

To: SGA President Michelle Sherman and all members of the SGA

From: The Public Relations Committee of the SGA Senate

Subject: Recommendation regarding behavior from the Office of SGA President Michelle Sherman

It has come to our attention through numerous complaints and conversations with SGA members that there have been several issues regarding the Office of the President and the Executive Branch. As the PR Committee, we have decided to look into these claims as they affect the student perception of the SGA. In an effort to improve our image with the student body, we have worked to address these issues and bring them up before the full Senate. We have summarized the issues as follows:

- a. Lack of communication with the SGA
- b. Lack of following established procedure
- c. Executive overreach regarding the inner workings of the Executive Cabinet

Lack of Communication:

The lack of communication between the office of the President and the SGA is best exemplified by the appeal submitted to Dr. Phaiah following the Oct 22, 2019 SGA meeting. No one in the Executive branch, Senate, or student body had known the status of the appeal until Dr. Phaiah gave his ruling at the Senate meeting on November 19th, 2019 (Appendix A1). The Senate had not received a copy of the appeal to Dr. Phaiah and only received his ruling. It has also appeared that questions regarding the status of the appeal, brought up at Executive Cabinet meetings, were disregarded or ignored. This has been confirmed from testimony provided by the CFO.

This lack of communication is further exemplified by the efforts of Dr. Phaiah to hold a mediation meeting between the President and Vice President following the Oct 22, 2019 SGA Meeting. According to Dr. Phaiah and VP Sobers, everyone had agreed upon a meeting time (Appendix A2). This meeting was then cancelled by President Sherman and no follow-up meeting or attempt to reschedule could be found (Appendix A5). It also appears that Justice Aliser also attempted to hold a mediation meeting between the President and Vice President, which, to our knowledge, never occurred.

Lack of Following Established Procedure:

It appears that established procedure has not been followed at the Executive Cabinet Meetings. At the 11/25/2019 Executive Cabinet meeting the Vice President and Chief Justice were excluded. This is despite the fact that, according to Article 5.4.1 of the SGA Constitution, “There shall be an Executive Cabinet composed of the President, the Vice President, the Chief Financial Officer, the Student Activities Chair Director, the Student Activities Technical Director, the Governmental Affairs Officer, the Webmaster, and any other officers or persons prescribed by the President. The Executive Cabinet shall advise and assist the President in their duties as well as facilitate cooperation and coordination among the executive agencies and executive officers.” There was no documented explanation or approval from the other executive cabinet members regarding this change in established procedure. Considering all Executive Cabinet meetings are open-door and all students are welcome to attend, it is concerning that members of the Executive Cabinet were explicitly told not to attend (Appendix A3).

Executive Overreach:

Members of the Executive Cabinet have voiced their concern regarding potential executive overreach from the office of the President. One notable example of this is regarding the Financial Committee recommendation regarding the status of affected clubs following the Oct 22, 2019 SGA Meeting. The CFO was then sent an email by President Sherman regarding the recommendation, asking about who requested that the Finance Committee make a recommendation as well as the names and positions of who else was involved (Appendix A4). There has not been established precedent requiring any committee to divulge the names and positions of members involved with making a recommendation to the Senate.

Another example of potential executive overreach is regarding the NMT Exploration Day Club Fair. President Sherman both helped plan and run the club fair. However, there is no documented support that either the Club Advisory Committee or the Vice President were contacted in regards to this event. The Vice President was only notified the day before this event by Yesenia Perez Gonzalez, the Admission Coordinator for NMT (Appendix A5). It is established procedure that NMT Club Fairs be put on by both the Vice President and Club Advisory Committee. In the case of the NMT Exploration Day Club Fair however, there is no record of contact nor was there an explanation given for why this change was made to established precedent.

Recommendation:

It is our hope that by bringing these issues to light, we can work with President Sherman, VP Sobers, and any other relevant parties to address these issues. We would like to note that before the submission of this document to the SGA senate, we, several members of the PR Committee, met with CFO Quincy Bradfield, VP Dallin Sobers, and SGA Advisor Dr. Phaiah. Efforts were made to meet with President Sherman prior to the submission of this recommendation (Appendix A6). However, due to the Thanksgiving break, this was not possible; we apologize for this oversight on our part.

