

Simon Fraser Student Society

2011 General Election and Referenda Report

Prepared by:

Chen Shen

Chief Electoral Officer of the SFSS

June 15, 2011

Board of Directors
Simon Fraser Student Society
c/o Jeff McCann, President
Maggie Benston Centre Room 2250
Simon Fraser University

Mr. President,

It is my pleasure to present this report on the 2011 General Election and Referenda of the Simon Fraser Student Society. This report contains a summary of the election, with highlights of the most pertinent issues.

This is the first general election governed by the new electoral policy introduced in the Fall of last year. The election proceeded smoothly and no major incidents were experienced. Forty candidates ran for and filled all sixteen positions. In total, 5693 votes were cast, representing 23.4 percent of eligible voters.

The election was highly successful, and I would like to express my greatest appreciation for those who helped achieve this accomplishment. I would like to thank commissioners Rasheed, John, Reisa, and Harry for their dedication and hard work. I would like to thank the many Society staff of the General, Resource, and Finance offices, who have provided invaluable help and assistance, as well as Nancy, the Copy Centre Coordinator, who laboured arduously to print the volumes of materials. I would like to thank Shelley Gair, the university's Electoral Officer, for preparing the student databases and mailing lists. Finally, I would like to thank the students, candidates, and voters, who are an integral part of the campus community.

I hope that you enjoy reading this report, and I would be glad to respond to any inquiries you might have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chen Shen', written in a cursive style.

Chen Shen
Chief Electoral Officer, SFSS
January 2011 to December 2011

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Introduction

Electoral Policy

This general election was governed by the Simon Fraser Student Society (SFSS) Constitution, By-Laws, and Electoral Policy R-17. The Electoral Policy was introduced prior to the previous By-Election in order to bring much-needed improvements to the electoral process. It was shown to be sound by the successful By-Election.

This was the first general election conducted in accordance with this policy, and it did not present any unexpected problems. The general and by-elections demonstrate the new policy's suitability for the Simon Fraser Student Society, but also highlighted a number of improvements that could be made, which will be discussed later.

Independent Electoral Commission

The Independent Electoral Commission (IEC) of this general election is comprised of five individuals including the Chief Electoral Officer (CEO) and four electoral commissioners. Electoral commissioners were appointed by the Board of Directors on the CEO's advice, who screened and interviewed applicants for the position.

There were approximately 30 applicants for the electoral commissioner positions, of which 10 were asked to attend an interview. The interviews occupied approximately one working day, but proved invaluable to the selection of suitable commissioners.

Four interviewees – Rasheed Ahmed, John Morrison III, Reisa Stefura, and Harry Xiao – were recommended and appointed to the IEC. The appointees were selected based on a variety of factors including their relevant experiences, abilities, and availability during the elections period.

Materials and Communication

Most IEC materials were refreshed and improved for this election, in an effort to increase efficiency and transparency. Channels of communication were also greatly expanded to facilitate interaction with candidates and the student body.

Handbook

The candidate handbook was also updated from the previous by-election. Numerous segments were re-worded to improve clarity and explain the election rules in the simplest and most accurate language. The handbook must be updated for each election, and the current revision provides a good foundation to build upon.

Website and Social Media

The website structure has been re-adjusted slightly to remove redundant pages and improve ease of navigation. Past posts are now preserved and categorized to preserve an archive of information from previous elections. Furthermore, past election reports and IEC decisions are also archived on the website for public viewing. On the back end, Google Analytics is being used to track the website's visitors and provide data to inform future upgrades.

In addition to website improvements, all candidate debates were recorded and uploaded online, they are hosted by the Internet Archive which provides free and permanent media hosting, and which allows download and playback in a variety of formats.

Facebook ads were placed throughout the election, they did not generate significant click-through rates, but remains a good supplemental reminder of the elections due to its low cost. An SFSS Elections Twitter account was also set up to dabble in social media, although there is much room for future improvement in this area.

