

The Interdepartmental Science Students' Society

Elections Appeal, Special Council Meeting

Agenda

3:00 PM

March 23, 2015

CCIS 1-035

Attendance

Executives: Fahim Rahman

Councillors: Annie Duan, Anthony Wu

Appellant: None

Defendant: Alex Kwan

Other: Wei Liang Chong, Jee Su Suh

Chairperson: Anthony Wu

Minutes: Jee Su Suh

1. Call to order

1. Meeting called to order at **3:05PM**.
2. Election of a Chairperson: Anthony Wu

2. Presentations

Both the appellant and defendant will be given an opportunity to present their case.

1. Alex Kwan, appellant
 - a. Alex: I was very sick on March 19 and 20, have a document as proof. Showed up briefly for class and showed up at the office on Friday. Thought I could stay until 5 but I headed home early because I felt drowsy. Didn't email Wei about my doctor's note
2. Wei, defendant
 - a. On March 20 after 5 I came to the Uni and on the way I found that there were many posters that weren't taken down yet and three of them were Alex's. I decided to fine him and his expenses went over the limit, and decided to disqualify him without knowing he was sick. He was 89 cents over the limit.

3. Question Period (3:09PM)

1. Annie: Would like to know why you didn't inform ISSSER you were ill when you informed the SU CRO?
2. Alex: I informed a lot of profs too, I probably just forgot because I was very drowsy and sick.
3. Fahim: When did you see the doctor, and the diagnosis, if you're comfortable with disclosing that information?
4. Alex: I was diagnosed with a sinus infection and the doctor's note was dated at March

19th.

5. Annie: When the SU people took down posters did they take down ISSS posters as well?
6. Chong: Yes
7. Anthony: Did you have any volunteers to help you take down posters?
8. Alex: No.
9. Anthony: Did you immediately email Alex within 15 minutes of this happening?
10. Chong: No, it was a mere ten minutes after I noticed it and after talking to Fahim I decided it was best to complete a report.
11. Anthony: I'm wondering why those posters weren't taken down in contrast to others that were.
12. Annie: The CRO sent out teams of people to various buildings to take down posters and possibly people assigned to CCIS got there later, probably not until 5:20. They were instructed to take down everything related to elections.
13. Alex: I still had a poster up until Sunday afternoon, according to ISSSER's email.
14. Anthony: So you assumed posters would be taken down by SU people?
15. Alex: Yes.
16. Alex: The PM states that posters should be taken down prior to voting ending which is at 7pm, not 5pm, which is stated by election rules.
17. Fahim: In Chong's email on March 20th, he states all posters have to be taken down by 5pm.
18. Chong: It was also in my ppt during the candidate

4. Discussion and Decision

1. Discussion
 - a. Anthony: So posters were not down at 5:20 pm, 20 minutes after the deadline. At that point all
 - b. Annie: Why didn't we take down posters with the SU instead of before it?
 - c. Fahim: The note to take down posters by 5 pm was covered in the mandatory meeting for candidates, which happened before the SU said their candidates would take down posters shortly after 5 pm. We didn't know that until after we told candidates.
 - d. Anthony: That seems clear to me. Alex was only over budget by 89 cents, which should not affect our ruling of whether the fine is appealed or not. We can evaluate this based on the candidates' willingness to resolve the issue at hand. The candidate was aware of the deadline, but wasn't in the strongest capacity to make the judgement to
 - e. Fahim: For me, Alex's health comes to play here. Although the rules was very clean, I know Alex was going through a lot personally as well and it might be reasonable for us to know that his posters would have been taken down either way.
 - f. Anthony: very valid point. I want to talk about the discrepancy of the posters that did exist at the time. You only saw three-- how many posters did he post?
 - g. Wei: Roughly 20.

