



University of British Columbia Student's Union Okanagan
General Election
2020-2021

March 24, 2020
Prepared by the Chief Returning Officer
UBC Students' Union Okanagan
UNC 133-3272 University Way
Kelowna, BC V1V 1V7

March 24, 2020

Dear Chairperson of the UBCSUO Board of Directors,

Every year the Board is responsible for ratifying the elections report. Approval of this report makes the election results final. I submit this report as the Chief Returning Officer (CRO) with the following motions that I ask the Board to approve:

1. Be it resolved that the UBCSUO Board of Directors approve the 2020 General Election report as submitted by the Chief Returning Officer.
2. Be it further resolved that the UBCSUO Board of Directors approve the destruction of the nomination forms used in the 2020 General Election.

This report is to be accepted as an all or nothing package and without amendments. If the Board sees changes should be made, the report will need to be taken off the table for changes and further consideration.

Respectfully submitted,

Taya Jardine

Chief Returning Officer

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Introduction

This report serves as official documentation for the 2020 UBCSUO General Elections. It shall contain details of the procedures followed before the elections; the announcement of the election, the call for nominations and ensuing nomination period; the campaign period, the voting period and thereafter the announcement of the results.

It is to provide a clear report of how the elections were carried out, providing that due process was followed to provide a free, fair and transparent election. I also hope that it serves as a template for future CROs to follow when preparing to carry out an election.

Regards,

Taya Jardine

Chief Returning Officer

Candidate Positions

The following positions were included in the UBCSUO 2020 General Elections:

President

Vice-President Finance and Administration

Vice-President Campus Life

Vice President External

Vice-President Internal

Director at Large (x4)

Graduate Student Representative

Faculty of Applied Science Representative

Faculty of Creative and Critical Studies Representative

Faculty of Education Representative

Faculty of Health and Social Development Representative

Faculty of Management Representative

Irving K. Barber School of Arts and Sciences, Sciences Representative

Irving K. Barber School of Arts and Sciences, Arts Representative

Election Officials

Chief Returning Officer

Taya Jardine

Deputy Returning Officers

Tyleigh Massey-Leclerc

Ali Manekia

Timeline

February 3rd to 5th - Prenomination Period

Elections were announced on Monday February 3rd via the UBCSUO Elections Facebook page. On February 4th and 5th, members of the UBCSUO Electoral Committee along with members of the UBCSUO 2019-2020 Board of Directors hosted an informational table regarding the upcoming elections.

February 10th to 14th -Nomination Period

Nomination period opened at 8:00 AM on Monday, February 10th and closed at 3:00 PM on Friday, February 14th. Nomination forms were available from the UBCSUO front desk. Candidates were required to submit their nomination form to the UBCSUO front desk prior to the close of the nomination period.

February 14th - All Candidates Meeting

The all candidates meeting took place at 4:00 PM on Friday, February 14th in EME 1121. The CRO and DRO outlined campaign expectations, and the rights and responsibilities of the UBCSUO Board of Directors. This was followed by individual group sessions based on the executive and board positions. The individual group sessions were led as followed:

President - Ramil Jain and Lori Stevenson

VP Campus Life - Mike Oullet

VP Finance - Nimrah Pannu

VP Internal - Izzy Rusch

VP External - Sarah Furgason

Faculty Representatives and Directors at Large - Michael Gauld, Simran Sandhu and Cassidy Wallis

February 24th to March 4th - Campaign Period

Campaign period opened at 8:00 AM on Monday, February 24th and closed at 11:59 PM on Wednesday, March 4th. The election debates were held on February 25th and 26th in ARTS 214, with Director at Large, VP Finance and VP Campus Life the first night and VP Internal, VP External and President on the second night. All Faculty Representatives opted to not participate in a debate .

March 2nd to 4th - Voting Period

Voting opened at 8:00 AM on Monday, March 2nd and closed at 11:59 PM on March 4th.