Emails

Three emails were sent to all undergraduates. The first email was the notice of referenda, as required by policy. A call for nomination was included with the notice to advertise open Board positions. The second all-undergraduate email was sent at the opening of voting period, which included links to the online ballots. The third email was sent on the last day of voting, to remind students of the election. The Policy also requires an all-undergraduate email to announce the election, which was sent as part of the SFSS Newsletter and thus avoided a separate email.

Election Process

The election timeline is as follows:

February 21 to March 7 at noon
Nomination Period

February 23 at noon
Deadline for submission of referendum questions

March 7 at noon to March 21 at 11:59pm
Campaign Period

March 22, 23, 24
Voting Period

These dates were adjusted prior to the election to account for a newly introduced reading break mid-semester. Efforts were made to ensure that the critical nomination period did not overlap with the break when most students were off campus, that the election did not conflict with SFU Senate and Board of Governors elections which took place immediately prior to the SFSS General Election, and also that the dates conformed to policy requirements as much as possible.

Pre-Nomination

The election was officially announced two weeks prior to the opening of nominations. Although it was required that commissioners be appointed by the announcement of the election, meeting scheduling resulted in a one-week delay in appointment. This resulted in some difficulties in the preparation of promotional materials leading up to the opening of nomination. Despite these difficulties, the newly appointed Commission was oriented and preparing to promote the election by the beginning of nomination period.

Nomination Period

12" by 40" banners were determined to be the most cost-effective advertisement method, and they were posted around campus during nomination period. A new design was created to catch the attention of students passing by, and the Commission decided to place a strong emphasis on the paid nature of Board positions.

At the end of nomination period, 40 nominees were verified as candidates for 16 Board vacancies. There were four positions with one candidate each, while all other positions were contested between multiple candidates. This was an atypically high candidate turnout, although there were unfortunately only a small number of Surrey candidates.

Referendum Questions

Three referendum questions were submitted and put to ballot. The first question sought approval to extend the U-Pass program with an increase in fees. The second question sought to remove the Internal Relations Officer position from the By-Laws, replacing it with a general manager, and the third question sought to increase support for the World University Service of Canada. As can be expected, the U-Pass referendum gathered significant amounts of attention.

Campaign Period

As can be expected with such a large number of candidates, difficulties arose in the printing of candidate materials. Although significant efforts were made to print orders as soon as possible, the huge volume of materials nevertheless took the entire first week of campaigning to complete. The long wait resulted in a number of candidates becoming irritated and demanding their materials, though fortunately no significant disorder resulted. Candidates were generally respectful of Copy Centre rules, while their materials were printed and distributed in the order of submission.

Two candidates withdrew from the election prior to the end of campaigning, and were therefore not included in the online ballot.

Information Sessions

Two information sessions were held in the first week of campaign period, one in the morning and the other in the evening. The sessions highlighted important information and rules that candidates ought to be aware of, and provided an opportunity to answer any questions that might arise. Attendance was optional.

All candidate debates

Three candidate debates were hosted by the IEC. One executive debate and one faculty debate was hosted on Burnaby campus, while one all candidates debate was hosted at Surrey campus. The Surrey campus debate was organized in the same manner as past Surrey debates, and took place in the Mezzanine.

The Burnaby campus debates were re-located from the MBC Atrium to the Saywell Hall Atrium. This was arranged so as to place the debate in an open area with passing students, in order to increase awareness of the election. Due to the relocation, posters were posted around campus prior to the debates with arrows pointing to the location. Cookies were also ordered to help attract spectators.

All three debates were recorded using the IEC's camcorder and promptly posted online by the next day.

Online Voting

Due to the required removal of all candidate campaign materials, banners were prepared to maintain awareness of the election and encourage students to vote. The same 12" by 40" size was selected due to its effectiveness, and online voting was clearly emphasized on the banners.

The online ballots were carefully crafted to ensure that language was as clear as possible. Instructions and confirmation pages were also included to guide voters through the survey.

