Associated Students of Boise State University
Complaint Form

According to Ethics Code Section V, Subset B #1: University Students, Staff members, and Administrators can file Complaints against any ASBSU Officer for violating ASBSU Code, the ASBSU Constitution, their job description, or other governing documents.

This may include Federal, State, Local University Policies including but not limited to the Student Code of Conduct, University Policy #2020.

If the above applies, you may continue with the instructions on how to fill out this form. When submitting a complaint, the accuser (hereafter known as the complainant), cannot remain anonymous to the Ethics Officer. Your name(s) must be attached to this form, as well as the Defendant(s)’s you wish to make the complaint about. Your identity can remain anonymous, if you so choose, in the actual trial if it commences. Filling out the rest of the form is incredibly simple. List all names relevant, the date you or your party filled out the information, the date the event leading to the complaint occurred, the specific lines of code broken, and then the rationale. This is the section where you are to explain in detail your grievances and how they pertain to a breach of code. You also have the right to submit any additional documents you believe strengthen your case, if you mention them in your rationale please make it clear which document you are mentioning. How to attach them will be explained in the next paragraph.

Your next step will be to return this form to the Ethics Officer via email, in person, or to the Student Involvement and Leadership Center front desk. If left with the front desk, please let them know to who it should be delivered. If found on the ASBSU Website, copy and paste this document onto a word document or email. If emailed, please title the email “ASBSU Complaint”, which is at the bottom of this page. Please add no additional rationale based information into the email, but rather just let the Ethics Officer know what is attached in addition to this form. Once this form is received, you will receive an email notifying you of your next steps. If the complaint is about the Ethics Officer, this form may be emailed to the Vice President of
ASBSU. The proper steps will then be taken to make sure the process commences ethically without a conflict of interest.

To submit or if you have any questions as to how to fill out this form, my email is:

KennethHuston@boisestate.edu

The email of the ASBSU Vice President is:

CambreeKanala@u.boisestate.edu

Defendant: Angel Cantu, Student Body President

Complainant: Elected to remain anonymous- representation from all 5 Branches of ASBSU

Date Filled Out: October 24, 2020

Date Breach Occurred: June 2020 - Present

Code Breached:

ASBSU Constitution:

Article 1 Section 3. ASBSU will not discriminate against any individual on the basis of age, race, color, religion, sex, national origin, ancestry, disability, veteran status, political affiliation, gender identity/expression, or sexual orientation in matters of employment, services, requests for funds, educational, or other activities.

Article 3 Section 1 Paragraph 5. The President has the primary authority to make all appointments to all University committees that include students.

Article 3 Section 1 Paragraph 11. The President will perform or delegate any other duties that are necessary to promote and maintain the general welfare of the Associated Students.

ASBSU Ethics Code:

Article II Subsection A. Students are entitled to have complete confidence in the effectiveness and integrity of ASBSU, and in every elected or appointed student in ASBSU working to serve the student body. This Chapter exists to ensure ASBSU is ethical and accountable to the students of the University.

Article III Subsection B. In fulfilling these duties, ASBSU and all Personnel will follow the Student Code of Conduct and the University Statement of Shared Values.

University Policy Breached:

University Policy #2020: Student Code of Conduct
Section 3 Subsection E. A “Hostile Environment” is created if the conduct is so severe, pervasive, or persistent that it creates an environment that would cause a reasonable person substantial emotional distress and undermine their ability to work, study, learn, or otherwise participate in University programs or services, and actually does cause the harassed person(s) these difficulties.

University Policy #1110: Conflict of Interest

Article III Section 3 Subsection 1 Paragraph 1. When an Employee’s financial, professional, or other personal interests may directly or indirectly affect, or appear to affect, that Employee’s judgment in exercising their Institutional Responsibilities.

University Policy #9270: Communicable Disease

Section 4.4 Subsection G. A student restricted from face-to-face classes or any other campus activity must be released for normal activity by the Public Health Office.