Marketing Efforts

The website UBCSUO Elections (ubcsuoelections.ca) was created as a platform to release the official biographies of all candidates, links to the video publications of the debates, and outline voting. The Facebook page "UBCSUO Elections" was used as a platform to release all official election materials and news. An initial announcement of the election was made on February 3rd and shared via the UBCSUO Facebook page. This provided the official timeline for the elections and allowed those interested in running to prepare. A full list of available positions was made available.

On February 4th, 5th, 11th and 12th, the CRO and DROs hosted informational tables in collaboration with members of the 2019-2020 UBCSUO Board of Directors in order to bring attention to the upcoming elections and inform students regarding the nomination process. An email to all registered clubs and course unions outlining the election process and calling for nominations from student leaders was sent out on February 7th.

Throughout the nomination period, at least one post a day was made to the UBCSUO Elections Facebook page including information on each position, where to access nomination forms and when nomination period would close.

Following the nomination period, posts were made to the UBCSUO Elections Facebook page stating that campaign period would begin February 24th. The candidate debates were advertised via the Facebook page, with a new post for each day outlining which positions would be participating that day. This year's debates were recorded and published online by UBC Studios in addition to the livestreaming done by The Phoenix News.

For the voting period, members received an email that informed them voting was open and outlined how to vote. Many of the candidates also included the voting dates and links to the voting platform on their promotional material.

Campaign Period

The campaign period opened on February 24th and closed on March 4th. This was the first general election which allowed for candidates to campaign through the voting period without restrictions.

Candidates were guided by the UBCSUO by-laws and regulations during the campaign period and the guidelines set out by the CRO and DRO. These provided a fair opportunity for all to campaign sufficiently.

All candidates were given the opportunity to have their photograph and biography uploaded to the official UBCSUO website. Additionally, we provided a platform for all the candidates to campaign in the All-Candidates debates, where candidates could present their positions, and by giving each candidate the opportunity to provide a candidate biography. These were livestreamed by The Phoenix as well as published online by UBC Studios and shared to our UBCSUO Elections Facebook page.

Official complaints had to be submitted by email to the CRO. All complainants were kept anonymous and their names shall not appear in this report.

In investigating complaints the CRO and DRO followed the following procedure outlined in the regulations:

61 The CRO shall investigate and decide a complaint along with the General Manager within twenty-four (24) hours of its receipt or twelve (12) hours on the last two days of the election. The CRO must bring the complaint to the Electoral Committee.

62 The CRO must give fair consideration to all evidence relevant to a complaint.

63 Upon the conclusion of an investigation of a complaint the CRO must decide whether an offence has occurred and, if so, whether the offence is minor or major.

64 Upon the conclusion of an investigation of a complaint relating to the administration of an Election or Referendum or the conduct of a candidate, if the CRO along with General Manager decides that the complaint is valid, the CRO must also determine whether the integrity or result of the Election or Referendum has been materially affected. If the CRO decides that the integrity or result of the Election or Referendum has been materially affected, the CRO must determine whether all or part of the Election or Referendum is invalid.

65 The CRO and General Manager must publish the reasons for his or her decisions in writing.

The official CRO Determinations are included in Appendix II.

Voting Procedure

Voting occurred through the UBC WebVote system. The WebVote system was utilized because it is easy to use, highly secure by design (it is based on the SSC Platform), and administered by the university. Any attempt to interfere with the system and influence the results would be met with

serious repercussions such as expulsion from the university for non-academic misconduct (Student Code of Conduct 4.1).

Suggestions and Recommendations

Regulation Changes

As the UBCSUO bylaws and regulations are meant to be a living document, it is the opinion of the electoral committee that the regulations be adjusted and minor changes be made. These changes have been considered by the electoral committee and a proposed plan will be taken to the policy committee for changes. These changes that will be proposed have been attached as an appendix to this report.