Over the three days of online voting 5,693 ballots representing 23.4% of eligible voters were cast in the general survey, which included the referendum questions, executive positions, and at-large positions. Like the number of candidates, this was significantly higher than usual. Unsurprisingly, the U-Pass referendum received the most number of votes. Most of the Director positions received a higher number of ballots as well, including the faculty positions with separate surveys.

One candidate was disqualified during this period, and thus remained on the ballot but was not counted.

Policy Infractions

The 40 candidates were mostly respectful of elections rules and regulations. Most infractions were minor and adequately addressed by verbal warnings. However, one candidate was disqualified during voting period.

Policy requires that candidates remove all campaign materials prior to the opening of voting. One candidate, Nicholas Wong, failed to remove in excess of 80 posters littered around campus, resulting in significant unfairness for other candidates who did abide by the requirement. The candidate submitted that he was unable to remove the posters due to physical injuries. After careful deliberation, the IEC decided, *per curiam*, that it was appropriate to disqualify the candidate. The full decision is included in the appendix.

Official Results

The detailed voting results are included in the appendix.

Board of Directors

The following individuals were elected:

President

Jeff McCann

Treasurer

Keenan Midgley

External Relations Officer

Kevin Zhang

Internal Relations Officer

Jordan Kohn

Member Services Officer

Lorenz Yeung

University Relations Officer

Marc Fontaine

At-Large (2 positions)

Arry Dhillon

Danielle Hornstein

Applied Sciences

Lahz Dropsy Kikabou

Arts and Social Sciences

Kyle Acierno

Business Administration

Hao Lin

Communication, Art and Technology

Jenni Rempel

Education

Shiva Manavipour

Environment

Maziar Kazemi

Health Sciences

Spencyre Hackett-Martin

Science

Tabrez Hussein

Referenda

Q1: U-Pass Continuation

Passed

Q2: IRO Removal

Failed to reach requisite 75% approval

Q3: WUSC Fee Increase

Passed

Financial Statement

The final expenditure is slightly less than originally expected. This is largely due to the relatively low volume of printed IEC materials. The effects of the IEC promotional materials are difficult to assess in light of the inherently high level of interest this election. Although the banners proved sufficient, elections will typically require more printed promotional materials.

The U-Pass referendum budget was increased to \$600 for each side, and is therefore not assessed as part of the IEC budget.

A general breakdown of the expenditures are as follows:

Commissioner Stipends

\$ 5762.04

Commissioner CPP & WCB

\$ 178.96

Cellphone

\$ 56.00

The Peak Advertisements

\$ 1321.60

Printing and Promotion

\$ 544.43

Candidate & Referenda Expenses

\$ 1562.33

Miscellaneous

\$ 97.53

Total

\$ 9522.89

Recommendations

Electoral Commissioners

The appointment of electoral commissioners is critical to the IEC's early stages of preparation. Commissioners should be appointed sufficiently in advance such that they may contribute ideas and opinions toward the design of promotional materials. It is essential that commissioners be appointed by the announcement of the election, as is required by policy. Ideally, commissioners should be appointed one or more weeks prior to the announcement of the election.

Furthermore, it may be beneficial to appoint one commissioner whose primary responsibilities lie with Surrey campus, in order to increase Surrey students' participation. Despite recent efforts to appoint a Surrey liaison, it is nevertheless difficult for the commissioner to mind Surrey campus easily if they study primarily on Burnaby campus. Efforts should be made to recruit a commissioner who is primarily a Surrey student, if possible. This would provide Surrey candidates an easy contact person throughout the election.

Printing of Campaign Materials

Currently, orders are not placed until the opening of campaign period. However, it may be more efficient to accept orders during the nomination period, which will be printed and ready for pick up at the opening of campaign period. Materials will still be printed in the order they were submitted, maintaining fairness to all candidates. Standardization of the format of certain materials – such as leaflets – could also increase efficiency by reducing the amount of custom adjustments required.

Policy Changes

A number of policy recommendations have been accumulated during recent elections under the new policy. The complete list of recommendations are included in the appendix.