The PR Committee recommends the following steps be taken to address the issues mentioned above:

- a. Increased communication between departments and a rescheduling of the canceled mediation meeting with Dr. Phaiah.
- b. The creation of a set of Standard Operating Procedures for all departments, outlining the actions each department may take as well as establishing a precedent for those actions. These Standard Operating Procedures should then be ratified by the SGA Senate and made available on the SGA website. We also recommend that the Standard Operating Procedures be given as part of the Senator Handbook.
- c. See part b above. We also recommend that the Judiciary and Legislative Standards Committee work with the Executive Cabinet to ensure each Executive Officer understand their powers and responsibilities.

It is important to remember that these actions are only a recommendation provided by the PR Committee and that any other suggestions are welcome. We also hope to establish precedent regarding issues such as this by submitting this recommendation in place of pursuing disciplinary action. However, should these problems continue, or any retaliatory action be taken against those involved, disciplinary action may be pursued against the offending party as outlined by Article 7 of the NMTSGA Constitution.

Appendix:

A1:



NMTSGA VP

to sudip.thapa, Andre, Andrew, Anthony, Chief, Chris, Connor, Diego, Drew, Dustin, Gregory, Jacob, John, Jordan, Jose, me, Luis, Mario, Micah, Mya, Nathan, Noe, Peter, Quang, Sandip, Ve

Tue, Nov 19, 5:25 PM (9 days ago) ☆ ↶ ⋮

Hello all,

Don't panic this isn't a bill-- it's a copy of Dr. Phaiiah's decision. He will address this during his segment of reports at the beginning of the meeting. See you all soon,

Dallin Sobers
SGA Vice President



A2:



NMTSGA VP

to Drew, me

Nov 25, 2019, 4:01 PM (3 days ago) ★ ↶ ⋮

Dallin Sobers
SGA Vice President



----- Forwarded message -----

From: **Phaiiah, Peter** <peter.phaiiah@nmt.edu>

Date: Fri, Oct 25, 2019 at 1:08 AM

Subject: Re: Meeting

To: SGA President <nmt.sga.pres@gmail.com>

Cc: NMTSGA VP <nmt.sga.vp@gmail.com>, Chief Justice <nmt.sga.chiefjustice@gmail.com>

Michelle,

SGA needs the leadership of its three branches to appropriately communicate with each other so they can effectively serve the SGA representatives and the student body. At the last SGA Senate meeting, it became apparent that communications could be better. As the SGA advisor, I wanted to meet with all of you together to discuss these lines of communication. This is the purpose of this meeting.

Since I don't have access to everyone's schedule, I asked Dallin to see if he could find a convenient time for all of us to meet. I hope this time is convenient for everyone, if not we can find a different time.

Peter

On Thu, Oct 24, 2019 at 4:26 PM SGA President <nmt.sga.pres@gmail.com> wrote:

Hello,

What is this meeting in regards to?

Regards,
Michelle Sherman
NMT SGA President



On Thu, Oct 24, 2019 at 3:49 PM NMTSGA VP <nmt_sga_vp@gmail.com> wrote:

I've checked the calendar for next week and since we were able to meet at 12pm on a Friday previously I'd like to meet again at that time on Friday November 1st. Ideally in the same place as well if possible.

Dallin Sobers
SGA Vice President



On Wed, Oct 23, 2019 at 8:41 AM Phaiah, Peter <peter.phaiah@nmt.edu> wrote:

You all have access to my Google Calendar and can see when I am available. Please compare your calendars and mine to find the most convenient time for us all to meet.