- h. Annie: I saw Alex at 12 pm that day. He told me he was sick and excused for poster take down because he was ill from Jessica, the SU CRO. I know he volunteered for poster takedown when posters needed to be taken down for the SU Executive elections. I assume he understood that posters needed to be taken down, but I think he did not remember the ISSS deadline of 5 pm.
 - i. Chong: I think both of the candidates assumed SU volunteers would take down posters but we are running separate elections. I don't think that because you are running in both elections you should have to run under different ISSS rules.
 - j. Fahim: The ISSS elections and SU by elections do have different rules, such as the limit of how many posters you can put on per building. Thus all candidates must be aware of which rules they must abide by when they run for separate elections.
 - k. Anthony: What is the doctor's slip meant for?
 - l. Chong: He wasn't at school due to the illness
 - m. Anthony: Then he must have had some intention of sending in that medical slip before Friday
 - n. Chong: If he had sent in the medical slip earlier, then I would have found another way to take down the posters for him. However, he did not inform me of it until later, nor did he ask anyone else to take the posters down on his behalf.
 - o. Anthony: What illness did he have?
 - p. Annie: He had a sinus infection, which is not the same as a mental illness. I believe that these two candidates are not the only ones who were fined but they were the only two candidates who appealed their fines.
 - q. Chong: There was a fine for social media content going up without approval.
 - r. Fahim: Charles also got fined \$1 for having a poster up after 5 pm.
 - s. Annie: The rule in the PM says at the end of the elections which Alex followed. However, it was a violation of the elections rules Chong set in place.
 - t. Fahim: This isn't the only time an ISSSER has set in additional rules to ensure the elections were held in a fair, transparent and accessible manner. Chong had outlined these additional guidelines in the candidates' meeting on March 13th and it wasn't brought up as a concern until after March 20th.
 - u. Chong: Hammad had posters up in Chemistry by Umer and Alex, but he took down his posters at 4:45 pm after texting me to confirm when posters needed to be taken down by. We should not let candidates use the excuse of SU elections to interfere with ISSS elections, especially because it makes it unfair for some candidates.
 - v. Anthony: Even though the SU and ISSS elections are run at the same time, they are governed under different rules.
 - w. **Motion** to move in-camera. Fahim/Annie. Motion carries 3/0/0.
 - x. **Motion** to move ex-camera. Fahim/Annie. Motion carries 3/0/0.
2. Council Ruling
- a. The following ruling was made with a two-thirds majority.
 - i. In addressing the PM section 20.6.7.7: "The candidate's campaign shall be fined five (5) dollars for campaign materials left up after the end of

campaigning period” and the nomination package states that campaigning must end at 5pm. This content was also covered in the mandatory candidates’ meeting.

- ii. Alex Kwan was present for the candidates meeting. He was given a powerpoint document that outlined these rules as well and these rules were clearly defined in the nomination package.
 - iii. Although we feel the medical issue pertains to this case, we did not feel it was relevant to the ISSSER rulings as no effort was made to contact the ISSSER within 48 hours of the illness.
 - iv. Alex Kwan had emailed his instructors and the SU CRO about his illness and received an excused absence from the SU Elections poster takedown, but did not email the ISSSER for an excused absence.
 - v. The appeals board feels as though the rules have been broken in 20.6.7.7, but was unable to find a notice of “a penalty of \$1 for each printed material publicly displayed before/after taken down” in the nomination package or candidates powerpoint.
 - vi. Alex Kwan will be fined \$5.00 for breaking clause 20.6.7.7 in the Procedures Manual.
 - vii. This puts Alex Kwan’s budget at \$27.89, which is over the \$25.00 limit.
 - viii. Alex Kwan will be disqualified.
- b. The ruling was not made unanimously for the following reason:
- i. Alex Kwan did experience a medical illness that caused him to be absent for the end of campaigning and may have caused medical (and mental) distress if he were required to be present at the end of campaigning..

5. Approval of Minutes

Motion to approve this meetings minutes. Annie/Fahim. Motion carries 3/0/0.

Meeting adjourned at 4:19 P.M.