CSU By-Election and Referenda 2019

Chief Returning Officers Final Report

The 2019 CSU by-election and referenda were a general success, though as usual some concerns were raised. This was now the fourth election/referenda conducted using internet voting. Turnout for the elections and referenda was relatively high, with a total of 876 voters (11.5%). This is quite exceptional for a by-election. While the majority of positions filled were uncontested ballots, the positions for International Students Liaison a as well as Business & Professional Studies Representative were both contested with a good number of candidates. I believe that much of the success to recruiting candidates should be directed to the current board. The following pages provide a general overview of the electoral process and include some recommendations moving forward, many of which remain from previous election cycles.

It was again a real pleasure and honour to work with the Capilano University community, the CSU and all of its staff and members. Should you have any questions regarding the following commentary, please don't hesitate to contact me at anytime for further discussion.

A total of 876 students voted, made up of 326 Arts and Science students, 334 Business and Professional Studies students, 73 Education, Health and Human Development Students, 64 Fine and Applied Arts Students and 78 Global and Community Studies students. The total membership is 7,638, making turnout 11.5%. One trend that is notable is the participation of international students far outpacing domestic students (19% vs. 7% respectively). This has been the case in previous elections, even when there were no candidates for International Students Liaison (eg. 2018 By Election saw 9% vs. 5% respectively).

<u>Rules and procedures</u>

The rules and procedures governing the CSU elections are generally conducive to the conduct of fair elections. As usual the CSU has done a good job of updating the bylaws and procedures with incremental changes to adapt to new issues, though further improvements should always be considered and some are included below.

One area that must be addressed is the nomination and elections for collective liaisons. Few rules currently exist regarding how collective positions may be filled or voted on. Only the position for International Student Representative is restricted in terms of nominations and voting given it is a position that is easily segmented by the registrar's office.

The other collective positions are not being respected by a significant proportion of voters as they are voting for positions they surely don't self-identify with. Past elections have seen each of the positions attracting at minimum 500 voters, (with a total of 1394), making it clear that voters that don't actually identify with the positions presented are voting for those candidates as well.

Several options are available, including opening voting to all voters or altering the ballot in some manner to put more psychological pressure on voters to truly vote for collectives they self identify with. The current process simply allows for too much leniency and trust in a process many members are not respecting or understanding.

As usual, we had a couple of candidates withdraw from the election. As stated previously, consideration should be given to adding a regulation on how candidates may withdraw from the elections. A potential recommendation could allow candidate withdrawals at any time prior to election day. If ballots are not already printed, the candidates name would simply be removed from the ballot, while if the ballots are already printed, the rule could state that all votes cast for that candidate would simply not be counted and posters advising voters that a candidate had withdrawn could be made available.

Some housecleaning of the rules and procedures should be carried out. It would be helpful to combine articles 4 & 9 regarding complaints and violations. Furthermore, a rule should be established clarifying what is published regarding complaints. While no complaints were made during this particular election in the past there have been discussions of whether complaints must be made including the complainants name or not (we have required this in the past). If names are not required far more complaints would be registered. There are pro's and con's both ways.

The procedures should be amended slightly to include clarity on which positions a candidate may run for. While we have noted in nomination packages that that members may only run in the faculty they are registered in, this is not included in the procedures manual.

As well, this term we had a candidate from the Kálax-ay / Sunshine Coast campus. The candidate was interested in joining the all candidates forum and I ruled that the CSU should pay for their transportation costs to put them on the same footing as students based near the North Vancouver campus. Consideration could be made to including this in the prcoedures as well as clarify that there would be an all candidates forum at the Kálax-ay / Sunshine Coast campus if there were more than one candidate for that campus representative.

Referenda

For the third year in a row, a series of referenda questions were posed to the CSU membership. Carrying this out was entirely manageable, however, as previously noted some thought should go into refining the rules to distinguish differences in conducting referenda versus an election, as they are distinct. This would allow for more practical implementation of referendum rules that naturally differ, especially from a campaign perspective. Greater clarity must be made regarding yes/no committees, so they are better informed and enabled by the rules. Nevertheless, in this round, no concerns were raised regarding any of the referenda issues at all.

It would be wise to explicitly add to the procedures that when the CSU is authorized to take a position in a referendum, they may use CSU logos and slogans, as distinct from candidates.

Nominations

Previous efforts to amend the nominations package in order to simplify the process have paid off and the number of mistakes made on the packages have been reduced dramatically.

The nominations process ran reasonably smoothly. Each of the candidates on the ballot fulfilled their nomination requirements, however one candidate failed to complete the package properly and thus was not registered as a candidate. The majority of positions were contested this time around and I always attribute the success or failure of the number of seats contested to the

incumbent board members, as they are in the best position to seek out potential new candidates. I would hope such efforts can be continued in future elections.

A pre-check deadline was used again and was an effective way of getting candidates to submit nomination packages early to ensure their packages met the required criteria to be nominated allowing time for any corrections. Several packages were submitted prior to the pre-check deadline, so it did have added value. Consideration could be made for providing a submission deadline for all and allowing a few days for all prospective candidates to resolve any errors or omissions found by the CRO.

Again, if the nomination process could be altered to be completed by students entirely online, it would greatly reduce difficulty in reading and "interpreting" written packages. While this is not a priority, it could be added to a wish list.

The optional "Candidate Statement" submission deadline is a few days after the nomination package deadline which I believe increases the number of candidates who submit the statements. The statements are a primary reference tool members use to distinguish the candidates when voting. Consideration to remove the requirement to include the candidates name and positions from the statement would be appreciated as these pieces of information are always listed by the CRO by default. Nevertheless, there were a number of candidates that did not submit statements, which is generally more prevalent in races where there is no competition between candidates.