Other Breach of the Spirit of ASBSU:

1. Blatant oppression of marginalized populations.
2. Oppression of student’s voice, as well as student leader voice.
3. Failure to work on the basis of the “Last Person Framework”, a shared value, understanding, and commitment of ASBSU.
4. Continually perpetuates white supremacist culture, after all ASBSU officials pledged to eliminate toxic white supremacy behaviors in our organization.

Rationale: In order of complaints

With regard to Constitution Article 1 Section 3:

Whereas, In July of 2020, while navigating the Boise Police Department (BPD) contract, Angel attempted to silence members of the Black Indigenous People Of Color (BIPOC) community and stop the activist movement against the resigning or extension of the BPD contract. (Refer to email chain with the subject line “BPD Contract”)

Whereas, Angel served on a committee that centered around the decision of renewing the BPD contract and advocated against the efforts to remove BPD from campus. He did so without consulting or seeking student feedback-- especially the voices of the most marginalized identities of the students he claims to represent.

Whereas, Angel described the BPD officers as “good” rather than spending energy understanding how students feel unsafe around police regardless of their personality traits, training, etc
Whereas, Angel invalidated the real, shared experiences of many BIPOC folks by claiming they were “rumors,” “assumptions,” and accused members of IESC of sharing misinformation.

Whereas, Angel performed a violent act of hierarchical power towards frontline community members by requesting them to stop their activist work around the BPD contract. He made accusatory statements towards them and condemned them for raising concerns on an issue that deeply affects our most marginalized community.

Whereas, Angel has tone-policed members of ASBSU, which is violence constantly performed against Black womyn and Black trans/non-binary folks.

Whereas, Angel was critical of a Black-led movement for Black people rather than offering insight and data which might empower people.

Whereas, Angel attempted to dissuade critical safety work by Black community members and activists and therefore collectively harmed students’ personhood and identities across campus.

Whereas, Angel promoted harmful rhetoric towards members of ASBSU throughout his conversations in the email chain.

Whereas, In doing this, Angel actively discriminated and caused harm to these persons and when asked to take any accountability for his actions, he did not.

Whereas, On October 22 of 2020, while navigating the Big City Coffee Instagram Post, Angel again attempted to silence the members of the BIPOC community, delegitimize the real harm and experiences of our most vulnerable, marginalized community, and proceeded to pick and choose which harm was valid. (Refer to email chain with the subject line “Big City Instagram Post”)

With Regard to Constitution Article 3 Section 1 Paragraph 5 and Paragraph 11:
Whereas, The President has received notification of multiple University Committees, and has not notified the Executive Council of which ones exist.

Whereas, In Executive Council meetings, Angel has made remarks that his schedule doesn’t allow for any more appointments. Meaning that the lack of communication can imply committee/student representation opportunities are being left unfilled.

With Regard to ASBSU Ethics Code Article II Subsection A:
Whereas, The President actively chose not to disclose information to a member of the Executive Council about being compensated for sitting on the Steering Committee, which could be a
violation of “double-dipping” hours.

**Whereas**, Rather than delegating individuals with more expertise and understanding of certain on-goings in the community, Angel has retained the committee appointments for his own professional development/ other undisclosed reasons known only by him.

**With Regard to ASBSU Ethics Code Article III Subsection B:**

**Whereas**, Angel repeatedly violated multiple subsections of Section 4: Violations, of the Student Code of Conduct including, B. Abuse of Self or Others, K. Discrimination, L. Disorderly Conduct, O. Failure to Act to Protect Health and Safety, S. Harassment, and AC. Violation of University Policy and/or Law.

**Whereas**, Throughout this semester Angel violated the University Statement of Shared Values as he did not “provide a culture of civility and success where all feel safe and free from discrimination, harassment, threats or intimidation”

**Whereas**, In referring to the “Fairness” section of Statement of Shared Values, Angel treated members of ASBSU with inequality, by not “demonstrating a balanced standard of justice without reference to individual bias.”

**Whereas**, In referring to the “Respect” section of Statement of Shared Values, Angel did not “treat people with dignity regardless of who they are and what they believe.”

**Whereas**, In referring to the “Responsibility” section of Statement of Shared Values, Angel did not “take charge of [his] choices and actions by showing accountability.”