Peter

On Tue, Oct 22, 2019 at 1:30 PM NMTSGA VP <nmt_sga_vp@gmail.com> wrote:

Dr. Phaiah,

Is there a time that the four of us could meet, ideally by next Friday? I have attached my office hours to better help coordination. Thank you,

Dallin Sobers
SGA Vice President

A3:



NMTSGA VP
to Drew, me ▾

Mon, Nov 25, 4:06 PM (3 days ago) ★ ↩ ⋮

Hi all,

I was late to the Executive Cabinet meeting this afternoon just to be told it was for "Executive Staff" and not Officers, even though Skyler and Mario were present Michelle made it clear that Nickie and I were not to be present.

On another note I am attaching a copy of the Appeal Michelle wrote and submitted to Dr. Phaiah. Though it was sent to my student email account I am submitting it to the PR Committee of the NMT SGA on my own accord as a student and not an officer allowing it as public record.

Thank you,

Dallin Sobers
SGA Vice President



A4:

Drew Krajeck
to me ▾

Nov 5, 2019, 8:43 AM ★ ↩ ⋮

----- Forwarded message -----

From: **Chief Financial Officer** <nmt_sga_cfo@gmail.com>

Date: Tue, Nov 5, 2019 at 08:30

Subject: Fwd: Financial Recommendation for Clubs

To: Andre Ortiz <andre.ortiz@student.nmt.edu>, Drew Krajeck <Drew.Krajeck@student.nmt.edu>, John Lempke <john.lempke@student.nmt.edu>, Sam Fischer <samuel.fischer@student.nmt.edu>, dustin.southway@student.nmt.edu <dustin.southway@student.nmt.edu>, nathan.maass@student.nmt.edu <nathan.maass@student.nmt.edu>

----- Forwarded message -----

From: **Chief Financial Officer** <nmt_sga_cfo@gmail.com>

Date: Mon, Nov 4, 2019 at 12:15 PM

Subject: Re: Financial Recommendation for Clubs

To: SGA President <nmt_sga_pres@gmail.com>

CC: Michelle Sherman <michelle.sherman@student.nmt.edu>, Phaiah, Peter <peter.phaiah@nmt.edu>, NMTSGA VP <nmt_sga_vp@gmail.com>

In previous meetings, we (The Finance Committee) have not had to disclose recommendations regarding procedure, policy or amount unless directly requested. I have given you the recommendation and kept you updated on what was going on with it.

Regards,

Quincy Bradfield

SGA CFO

Alternate email: quincy.bradfield@student.nmt.edu

On Mon, Nov 4, 2019 at 12:12 PM Chief Financial Officer <nmt_sga_cfo@gmail.com> wrote:

Dear Michelle,

I have no obligation to answer these questions as this recommendation is a recommendation I wrote as a Finance Committee Recommendation to the senate. Therefore, I will not be providing any documents as such. Likewise, Constitutionally I do not have to update you on Finance Committee recommendations. I am displeased by this gross overstep of power into my committee. The recommendation will go through as planned.

Regards,

Quincy Bradfield

SGA CFO

Alternate email: quincy.bradfield@student.nmt.edu



On Mon, Nov 4, 2019 at 9:18 AM SGA President <nmt_sga_pres@gmail.com> wrote:

Assignment by COB Today: Quincy, at the end of this email is an assignment due by COB today.

Here is my chain regarding this matter Quincy. The second email clearly states, "I did not know where this assignment Quincy is working on had come from." There was no response from you. In addition, the email clearly requests a final draft for review. That did not occur.

I informed Dr. Phaiah on Friday November 1, 2019 when he stopped in my office that I had no idea who had assigned you to create financial penalties for the clubs with the late submissions.

As for it being too late, I would like to know exactly what your financial probation means for the clubs. You presented a final document for submission to the Senate and never a final draft of this document for review or discussion by myself or Dr. Phaiah.

Lastly, who assigned you to create financial penalties for the clubs with late submission? There were clearly a number of alternatives that could have been discussed.

Having club status means the clubs have the following:

Club Status Details:

1. Access to facilities on NM Tech campus including meeting rooms and tables/booths during NM Tech events, access to reserve Macey Center and Fidel for club events. Access to equipment including tables, chairs, etc.
2. Index number and a p card so they can use their club's account
3. The capability to deposit donations and club fundraising money into their accounts.
4. Money from the SGA for equipment purchases, travel, events, grants, and research.
5. Capability to rent vehicles from NM Tech
6. Club status allows the club to be listed in the NM Tech catalog and to advertise themselves as an SGA Club on the NM Tech campus.
7. Club status allows the club to participate in NM Tech events.