Appendix

Detailed Voting Breakdown

Referendum Questions

Nicholas Wong Decision

Policy Recommendations

Detailed Voting Breakdown

| President | | Vote | Ballot | Notes | |
|-----------|-----------------------|--------------|----------------|----------------|--------------------------|
| | Turnout: | 13.50% | 23.40% | | |
| | Choice | Votes | Percent | Percent | |
| | <i>Parteek Mann</i> | 433 | 13.19% | 7.61% | |
| | <i>Jeff McCann</i> | 1667 | 50.76% | 29.28% | plurality |
| | <i>Diego Reyeros</i> | 871 | 26.52% | 15.30% | |
| | <i>Colin Sharp</i> | 0 | 0.00% | 0.00% | withdrew prior to voting |
| | <i>Talan Suleyman</i> | 313 | 9.53% | 5.50% | |
| Vote | Total | 3284 | 100.00% | 57.68% | |
| | Abstain | 2409 | | 42.32% | |
| Ballot | Total | 5693 | | 100.00% | |

| Treasurer | | Vote | Ballot | | |
|-----------|--------------------------|--------------|----------------|----------------|-----------|
| | Turnout: | 13.78% | 23.40% | | |
| | Choice | Votes | Percent | Percent | |
| | <i>Parham Azizbaeigi</i> | 518 | 15.45% | 9.10% | |
| | <i>June Kim</i> | 781 | 23.30% | 13.72% | |
| | <i>Keenan Midgley</i> | 782 | 23.33% | 13.74% | plurality |
| | <i>Aboo Omar</i> | 521 | 15.54% | 9.15% | |
| | <i>Peter Qumsieh</i> | 263 | 7.85% | 4.62% | |
| | <i>Michael Wang</i> | 487 | 14.53% | 8.55% | |
| Vote | Total | 3352 | 100.00% | 58.88% | |
| | Abstain | 2341 | | 41.12% | |
| Ballot | Total | 5693 | | 100.00% | |

| External Relations Officer | | Vote | Ballot | | |
|----------------------------|------------------------|--------------|----------------|----------------|-----------|
| | Turnout: | 12.14% | 23.40% | | |
| | Choice | Votes | Percent | Percent | |
| | <i>Estefania Duran</i> | 1010 | 34.21% | 17.74% | |
| | <i>Brian Misera</i> | 723 | 24.49% | 12.70% | |
| | <i>Kevin Zhang</i> | 1219 | 41.29% | 21.41% | plurality |
| Vote | Total | 2952 | 100.00% | 51.85% | |
| | Abstain | 2741 | | 48.15% | |
| Ballot | Total | 5693 | | 100.00% | |

| Internal Relations Officer | | Vote | | Ballot |
|----------------------------|---------------------|--------------|----------------|----------------|
| | Turnout: | 11.05% | 23.40% | |
| | Choice | Votes | Percent | Percent |
| | <i>Jordan Kohn</i> | 1458 | 54.24% | 25.61% |
| | <i>Kimberly Yip</i> | 1230 | 45.76% | 21.61% |
| Vote | Total | 2688 | 100.00% | 47.22% |
| | Abstain | 3005 | | 52.78% |
| Ballot | Total | 5693 | | 100.00% |

| Member Services Officer | | Vote | | Ballot |
|-------------------------|-------------------------|--------------|----------------|----------------|
| | Turnout: | 10.99% | 23.40% | |
| | Choice | Votes | Percent | Percent |
| | <i>Mehdi Manavipour</i> | 0 | 0.00% | 0.00% |
| | <i>Chris Ng</i> | 1147 | 42.91% | 20.15% |
| | <i>Lorenz Yeung</i> | 1526 | 57.09% | 26.80% |
| Vote | Total | 2673 | 100.00% | 46.95% |
| | Abstain | 3020 | | 53.05% |
| Ballot | Total | 5693 | | 100.00% |

| University Relations Officer | | Vote | | Ballot |
|------------------------------|----------------------|-----------------|----------------|----------------|
| | <i>Marc Fontaine</i> | Turnout: | 12.05% | 23.40% |
| | Choice | Votes | Percent | Percent |
| | <i>YES</i> | 2549 | 86.97% | 44.77% |
| | <i>NO</i> | 382 | 13.03% | 6.71% |
| Vote | Total | 2931 | 100.00% | 51.48% |
| | Abstain | 2762 | | 48.52% |
| Ballot | Total | 5693 | | 100.00% |

