

ELECTION PROCEDURES COMMITTEE

APPEAL PANEL DECISION

IN THE APPEAL OF THE DECISION OF THE RETURNING OFFICER

APPELLANT:

RESPONDENT: Catherine Redmond, Returning Officer

DATE OF HEARING: February 23, 2018

DECISION: Appeal Denied. The decision of the Returning Officer to disqualify the Appellant as a staff candidate in the 2018 Board of Governors Elections is upheld.

REASONS: The Appellant is a staff member who was approved as a staff candidate in the 2018 Board of Governors Elections. The Respondent is the Returning Officer who decided to disqualify the Appellant as a staff candidate in the 2018 Board of Governors Elections on the grounds that she began campaigning in the election prior to receiving official confirmation of her candidacy.

The Appellant acknowledged in the staff nomination form that she had read and understood the Election Policies and Procedures and that failure to comply with the Election Policies and Procedures may result in her disqualification as a candidate.

The Election Policies and Procedures section 6.3 Campaign Period states that “A candidate is only allowed to begin campaigning on receiving official notification from the Returning Officer that he/she is on the ballot.”

The Appellant received official confirmation that her name was on the ballot on February 14, 2018 at 4:55 p.m. On February 14, 2018 at 7:12 p.m. it was brought to the attention of the Returning Officer that the Appellant had sent out an email on February 7, 2018 with the subject line “I’m running for the BOG.” The email also contained a link to the Appellant’s active campaign website.

In the Returning Officer’s investigation, the Appellant admitted to having sent the February 7, 2018 email to 70 recipients. The Appellant defended her actions stating that her intent when sending the email was not to campaign but to raise awareness about the elections.

The Returning Officer correctly and reasonably determined that the Appellant was disqualified as a candidate pursuant to the Board of Governors Election Policies and Procedures.

The allowance of the appeal would prejudice other candidates who did not begin their campaigns until after they received official confirmation of their candidacy from the Returning Officer. The penalty of disqualification is consistent with previous instances where a candidate began campaigning

before receiving official confirmation of their candidacy from the Returning Officer.

For these reasons, the Appeal Panel denies the appeal and upholds the Returning Officer's decision to disqualify the Appellant as a staff candidate in the 2018 Board of Governors Elections.

DATED as of the 23 day of February, 2018.



Julia Shin Doi, Chair

APPEAL PANEL:

Julia Shin Doi, Jennifer Hicks, Joseph Zboralski

OTHERS IN ATTENDANCE:

, Appellant

Leanne Stevens, Board Secretariat