Candidate Orientation Meeting

The Candidate Orientation meeting is an excellent opportunity for candidates to meet the CRO and learn about the important process they are embarking on. It is also helpful for the CRO to meet the candidates. However, as noted previously, it is extremely difficult for all candidates to be available for one such meeting. The current rules state that candidates cannot begin their campaign until they complete such a meeting with the CRO. Rather than require subsequent in person meetings, I organized several phone meetings for candidates unable to meet with me at the initial Candidate Orientation meeting. This reduced inconvenience on both the CRO and students and worked relatively well. Nevertheless, I had to organize 5 or 6 different meetings to capture all the candidates that wanted to participate. This was the first election I've been a part of where some candidates simply didn't take part in the orientation at all. I would hope that they did not campaign in the election as that would be a violation of the rules.

This year, the Candidate Orientation meeting was held during the official student lunch break hour to ensure that the initial meeting captures as many students as possible.

As stated above, the CRO should expand this meeting to referenda campaigns, though this should be completed as a different meeting. This only works when there are official campaign groups in a referenda.

To encourage students to make an effort to attend the actual Candidate Orientation meeting, some incentives should be noted, including the fact that their campaign cannot begin until this meeting is complete.

Advertising

A good amount of advertising was provided regarding this electoral process and certainly election days were further highlighted by the effective campaign of candidates and referendum campaigners. Certainly, a massive driver of turnout for internet voting are the mass emailers that are sent out via Simply Voting providing information on how to cast a ballot.

The procedures still require the CSU to advertise in campus publications, however it is becoming harder and harder to place ads in the Capilano Courier. Greater attention must be made to early publication deadlines or consideration could be made to removing this requirement.

All Candidates Forum

An all candidate's forum is a great opportunity for candidates to speak to members, but also for members to learn about the candidates. For such forums to be effective, getting greater participation from both candidates and members is essential. Greater advertising may be effective in drawing more people to such events. Again, the Capilano Courier carried out the process, however my assistance was not required this year. I believe having the Courier run the process is a positive development and as they come more familiar with the process, it will only become easier to organize.

Polling

The polling process was held over 3 days, starting at 9 am on October 8th and ending at 5 pm on October 10th. An information booth was set up at the North Vancouver campus to advertise the election, provide information and allow for a location that students could vote at. As well, an information booth was opened at the Sunshine Coast campus on the 9th.

I would recommend retaining information booths as they provide an important layer of advertising and in person information for the election and actually attracted a good number of voters.

Ideally, the internet voting vendor would allow for members to cast ballots as many times as they wanted, with each subsequent ballot cast cancelling their previous ballot. This would go to some lengths in addressing concerns with candidates or other students putting pressure on individual members to vote for them while hovering over their computer.

Ballot

The ballot was created on the Simply Voting template for ballot production and suited our purposes nicely. Members were provided the opportunity to abstain on each of the ballot questions and perhaps this option should be reviewed, as certainly with the elections for collective liaisons, the concept of abstaining is likely not as negative as can sometimes be perceived.

Complaints and Appeals

While no complaints or issues were really raised during this election, going forward, an issue which is likely to be seen in greater numbers given the move to internet voting, is candidate or campaign pressure on members to vote under pressure. Internet voting removes control of the voting process from the election administration and as such far less oversight is available to ensure voting is taking place according to the rules and procedures. This is a tricky subject as it is easy to exert pressure on the membership without others knowing and there are many avenues to "vote buy" given the lack of control from the administration.

Of course, evidence of such actions could turn up or complaints could be made to the CRO for action to be taken, but a reasonable level of evidence is required to intervene in such a situation. In many cases, members are unwilling to make a pubic complaint given fears about how the individual they are complaining about may respond to such a complaint.

In a separate matter, I believe it remains valuable to create a simple complaint form to simplify the election complaints process. The form could be available online and/or at the CSU service desk, outlining any required information would make the complaints process more official and easier for complainants. This would also provide an outline of necessary details for the CRO and appeals committee to handle complaints and appeals more efficiently.

Finally, one winning candidate failed to submit a candidate expense form prior to the required deadline. The individual noted their my.capilanou.ca email address on the nomination forms, but claimed they never checked that email address through the entire election process and as such didn't get any communication from me during the entire process. They submitted a completed expense statement the day after I was able to finally reach them. As is normal in such cases, I made a recommendation for the board to sanction the new board member with a small fine. On this note, I would consider implementing a simple penalty in the procedures that would impose a daily fine deducted off future board salaries on late submissions and a final deadline where a candidate would not be able to take office if the statement is not submitted by this time. This would further incentivise candidates to submit on time and allow for the timely submission of the final election report so the new board can be official appointed sooner.

CRO Involvement

The CSU elections are consistently held at the same time of year, allowing for a great deal of lead time to prepare for the elections. As such, providing the CRO with large amounts of lead time with regard to the initiation of the process would be helpful for both the CRO and I believe the CSU. Completing the planning process well in advance allows for all involved to carry out the administration of the elections properly and allow for the mitigation of any unforeseen staffing issues.

As previously suggested, in order to reduce pressure on staff and transfer institutional knowledge from staff and the CRO to a hard document, a Chief Returning Officer Manual, as envisaged in the CSU Procedures Manual should be created to provide a document which is standardized, comprehensive and one the CRO can refer back to over the course of the process. This would also reduce the learning curve for new CROs dealing with an unfamiliar process. Once this document is created, future CROs should take the time to update this living document and reduces reliance on CSU staff to carry forward the institutional memory.

Ron Laufer
Chief Returning Officer
Capilano Students' Union

Signature:

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