Faculty of Education Representative

Consideration must be made to allow for the Education faculty representative in regards to the time period of the election. The education program runs for 2 consecutive years, and potential candidates have to already be in the program in order to be eligible to run in the election. These students are not approved for the program until April, after the election is over. This results in the only students who are eligible to run are nearing their practicum and therefore have limited to no time to devote to the position.

Conclusion

Overall, we feel that this was a successful election. We reiterate that we ask the Board of Directors to pass the following motions:

1. Be it resolved that the UBCSUO Board of Directors approve the 2020 General Election report as submitted by the Chief Returning Officer.
2. Be it further resolved that the UBCSUO Board of Directors approve the destruction of the nomination forms used in the 2020 General Election.

We hope that this report provides a thorough understanding of the process of the 2020 General Elections.

Respectfully,

Taya Jardine
Chief Returning Officer

Tyleigh Massey-Leclerc
Deputy Returning Officer

Ali Manekia
Deputy Returning Officer

Appendix I: Unofficial Election Results

President**Ali Poostizadeh 482**

Jonathan Itamah 437

Total 919 (8.5% of voters)

Vice-President Internal**Tashia Kootenayo****Yes 332**

No 51

Total 383 (3.6% of voters)

Vice-President External**Taylor Dotto****Yes 360**

No 54

Total 414 (3.8% of voters)

Vice-President Finance & Administration**Abid Bin Wahab 475**

Daniel Elizondo 411

Total 886 (8.2% of voters)

Vice-President Campus Life**Ahmed (Doody) Fayed 393**

Jakson Pashelka 311

Lilian Ton Nu 247

Livia Jonnatan 132

Total 1083 (10.1% of voters)

Director-at-Large**Kai Rogers****Yes 351**

No93

Total 444 (4.1% of voters)

Kyle Kliss**Yes 275**

No70

Total 345 (3.2% of voters)

Rohan Dabral Chamoli**Yes 381**

No92

Total 473 (4.4% of voters)

Nanami Kumagai**Yes 269**

No 118

Total 387 (3.6% of voters)

Irving K. Barber School of Arts and Sciences, Art Representative**Cody Issac****Yes 208**

No32

Total 240 (4.5% of voters)

College of Graduate Studies Representative

Cassidy Wallis

Yes 24

No5

Total 29 (2.7% of voters)

Faculty of Creative and Critical Studies Representative

Sage Cannon

Yes 19

No1

Total 20 (5.5% of voters)

Appendix II: Complaints and CRO Determinations

Determinations of Eligibility:

As per the regulations, all candidates are required to attend the All Candidates Meeting and those who miss the meeting are automatically disqualified. The Electoral Committee may reinstate candidates who provide evidence of extenuating circumstances preventing them from attending.

On February 25th, the Electoral Committee reviewed the eligibility of the following candidates:

Sage Cannon

Cody Isaac

Kyle Kliss

Ahmed Fayed

The eligibility of each candidate was confirmed with the exception of Ahmed Fayed. The Electoral Committee found the evidence provided was not satisfactory in the case of Mr. Fayed. However, following this determination, Mr. Fayed provided the committee with additional information which was found to be satisfactory in the opinion of the committee. Therefore, Ahmed Fayed's eligibility was reinstated and he was free to run as a candidate in the UBCSUO Election.

Complaint No: 01

Filed Against: Jonathan Itamah

Allegations & relevant bylaws/regulations:

Mr. Itamah was seen engaging in campaigning activity (live music) outside of the UNC with a group of people. It was brought to the attention of the CRO that the complainant did not believe those helping at this campaigning table were registered volunteers. It was also brought to the attention of the CRO that there were electric instruments and speakers in use.

24.c Candidates shall compile and maintain an up-to-date list of the names, phone numbers, and email addresses of all campaign volunteers. The list shall be forwarded to the CRO within 24 hours of the CRO S request.

22 Candidates are liable for their conduct and are responsible for the conduct of other parties who are acting under the instructions of the Candidate.