| Applied Sciences | | | Vote | Ballot | Notes |
|------------------|----------------------------|-----------------|----------------|----------------|-----------|
| | <i>Lahz Dropsy Kikabou</i> | Turnout: | 5.63% | 7.26% | |
| | Choice | Votes | Percent | Percent | |
| | <i>YES</i> | 166 | 75.11% | 58.25% | plurality |
| | <i>NO</i> | 55 | 24.89% | 19.30% | |
| Vote | Total | 221 | 100.00% | 77.54% | |
| | Abstain | 64 | | 22.46% | |
| Ballot | Total | 285 | | 100.00% | |

| Arts and Social Sciences | | | Vote | Ballot | |
|--------------------------|----------------------|-----------------|----------------|----------------|--------------|
| | | Turnout: | 5.66% | 6.72% | |
| | Choice | Votes | Percent | Percent | |
| | <i>Kyle Acierno</i> | 627 | 68.30% | 57.52% | plurality |
| | <i>Nicholas Wong</i> | 291 | 31.70% | 26.70% | disqualified |
| Vote | Total | 918 | 100.00% | 84.22% | |
| | Abstain | 172 | | 15.78% | |
| Ballot | Total | 1090 | | 100.00% | |

| Business Administration | | | Vote | Ballot | |
|-------------------------|----------------------------|-----------------|----------------|----------------|-----------|
| | | Turnout: | 9.53% | 11.13% | |
| | Choice | Votes | Percent | Percent | |
| | <i>Hao Lin</i> | 188 | 43.62% | 37.38% | plurality |
| | <i>Razvan Lungu</i> | 81 | 18.79% | 16.10% | |
| | <i>Joaquim Sanvictores</i> | 162 | 37.59% | 32.21% | |
| Vote | Total | 431 | 100.00% | 85.69% | |
| | Abstain | 72 | | 14.31% | |
| Ballot | Total | 503 | | 100.00% | |

| Communication, Art and Technology | | | Vote | Ballot | |
|-----------------------------------|---------------------|-----------------|----------------|----------------|-----------|
| | | Turnout: | 7.04% | 8.08% | |
| | Choice | Votes | Percent | Percent | |
| | <i>Jay Chen</i> | 68 | 21.94% | 19.10% | |
| | <i>Jenni Rempel</i> | 242 | 78.06% | 67.98% | plurality |
| Vote | Total | 310 | 100.00% | 87.08% | |
| | Abstain | 46 | | 12.92% | |
| Ballot | Total | 356 | | 100.00% | |

| Education | | Vote | | Ballot |
|-----------|-------------------------|-----------------|----------------|------------------|
| | <i>Shiva Manavipour</i> | Turnout: | 2.75% | 2.96% |
| | Choice | Votes | Percent | Percent |
| | YES | 60 | 89.55% | 83.33% plurality |
| | NO | 7 | 10.45% | 9.72% |
| Vote | Total | 67 | 100.00% | 93.06% |
| | Abstain | 5 | | 6.94% |
| Ballot | Total | 72 | | 100.00% |

| Environment | | Vote | | Ballot |
|-------------|----------------------|-----------------|----------------|------------------|
| | <i>Maziar Kazemi</i> | Turnout: | 9.11% | 10.11% |
| | Choice | Votes | Percent | Percent |
| | YES | 138 | 93.88% | 84.66% plurality |
| | NO | 9 | 6.12% | 5.52% |
| Vote | Total | 147 | 100.00% | 90.18% |
| | Abstain | 16 | | 9.82% |
| Ballot | Total | 163 | | 100.00% |