Assignment: By COB today:

1. Please provide the names and SGA roles of the person or persons who gave you this assignment authorizing you to create financial penalties for the clubs with late submissions.
2. Please provide the names and roles of those you submitted this recommendation to for a final draft review and input before it was finalized.
3. Please provide a document detailing which of the club status details listed that the SWE, SSAR, and Cybersecurity will have and which they will not in this recommendation you prepared. Please do this report by individual clubs and not as a group. If any of the club status details were left out, you may add them to the report. Be specific in listing what SGA club status the clubs have under your recommendation and what they do not by club, not as a group.
4. Please provide the reasoning for your group not including Tri Beta, League of Legends and AISES in your recommendation.
5. Please include the group members names, role in SGA and all of your meeting times as you prepared the financial probation recommendation. Provide the names of SGA members and their role at each specific meeting.
6. Has this recommendation been discussed or provided to SWE, SSAR and Cybersecurity? If so, please provide the dates of the meeting and all SGA members who met with them or emailed them. Provide any documents that were sent to them.
7. Has the recommendation not to include Tri Beta, League of Legends or AISES been sent to them? Please provide a copy of the document or email if they were notified.

This is a priority assignment.

Regards,
Michelle Sherman
NMT SGA President



A5:



NMTSGA VP
to Drew, me ▾

Nov 25, 2019, 4:09 PM (3 days ago) ★ ↩ ⋮

Dallin Sobers
SGA Vice President



----- Forwarded message -----

From: **Phaiah, Peter** <peter.phaiah@nmt.edu>
Date: Sat, Nov 2, 2019 at 5:42 AM
Subject: Re: 11/1/19
To: NMTSGA VP <nmtsga.vp@gmail.com>

Dallin, I stuck around until 12:20 p.m. thinking, hoping we all would have that noon meeting. I knew Nickie could not make it. I did eventually read an email that Michelle could not make it but could reschedule. Let's meet on Monday.

Also, about two weeks or so ago Joe Romero sent an email requesting a copy of the club list. I knew we had a meeting and I was going to ask you to respond to Joe. Other topics came up and I forgot to mention it and then got busy on other matters.

This Monday, Joe sent me an email on a different topic and it reminded me about his initial request. I called him and he said he had an old list and he was using it. I told him I would send him the updated list so he could contact the others. I told him I was going to bounce it off you earlier but I had forgotten. I did not know he was looking at having a club fair. I thought he was looking for volunteers to help at the event and the clubs could get service hours. I apologize for my error.

I did not know Michelle was involved. I don't know if she gave them a list or Admissions used an old list. Maybe Yesenia was not sure if Joe got it from the old list they had on file or if it came from Michelle.

Once again I apologize you did not know about this larger request earlier and I should have asked Joe more questions. We can discuss this further when we meet on Monday or Tuesday.

Peter



NMTSGA VP
to Drew, me ▾

Mon, Nov 25, 4:09 PM (3 days ago) ★ ↶ ⋮

Dallin Sobers
SGA Vice President



----- Forwarded message -----

From: **NMTSGA VP** <nmt_sga_vp@gmail.com>
Date: Fri, Nov 1, 2019 at 5:12 PM
Subject: 11/1/19
To: Peter Phaiah <peter.phaiah@nmt.edu>

Dr. Phaiah,

I have reached the end of my rope. I heard something in passing about a club fair during Exploration Day to which I had no idea. I know very little about it just that it's tomorrow. I went to Admissions to see if they wanted me to send anything out to clubs from my office and I spoke to Yesenia. She said that Michelle had provided her with a list of clubs and that she didn't have one for this year. In the clubs included tomorrow Tri-Beta has a table despite, after everything, not being granted status.

