

Committee for Campus-Constituency- Elected Trustees

109 Day Hall
Ithaca, NY 14853

Fall 2026 Student-Elected Trustee Election Challenge Form

Candidate Name: Skyler Johnson	NetID: SQJ2
Challenger Name: Kimberly McMillian	NetID: KNM74

This form is a cover sheet for your challenge, which should be typed and submitted with this form. Please be sure to name the specific document (for example, *Expressive Activity Policy* or *Student Code of Conduct*) and rule that the candidate allegedly violated. Identify any facts related to the rules you identified and explain how you believe the violation has altered the fairness of the election. You may submit digital evidence (such as photographs) to supplement your typewritten challenge. **This form and your typewritten challenge must be submitted via email to the Office of the Assemblies (assembly@cornell.edu) by 11:59pm on Friday, September 25, 2026.**

Certification I, the filer of this challenge, attest by my signature below that the information I have provided is true and accurate to the best of my knowledge under penalty of disciplinary referral to the Office of Student Conduct and Community Standards. I certify that I have read and understand the election rules, available on the elections webpage, and I acknowledge in particular my confidentiality obligations as a party to this challenge, reprinted here:

"Members of the committee and parties to a challenge may not share the contents of challenges, evidence, or decisions submitted to or received from the committee, except when explicitly permitted by these rules or by the committee. Unauthorized disclosure of confidential information may result in a disciplinary referral."

Signature of challenger:  Date: 9/23/26

From: [Kimberly Nicole McMillian](#)
To: [Committee for Campus-Constituency-Elected Trustees](#)
Cc: [Durba Ghosh](#)
Subject: Election Challenge/Complaint - Skyler Johnson
Date: Thursday, September 24, 2026 9:27:40 AM
Attachments: [SETElectionChallengeForm_Skyler Johnson Challenge .pdf](#)

To the Committee for Campus-Constituency-Elected Trustees and the Office of the Assemblies,

I'm writing to raise concerns about Mr. Johnson's response to the pending election challenge. His explanation does not appear consistent with the Committee's own prior guidance under Sections V(9) and V(10) of the Student- and Employee-Elected Trustee Procedures, nor does it align with the content of the outreach at issue.

Because his response is now part of the public record, I believe these inconsistencies should be addressed directly rather than left unanswered.

I have sought guidance from the Committee myself on the scope of Section V(10), specifically as it applies to paid advertising. Later, when another candidate asked whether petition signers could be contacted by email, the Committee shared its response with all three candidates. I complied with that guidance as well, declining to contact my own petition signers once I learned that doing so would not be permitted.

I'm asking only that the same standard be applied consistently to every candidate.

On the Committee's own prior guidance

The Committee previously addressed a closely related question for all three candidates: whether a candidate could email the individuals who signed their nomination petition, given that "the signer's email is plainly and openly included on the petition."

The Committee's response was unambiguous:

"Signing a petitioner's form is not opting in to receive campaign materials. Emailing the signers of a petition would violate the Procedures Section V, Subsection 10(b)... Signing someone's candidacy petition simply means that you support their right to run as a candidate. Names and emails are collected so that the Office of the Assemblies can validate the signatures."

That guidance did not turn on how the email addresses became available or why they were collected. It turned on whether the recipients had affirmatively opted in to receive campaign materials.

That is the same issue presented here, regardless of whether an email address came from a

petition or a department directory.

A petition signer has affirmatively expressed support for a specific candidate and has provided an email address in connection with that candidate's nomination. The Committee nevertheless determined that this does not constitute an opt-in to receive campaign materials. If that level of affirmative engagement is insufficient under Section V(10), it is difficult to see how an individual with no demonstrated connection to the candidate would satisfy the requirement merely because their email address was publicly available elsewhere.

Mr. Johnson had this guidance available to him when preparing his response to the challenge. His response does not address it.

On his own account of seeking guidance

Mr. Johnson states that, before campaigning began, he asked the Committee whether he could send individual, one-to-one emails and was told that such outreach was prohibited because campaigning had not yet begun under Section V(4). He describes relying on that answer to conclude that the same outreach would be permissible once campaigning opened, without an opt-in.

But the question he asked and the issue raised by this challenge are different.

The timing of when campaigning could begin was already established in the Election Calendar, and the Committee held informational sessions before the campaign period to walk candidates through the Procedures before outreach could lawfully begin. His question concerned whether outreach could occur before the campaign period opened.