| Health Sciences | | Vote | | Ballot |
|-----------------|--------------------------------|-----------------|----------------|------------------|
| | | Turnout: | 11.44% | 12.82% |
| | Choice | Votes | Percent | Percent |
| | <i>Keenan Federico</i> | 93 | 39.91% | 35.63% |
| | <i>Spencyre Hackett-Martin</i> | 140 | 60.09% | 53.64% plurality |
| Vote | Total | 233 | 100.00% | 89.27% |
| | Abstain | 28 | | 10.73% |
| Ballot | Total | 261 | | 100.00% |

| Science | | Vote | | Ballot |
|---------|-------------------------|-----------------|----------------|------------------|
| | | Turnout: | 6.03% | 6.78% |
| | Choice | Votes | Percent | Percent |
| | <i>Tabrez Hussein</i> | 344 | 60.99% | 54.26% plurality |
| | <i>Alastair Lindsay</i> | 220 | 39.01% | 34.70% |
| Vote | Total | 564 | 100.00% | 88.96% |
| | Abstain | 70 | | 11.04% |
| Ballot | Total | 634 | | 100.00% |

| At-Large (2 positions) | | Vote | | Ballot | Notes |
|-------------------------------|-----------------|----------------|----------------|---------|-----------|
| | Turnout: | | 19.76% | 23.40% | |
| Choice | Votes | Percent | Percent | | |
| <i>Joana Bettocchi-Barrow</i> | 755 | 15.70% | 13.26% | | |
| <i>Adam Briglio</i> | 503 | 10.46% | 8.84% | | |
| <i>Arry Dhillon</i> | 1315 | 27.35% | 23.10% | | plurality |
| <i>Danielle Hornstein</i> | 984 | 20.47% | 17.28% | | plurality |
| <i>Moe Kopahi</i> | 701 | 14.58% | 12.31% | | |
| <i>Tony Lee</i> | 550 | 11.44% | 9.66% | | |
| Vote Total | 4808 | 100.00% | 84.45% | | |
| | Abstain | 885 | | 15.55% | |
| Ballot Total | 5693 | | | 100.00% | |

| Question 1: U-Pass | | Vote | Ballot | Notes | |
|--------------------|-----------------|--------------|----------------|----------------|------|
| | Turnout: | 23.28% | 23.40% | | |
| | Choice | Votes | Percent | Percent | |
| Vote | YES | 5462 | 96.43% | 95.94% | pass |
| | NO | 202 | 3.57% | 3.55% | |
| | Total | 5664 | 100.00% | 99.49% | |
| | Abstain | 29 | | 0.51% | |
| Ballot | Total | 5693 | | 100.00% | |

| Question 2: IRO | | Vote | Ballot | | |
|-----------------|-----------------|--------------|----------------|----------------|--------------|
| | Turnout: | 14.70% | 23.40% | | |
| | Choice | Votes | Percent | Percent | |
| Vote | YES | 2593 | 72.49% | 45.55% | requires 75% |
| | NO | 984 | 27.51% | 17.28% | |
| | Total | 3577 | 100.00% | 62.83% | |
| | Abstain | 2116 | | 37.17% | |
| Ballot | Total | 5693 | | 100.00% | |

| Question 3: WUSC | | Vote | Ballot | | |
|------------------|-----------------|--------------|----------------|----------------|------|
| | Turnout: | 19.98% | 23.40% | | |
| | Choice | Votes | Percent | Percent | |
| Vote | YES | 3401 | 69.98% | 59.74% | pass |
| | NO | 1459 | 30.02% | 25.63% | |
| | Total | 4860 | 100.00% | 85.37% | |
| | Abstain | 833 | | 14.63% | |
| Ballot | Total | 5693 | | 100.00% | |

Referendum Questions

Question 1: U-Pass Continuation

Whereas the current SFU U-Pass fee is \$26.05 per student per month;

Whereas the current monthly transit pass is \$81 for one zone, \$110 for two zones and \$151 for three zones;

Whereas the failure of this question at referendum means the termination of the U-Pass program;

Are you in favour of continuing the U-Pass (also known as One-pass) program by increasing the U-Pass fee by \$3.95 per month?