Michelle took it upon herself to do this with ZERO communication with me and to push it through making it seem like I should have nothing to do with it, based on what Yesenia told me. When I asked Michelle when Admissions had reached out to her she said she had no idea, she couldn't tell me. I asked her why she hadn't reached to my office to tell me that there was a request of club presence she instead told me that she had been asking for the list since Fresh Check Day to which I can find no request to my student or VP email. I do have record that she asked for it recently though so I gave her a hard copy yesterday and an electronic copy along with Roy to upload to the website today.

She refused to look at me when I asked her these questions instead telling me it was a "two way thing" or shaking her head and remaining silent while she took the webs off of her door. When I left saying that we would have to learn to communicate when meeting with you she told me again to send it to her even though I already had.

This isn't even unconstitutional. The Constitution is debatable and amendable-- that's why we have a Judicial Branch. This is disrespectful on so many levels and reflects me in a bad light which I'm sure she's aware of. Like I said I'm at the end of my rope. I do not need my job done for me nor am I being extended to common courtesy that Michelle claims to uphold. I am sorry I even have to write this email. I would like to meet with you Monday at 12pm having checked your schedule. If a little later works since I know that's a lunch hour I will be free then.

Thank you again for all that you do and I extend another apology that you have to deal with this unceasing and convoluted mess. Yours,

Dallin Sobers
SGA Vice President



A6:



Kyle Stafford <kyle.stafford@student.nmt.edu>
to Drew, NMTSGA, bcc: quincy.bradfield, bcc: connor.cole ▾

Sun, Nov 24, 5:10 PM (4 days ago) ☆ ↶ ⋮

Hey Dallin,

I can do 12. Drew might also be joining us if that's alright with you.

Kyle Stafford

On Nov 24, 2019, at 16:03, NMTSGA VP <nmt_sga_vp@gmail.com> wrote:

Hey Kyle,

Tomorrow I am free from 12-2, but I'll be busy or leaving after that. I'll also have an hour from 9-10 I'll be in there office to catch up on anything I may have missed before leaving for break. Do any of these times work for you?

Dallin

Sent from my iPhone

On Saturday, November 23, 2019, Kyle Stafford <kyle.stafford@student.nmt.edu> wrote:

Hey Dallin,

I would like to organize a meeting time Monday as per what we discussed yesterday. When are you available? I'm free after about 3pm.

Regards,

Kyle Stafford

Drew Krajeck

Mon, Nov 25, 4:06 PM (3 days ago) ☆

Dear President Sherman, I would like to schedule a meeting with you at some point to discuss some PR issues. I would like to hear your feedback and get yo...

SGA President

Mon, Nov 25, 5:32 PM (3 days ago) ☆

Hello Drew., What issues would you like to discuss so I can be prepared? Will the meeting just be with you or are you bringing someone else as well? Regard...

Drew Krajeck <drew.krajeck@student.nmt.edu>
to SGA ▾

Mon, Nov 25, 6:08 PM (3 days ago) ★ ↩ ⋮

Dear Michelle,

Just to recap. We want to discuss the GAO position and the finance recommendation. We would also like to discuss the internal workings of the department. Senator Maass may join us as well, but it will likely be just me.

- Drew K

Drew Krajeck

Tue, Nov 26, 4:48 PM (2 days ago) ☆

President Michelle, Regarding the potential meeting. I would really like to have the meeting prior to the next senate meeting on 12/03/2019. Please let me know

Drew Krajeck

Fri, Nov 22, 5:08 PM (6 days ago) ☆

Dear Dr. Phaiah, Senator Stafford and I have become aware of recent troubling events within the SGA. We would like to meet with you and talk about a potent...

Phaiah, Peter

Sun, Nov 24, 7:56 PM (4 days ago) ☆

Drew, I just added it to Our Google Calendars.

Drew Krajeck <drew.krajeck@student.nmt.edu>
to Peter ▾

Sun, Nov 24, 7:58 PM (4 days ago) ★ ↩ ⋮

Dr. Phaiah,

Thank you
I accepted the invitation. I will see you then.

- Drew