By his own account, however, he never asked whether individualized email outreach would satisfy Section V(10)'s opt-in requirement once campaigning began. Mr. Johnson plainly knew how to seek clarification from the Committee when he believed it was necessary, because he did so on the timing issue described above. Those are separate questions. An answer addressing when campaigning may begin does not resolve the separate requirement governing who may receive campaign materials and under what circumstances.

On the content of the outreach itself

Mr. Johnson characterizes his outreach as deliberately identifying individual prospective voters for one-to-one engagement. I would ask the Committee to compare that characterization with what was actually sent.

The message reads, in relevant part:

"Hi Jaime, My name is Skyler Johnson. I'm a second-year law student, and I'm running for Graduate Student Trustee!"

It then provides a general summary of his platform and a general invitation to reply or vote. This might present differently if the message reflected something specific about the recipient, for example, if it addressed him as a program or organization leader, referenced his research or role, explained why his perspective was being sought, or otherwise demonstrated why that particular individual had been selected for outreach.

It contains none of those things. Nothing in the message reflects knowledge of the recipient's program, research, role, or any particular reason he was contacted. Mr. Johnson's response also does not explain how this recipient was identified or why he, as opposed to any other Cornell affiliate, was selected. Without that explanation, the characterization of the message as individualized, deliberate one-to-one voter engagement is not substantiated by the content of the outreach itself.

On the recipient's status

There is an additional factual issue that the Committee can independently verify.

According to the recipient's publicly available professional profile, his doctoral candidacy at Cornell shows an end date earlier this year, suggesting that he may no longer be a current student. His current enrollment status can, of course, be confirmed directly by the Committee.

If he is no longer a current student, that raises a significant question about Mr. Johnson's description of this as deliberate outreach to prospective voters. If recipients were being individually identified because they were prospective voters in this election, it is unclear why the current status of this particular recipient was not known before he was contacted.

On where the line is drawn

Mr. Johnson argues that requiring opt-in for individually addressed communications would effectively prohibit ordinary campaigning, such as texting a friend, messaging a classmate, or emailing an acquaintance. He also points out that the Procedures do not establish a numerical threshold at which individual outreach becomes a distribution list.

But his own examples illustrate why a numerical threshold is unnecessary. The distinction is not primarily about how many people are contacted. It is about the basis on which they are identified and contacted in the first place.

A friend, classmate, or acquaintance is someone with whom a candidate already has an existing connection. The same is true when someone within a candidate's network personally recommends another individual to contact. In those circumstances, the outreach begins with a relationship or referral, not with the discovery of a stranger's contact information for the purpose of sending campaign material.

That is materially different from the outreach at issue here. Nothing in the message reflects an existing relationship with the recipient, a personal referral, or any other connection that would explain why this individual was selected. The message itself is generic, and the recipient's apparent status further raises questions about how deliberately he was identified as a prospective voter.

Mr. Johnson's own hypotheticals therefore do not make the boundary impossible to draw. They help define it. Ordinary relationship-based campaigning is not the same as identifying otherwise-unconnected individuals and sending them unsolicited campaign material because their contact information is available. The unresolved question is therefore not how many individualized emails a candidate may send. It is how the recipients of this outreach were identified and what connection, if any, existed between Mr. Johnson and the individuals he contacted.

A narrow way to resolve that factual question

Mr. Johnson's response states that he identified recipients using publicly available information, but it does not specify the particular source, method, or tool he used to identify them. I would ask the Committee to consider requesting a direct written statement from him affirming whether he obtained or used any listserv, roster, directory, or other compilation of student or community contact information from any party, whether affiliated with Cornell or not, to identify or contact recipients of this outreach.

Given Mr. Johnson's legal training, a clear written affirmation on that point should be straightforward. If the recipients were identified through existing relationships, personal referrals, or some other individualized basis, that should likewise be straightforward to explain. If, instead, they were identified through a broader source or compilation of contact information, that fact is directly relevant to the distinction his own response asks the Committee to draw. A direct statement identifying the specific source and method used to select recipients would allow the Committee to resolve this factual issue without speculation.

I appreciate the Committee's continued consideration of this challenge. My request is simply that the Procedures, and the Committee's own prior interpretation of them, be applied consistently across all candidates.

Thank you for your time and consideration.

Sincerely,
Kimberly McMillian