> YES/NO

Question 2: IRO Removal

WHEREAS the Board of Directors will be retaining a full-time General Manager over the next year to assist in managing the day to day operations of the SFSS;

AND WHEREAS the position of Internal Relations Officer on the Board of Directors will then no longer be necessary;

AND WHEREAS a General Manager will bring continuity and strength to future endeavors of the organization;

AND WHEREAS eliminating the position of Internal Relations Officer requires an amendment to the SFSS Bylaws.

Do you agree that the position of Internal Relations Officer should be phased out over the next year? Thereby do you agree that the following SFSS bylaws will be amended:

Effective May 1, 2012, Bylaw 8(6)(b), 14(4), and 1-vi be amended to remove "Internal Relations Officer".

Effective May 1, 2012, Bylaw 4.2 be deleted and the Bylaws be renumbered accordingly.

Effective May 1, 2012, By-Law 6.11 be amended to read "Quorum for a meeting of the Board shall be a majority of seats filled, including three (3) Executive Officers;"

> YES/NO

Question 3: WUSC Fee Increase

Whereas the World University Service of Canada (WUSC) is a non-profit, non-governmental organization that has provided the Student Refugee Program at SFU since 1982; and

Whereas the program allows refugees whose lives are in danger to escape from the hopelessness of a refugee camp and continue their education in Canada; and

Whereas the current fee of one dollar per semester for full-time students and 50 cents per semester for part-time students affords the sponsorship of two refugee students per year; and

Whereas the proposed fee increase would allow WUSC's SFU community to sponsor four refugee students per year; and

Whereas the proposed fee increase would match the support given by UVic and UBC to the program in terms of students sponsored per year; therefore

Do you support a WUSC fee increase of \$1.50 per full-time student and \$0.75 per part-time student per semester?

> YES/NO

Nicholas Wong Decision

Decision of the IEC

March 24, 2011

Complainant: N/A
Respondent: Nicholas Wong
Issues: Campaign during voting period
Decision: Disqualification

Per the **Independent Electoral Commission**

- [1] At the beginning of voting period on March 22nd the Independent Electoral Commission discovered in excess of 80 posters remaining around campus belonging to Nicholas Wong. These posters contravene the prohibition on campaigning during voting period in By-Law 14 s.15(a), R-17 s.10(e), and R-17 s.12(g).
- [2] This is a significant infraction of much greater severity than similar infractions in the past, such as *Brandon Yau* (Nov. 4, 2010), who failed to remove around 15 posters. The posters were promptly removed upon discovery, but as stated in *Jay Chen* (Nov. 4, 2010), this fact does not excuse the candidate for the substantial unfairness they would cause were it not for IEC intervention.
- [3] The candidate submitted a statement via email. He claimed that he was a victim in the recent traffic accident on Gagliardi Way. He also stated that, as a result, he was unable to post or take down posters. Instead, he had been relying on friends to post the materials, and they have evidently failed to remove the posters on time.
- [4] This is an unfortunate situation, and members of the IEC are deeply sympathetic to the candidate. However, it does not nullify the significant unfairness to other candidates, nor does it absolve the candidate of the responsibility to abide by elections rules and regulations, so long as he chooses to remain in the election. Had the candidate spoken with the IEC beforehand to communicate the situation, appropriate arrangements could have been made. Unfortunately, this was not done.
- [5] As a matter of basic fairness to other candidates, the IEC is unable to overlook the vast amount of remaining posters. We must therefore disqualify Nicholas Wong.

Policy Recommendations

R-17 Recommendations: General

Remove all provisions that prohibit campaigning during voting period

There is no point in repeating the By-Laws if nobody likes the prohibition. Just let the By-Laws be the only document that prohibits campaigning during voting period, and when that's repealed no other documents need to be updated to accommodate the change.

Special provisions to allow for large referendum campaigns

Not much to comment on, must be developed from scratch.