Determination:

Upon investigation it was determined that the people in question were not registered volunteers. Mr. Itamah and his unregistered volunteers were also found to be in violation of specific guidelines and instructions set forth by the CRO regarding the use of acoustic instruments only. It was further determined that Mr. Itamah's actions constituted two minor offences. Each minor offence carried a 24-hour suspension of his campaign as per regulation 74 a. Therefore, he was unable to campaign for 48 hours.

Complaint No: 02

Filed Against: Jonathan Itamah

Allegations & relevant bylaws/regulations:

A series of emails from Mr. Itamah were brought to the attention of the CRO. Within these emails, it is evident that Mr. Itamah used the personal data gathered from his business *Freebike* in order to gain an unfair advantage in his campaign.

23 a. vii while receiving or encouraging sponsorship from an outside body, including but not limited to corporations or organizations.

23 a. xvi outside of the rules of fair play. Breaking the rules of fair play includes, but is not limited to, libel, slander, general sabotage of the campaigns of other candidates, misrepresentation of fact, and malicious or intentional breach of applicable regulations.

Determination:

Upon investigation it was found that Mr. Itamah had used personal information gained from subscribers of *Freebike* to solicit votes in the election. By using his personal business as a means of data collection and communication, it was found that Mr. Itamah was in violation of regulation 23 a. vii. .In addition, by exploiting his position as a business owner and using the private contact information supplied to *Freebike* Mr. Itamah was found to be outside of the rules of fair play (23 a. xvi.). It was determined that Mr. Itamah's actions constituted two minor offences. In addition to the previous minor offences he was then found to be in excess of the required number of minor offences for disqualification from the election:

73 A Candidate shall be disqualified from an Election if they are found to have committed either:

- a. three (3) separate Minor Offences; or*
- b. one (1) Major Offence.*

Mr. Itamah was therefore disqualified from the UBCSUO Election.

Appendix III: Proposed Changes to the Regulations

The following are the proposed changes to the regulations which will be made to the Policy Committee.



PROPOSED CHANGES TO THE ELECTION RULES AND REGULATIONS

Presented to the Members of the Policy Committee

Taya Jardine

CRO 2020

What follows are the proposed changes to the regulations. Any point where H.C. is found is considered a housekeeping change to fix grammar, ordering or minor changes.

Article 2.j.

H.C.

Remove Article 2.j., as it is a continuation of Article 2.i.

Article 5

Rewrite as follows:

Upon selecting these three candidates, the board shall provide the CRO with the application materials from these candidates and allow the CRO to appoint the one or more candidate(s) they believe to be the best fit to serve as DROs.

As to align with Article 2.e.

Article 7

Include an additional subarticle stating the All Candidates Meeting shall take place the Friday that nomination period closes.

Article 21.b.

Remove "extreme" and replace with language that would consider academic or work-related reasons for missing the All Candidates Meeting. Additionally, include that the CRO must receive the communication and proof of valid excuse from the candidates and must have approved the absence prior to the start of the All Candidates Meeting.

Article 23.a.iv.

Rewrite as follows:

by pooling campaign finances. Further, candidates must individually report campaign spending. Each instance of spending must be reported to the CRO within 24 hours of the

expenditure occurring, with a final official report submitted within 24 hours of polls closing.

As all forms of campaigning are allowed through the voting period, adjustments are needed to the timeline of finance reporting.

Article 23.a.viii.

Rewrite as follows:

by putting up posters, advertisements, or actively campaigning anywhere that is outside of the designated UBCO campus boundaries.

In order to clarify that all acts of active campaigning are prohibited outside of the designated boundaries of the UBCO campus.

Article 23.a.xvi.

Rewrite as follows:

outside of the rules of fair play as determined by the CRO. Breaking the rules of fairplay includes, but is not limited to, libel, slander, general sabotage of the campaigns of other candidates, misrepresentation of fact, and malicious or intentional breach of applicable regulations.

In order to clarify that fair play may be defined at the discretion of the CRO.