**Whereas**, In referring to the “Trustworthiness” section of Statement of Shared Values, Angel did not “demonstrate honesty in [his] communication and conduct while managing [himself] with integrity and reliability.”

**With Regard to University Policy #2020: Student Code of Conduct Section 3 Subsection E:**

**Whereas**, Members of the Executive Council were unable to attend our own Exec meetings due to feeling unsafe due to the history of rhetoric coming from Angel regarding anti-black/anti-minority and misogynist messages.

**Whereas**, Angel has screamed at multiple Executive Council members, on multiple occasions, who have approached him with the purpose of intervention to behavior leading to this document.

**With Regard to University Policy #1110: Conflict of Interest Article III Section 3 Subsection 1 Paragraph 1.**

**Whereas**, The President pressured members of the Executive Council to close the application for
VP of Academic Affairs early after receiving “what looked like a good application” was submitted.

Whereas, The President again pressured the hiring committee to extend an interview to the first applicant. Given the general equality of application strengths in multiple submissions, the hiring committee complied given the strong feelings of the president.

Whereas, The President solely advocated for one candidate in the interview deliberations, discounting the effectiveness of other applicants.

Whereas, The President introduced himself to the applicant who he was lobbying for as the applicant’s roommate.

Whereas, Angel has leveraged his position as President to disallow the opportunity of two other members of the Student Body to serve in a paid position on the ASBSU Executive Council with a clear bias, and conflict of interest in favor of his roommate.

With Regard to University Policy #9270: Communicable Disease
Whereas, Angel entered the office with the knowledge his roommate was a confirmed positive COVID-19 case.

Whereas, Multiple members of the Executive Council felt unsafe to enter the ASBSU office, due to the risk of being exposed to COVID-19.

With Regard to ASBSU Spirit Breach #1:
Whereas, Angel has caused harm and oppressed the voices of marginalized populations, i.e. BPD Contract and Big City Coffee conversation.

With Regard to ASBSU Spirit Breach #2:
Whereas, Angel contacted student and community leaders and discouraging them from organizing around inclusion and social justice issues, i.e. BPD Contract incident and Big City Coffee conversation.
Whereas, The president has continually failed to listen and validate the voice of his peers, even when they brought up valid concerns and questions.

With Regard to ASBSU Spirit Breach #3:
Whereas, Angel continued disinterest in expanding his knowledge about marginalized students’ experiences demonstrates an intentional lack of utilization of the Last Person Framework. ASBSU operates under this framework to strive for the inclusion of the most marginalized identities, and not furthering one’s understanding of these perspectives goes against this
endeavor.

**ASBSU Spirit Breach #4:**

**Whereas,** The Executive Branch’s Shared Vision states, “The Associated Student of Boise State University’s Executive Team’s vision is to uplift and advocate for students to the best of our shared capacity, ensuring we keep the most marginalized intersections of identity at the center of our decision making.

**Closing Remarks:**

Boise State University is actively committed to diversity and inclusivity, a stance in alignment with our **Statement of Shared Values.** We recognize that our success is dependent on how well we value, engage, include, and utilize the rich diversity of our faculty, staff, students, and alumni. We believe that prejudice, oppression, and discrimination are detrimental to human dignity and that a vibrant and diverse campus community enhances the learning environment of the populations that we serve. We are fully committed to treating all stakeholders with dignity and respect, and to working collectively on an ongoing basis to build and maintain a community that understands, celebrates, and values diversity, and expects and fosters inclusivity at all levels.

Angel has stated that he believes the members of the Assembly and Senate are pretty smart people and believes he could talk himself out of any charge of impeachment in private conversations. This not only tells us that Angel is not afraid of acting inappropriately as the head of Student Government, but also that there is no intent to rehabilitate/modify harmful behavior.

**Attached Evidence (In Chronological Order):**
Everything below is to be filled out by the Ethics Officer:

Complaint #1

Date Received: 10-22-2020

Date Defendant Notified: 10-23-2020

Hearing Date: 10-28-2020

Additional Comments: Angel was notified on 10-23-2020, with the complaint document and associated evidence Sunday, 10-25-2020
Hearing Proceedings and Notes:

Defendant Notes: See Minutes
Complainant Notes: See Minutes

Rationale:
Note: Ethics Officer Kenneth Huston has Abstained from Vote on all Charges.