Clarify mechanism for IEC to initiate infraction proceedings

Suggestion: add a subsection to (or add a section after) 14.B which says *"The IEC shall begin the adjudication process in a reasonably expedient manner (alternatively: without unreasonable delay) for infractions that were not discovered through a complaint (alternatively, something that conveys it was discovered by the IEC)"*

Replace all hour references with the equivalent in business days

I.e. *"within 24 hours"* becomes *"within 1 business day"* or *"on the next business day"*

Generalized jurisdiction (possibly more distant change, more aesthetics than practical)

There are "the IEC shall have jurisdiction over..." provisions scattered all over the place. Rather than having these almost useless sections lying around making useful things more difficult to find, they could just be replaced with a general "The IEC has jurisdiction to enforce all elections policies" section at the top or bottom, which reflects current practice.

Reduce faculty rep campaign budget

Since only the faculty may vote for them, faculty candidates don't need to cover the entire campus in promotional materials. Executive and At-Large candidates do need to cover the whole campus. A budget of \$30 or \$35 should be adequate for faculty candidates.

Provide for tie resolution

If multiple candidates receive the same amount of votes, policy does not currently provide for a means of resolving the winner. A mechanism should be put in place to deal with such situations.

Furthermore, policy should have provisions for races with minimal difference between candidates, such as one or two votes.

R-17 Recommendations: Specific Sections

1.c.5 redundant definition

Suggestion: delete this line, adopt the definition and replace the 10.c.2 line, with wording adaptation as necessary, such as *“Unsolicited social media or email list messaging, or ‘spamming’ by a candidate or their designate, is not permitted”*

1.n rewrite penalties provision

The penalties provision as it stands is too restrictive in the available penalties, since most infractions are purposefully left to the IEC to decide and enumerate in the handbook.

While we’re at it, also explicitly write in the escalating penalties for repeated infractions

Suggested rewrite (note that “infractions” is already defined earlier):

“Sanctions imposed on a candidate for infractions which are demonstrable in fact, which in the judgement of the IEC reflects proportionately the severity of the infraction.

1) Warnings, letters of reprimand, directed actions, removal of some or all campaign materials, deductions to campaign budget, or fines for infractions which, in the judgement of the IEC, do not result in any probable impact on the legitimacy of the vote.

2) Disqualification for infractions which, in the judgement of the IEC, compromise the legitimacy of the vote.

Repeated infractions of a similar nature may be subject to an escalating series of penalties.”

12.a.1 should be relaxed to allow shared slate electronic campaign materials, which is current practice

Suggestion: limit this section to physical materials, or provide for an electronic material exception. It may also be possible to remove this section entirely since the prohibition on sharing resources would already prohibit putting more than one person’s name on posters.

14.c similar issue as 1.n, adapt for flexibility

Suggested rewrite (related to proposed 1.n changes, may need altering as appropriate):

“Complaints shall be considered in the following manner:

1) Directly by the IEC where the maximum potential penalty does not exceed warnings, letters of reprimand, directed actions, or removal of campaign material; or where the infraction is the failure to comply with an IEC ruling. [removed the ‘communicate in writing’ bit as that’s covered in section D]

2) *The IEC shall conduct a public hearing for all other infractions. Reasonable notice shall be given to the candidate and on the IEC website. Reasonable requests for rescheduling from the candidate shall be accommodated.* [ok, this section is poorly worded and needs revision, but I think these are the essential elements]

3) *The Independent Electoral Commission retains the right to conduct its deliberations in camera.”*

14.d.1 completely redundant, should be removed

14.e.2.iii additional condition

Something should be added about a reasonable explanation for why the new facts weren't presented the first time around. For example, if it's information that was newly discovered, that's obviously presumptively a good explanation, but some fact that the candidate withheld the first time around intentionally so as to get an appeal, should not be allowed. Nor should the unexcused absence of a candidate at their first hearing be allowed, unless they can demonstrate a good reason to let them, this would of course be a fairly low standard of justification. Essentially gives IEC the discretion needed to avoid wasting time with stupid or annoying appellants.

16.a clarify wording

The section requires that “official” results are sent to Board for ratification, but results don't become official until the Board ratifies them.

Suggestion: strike the word “official”.