; K did not participate in the deliberation.

Art. VI, § A of the Elections Code, empowered by Art. V § 1(a) of the ASUCI Constitution, explicitly states the qualifications necessary for undergraduate students to run for elected office. Failure to meet these qualifications then should reasonably and automatically constitute an ineligibility to run, barring a student from running during the 2026 ASUCI Spring General Elections. Because of this, the matter at hand is not contingent on the existence of a Petitioner and a Respondent (which would require our adjudicative authority), but instead our independent application of the laws enumerated in our governing documents. Therefore, it is through our administrative authority that **we deem At-Large Senatorial Candidate Montaña ineligible to run for At-Large Senator for the 2026 ASUCI Spring General Elections and disqualify them from their respective race.**

We would like to emphasize here that our decision today does not opine on the Candidate Montaña themselves or the particulars of their campaigns. Rather, in pursuing our administrative obligations as the Elections Commission, we find it necessary to sanction the Candidate Montaña to fulfill our constitutional duty to “[c]onduct all ASUCI elections fairly, impartially, and with integrity, in ways that ensure students’ rights are protected” (ASUCI Constitution, Art. X § 3(a)). It is incumbent upon us as the Elections Commission to uniformly apply the law to all Candidates, and indeed all undergraduate students in general. To decline to do so in this instance would not only violate our governing documents, but would fundamentally be a disservice to those who may have aspired to run for elected office, but were ineligible to in a similar manner.

Should Candidate Montaña, in the future, meet the qualifications necessary to run for elected office, we maintain that they, like all undergraduate students, have the right to “run for elected office in ASUCI,” (ASUCI Constitution, Art. III, § 1(b)). However, at this time, under the mandates of the ASUCI Constitution and ASUCI Elections Code, we are compelled to take action against Candidate Montaña.

Accordingly, we levy a Level 5 sanction – Campaign Disqualification – on At-Large Candidate Brianna Montaña and remove them from eligibility for office for the 2026 ASUCI Spring General Elections ballot.

It is so ordered.