<table>
<thead>
<tr>
<th>Complaint Number</th>
<th>Category Ethics</th>
<th>Ethics Vote</th>
<th>Referenced Code</th>
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<tbody>
<tr>
<td></td>
<td>Ruling</td>
<td>(Y-N-A)</td>
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#1 Constitution Article 1 Section 3.

#2 Constitution Article 3 Section 1 Paragraph 5.

#3 Constitution Article 3 Section 1 Paragraph 11.

#4 Ethics Article II Subsection A.

#5 Ethics Article III Subsection B.
At Fault 6-1-1 Constitution Article 1 Section 3.

At Fault 7-0-1 Constitution Article 3 Section 1 Paragraph 5.

At Fault 7-0-1 Constitution Article 3 Section 1 Paragraph 11.

At Fault 7-0-1 Ethics Article II Subsection A.

At Fault 7-0-1 Ethics Article III Subsection B.

#6 University Policy #2020: Student Code of Conduct Section 3 Subsection E.

#7 University Policy #1110: Conflict of Interest

#8 University Policy #9270: Communicable Disease Section 4.4 Subsection G.
#9 Spirit:
Blatant oppression of marginalized populations.

#10 Spirit:
Oppression of student’s voice, as well as student leader voice.

#11 Spirit:
Failure to work on the basis of the “Last Person Framework”, a shared value, understanding, and commitment of ASBSU.

At Fault 7-0-1 University Policy #2020:
Student Code of Conduct
Section 3 Subsection E.

At Fault 7-0-1 University Policy #9270:
Communicable Disease
Section 4.4 Subsection G.

At Fault 4-0-4 Ethics Article II Subsection A.

At Fault 5-0-3 Ethics Article II Subsection A.

At Fault 5-0-3 Ethics Article II Subsection A.

#12 Spirit: At Fault 4-0-4 Ethics Article II Subsection A.
Continually perpetuates white supremacist culture, after all ASBSU officials pledged to eliminate toxic white supremacy behaviors in our organization.

Violations 1

Sanctions:
Initiation of Impeachment Trials in the General Assembly and the Academic Senate. To take place November 4th, 2020 commencing at 4:30pm.

Angel is hereby placed on Administrative Leave effective Immediately (Friday October 30, 2020, 5:12pm)

- Communication between Angel and any Student, Faculty, Staff member, and Administrator in his capacity as ASBSU President is to be suspended until the conclusion of Impeachment Trials in the Academic Senate and General Assembly.
- Access to the ASBSU Offices is revoked and strictly prohibited during this time.
- Access to the asbsupresident@boisestate.edu and asbsu@boisestate.edu email accounts are revoked during this time. Any email sent to Angel’s student email account, in his capacity as ASBSU President, is to be forwarded to the ASBSU@boisestate.edu email address.
- Hours will be capped (pending review of Human Resources) at 10 hours per week at the ASBSU President’s pay rate.

TO BE COMMUNICATED TO:
University President, Marlene Tromp; Vice President for Student Affairs, Dr. Leslie Webb; Assistant Vice President for Student Affairs, Eric Scott; Dean of Students, Dr. Chris Wuthrich; Director for Student Involvement and Leadership Center, Charlie Varland; Assistant to the Vice President for Equity Initiatives, Francisco Salinas; The Arbiter.
APPROVAL:
By the ASBSU Executive Council on (date) by a vote of (in favor) _______ and (opposed)_______ and (abstaining) _______.

By the ASBSU General Assembly on (date) by a vote of (in favor) _______ and (opposed)_______ and (abstaining) _______.

By the ASBSU Academic Senate on (date) by a vote of (in favor) _______ and (opposed)_______ and (abstaining) _______.

By the ASBSU IESC on (date) by a vote of (in favor) _______ and (opposed)_______ and (abstaining) _______.

By the ASBSU President
Angel Cantu ___________________________ Date_______________

By the ASBSU Vice President
Cambree Kanala ________________________ Date_______________