

October 19, 2023

Capilano Students' Union  
Board of Directors  
Maple 121 – 2055 Purcell Way  
North Vancouver, BC V7J 3H5

Sent by email to [cgirodat@csu.bc.ca](mailto:cgirodat@csu.bc.ca)

Dear Members of the Board:

## **Capilano Students' Union 2023 By-Election Final Report**

This report provides an overview and assessment of the electoral processes in the 2023 CSU By-election and offers recommendations for future elections.

Turnout in the By-election was 18.2% compared to 15.2% in the General Election earlier this year and average of 10-12% in other recent elections. A record 48 candidates were nominated for the 6 CSU Board positions and 5 Capilano Business and professional Studies (CBPS) Council seats up for election, although 11 of these later withdrew. These are exceptionally high levels of interest in a By-election, which usually show lower levels of interest than general elections. I have no explanation to offer for the high turnout, but it is encouraging to see these levels of awareness and engagement among CSU members.

As in other recent elections, I received complaints about aggressive and inappropriate campaigning. I discuss these complaints and their implications below.

Both the online and in-person stages of the election proceeded well, with the exception of (i) the nomination of CBPS members; and (ii) the information tables, both of which are discussed below.

### [Rules and procedures](#)

The key documents in the legal framework for CSU Board elections are *CSU Policy BD06: Elections* and *CSU Procedure BD06.1: Elections*. As I mentioned after the last General Election, there are also some provisions relating to elections in the CSU Procedures Manual that seem outdated or do not work well with the rest of the legal framework. If possible, the CSU Procedures Manual should be updated to avoid any confusion.

Also, in March of 2023, CBPS adopted – and the CSU Board ratified - new eligibility rules intended to ensure that CBPDS Council members would be sufficiently informed and engaged to carry out their responsibilities effectively. As discussed further below under “Nominations” these rules were not workable in practice or sound in principle. I strongly encourage CSU to work with CBPS members to develop a system that meets standards of procedural fairness and inclusiveness while also being workable in practice.

## Nominations

In 2023, 48 candidates fulfilled the nomination requirements, 11 of whom withdrew before the deadline. That is a record for any CSU election, let alone a By-election. My sense is that some of the withdrawals happened after candidates saw how crowded some of the races were.

The nomination of candidates proceeded smoothly. All nominees obtained the requisite number of signatures. No electronic signatures were submitted in this by-election.

One student attempted to submit nomination application shortly after the deadline but, in keeping with the practice in past elections, I did not accept the nomination. I continue to believe that it is important to enforce that deadline strictly since experience shows that many candidates wait until the last minute to submit their documents. If the deadline becomes flexible, I would expect large numbers of late candidates, which would make it difficult to stick to the rest of the electoral calendar.

## CBPS Nominations

In March 2023, CBPS Council adopted - and the CSU Board ratified - new rules in the CBPS Bylaws regarding the eligibility for CBPS Council. Those rules were meant to work within the framework of the rules governing CSU elections. In practice, however, there was a great deal of confusion about how the nomination process was supposed to work. Some candidates sent their nominations to the Election Administrator, others to CBPS. CBPS provided CSU with a list of candidates on September 28 but sent a note on September 29 saying that the candidates for President and Vice-president had not yet received approval from their predecessors on Council as required under the new CBPS Bylaws. On October 3, after the ballots had been finalized and sent to voters, CBPS informed CSU staff that these two candidates were not recommended.

A CBPS member filed a complaint, and then an appeal, asking for the election of the two candidates to be annulled. I declined, however, to disqualify them (see my reasons here: [Decision #2023/B/23](#)).

In addition to a lack of key details about procedures and timelines for the nomination process in the CBPS bylaws, I also have concerns about the propriety of a system that requires candidates to seek the approval of existing or outgoing members of Council. In the absence of some objective criteria and an appeal process, allowing existing members unfettered discretion to decide who can run could give rise to allegations of favouritism and discrimination.

The current system could have negative consequences both for CBPS members and for the CSU, which continues to be responsible for the CBPS. I strongly encourage the CSU to work with CBPS to develop a system that will be workable in practice and live up to the CSU's democratic standards.

### Candidate Orientation

The Candidate Orientation meeting was an important opportunity for candidates to learn about the rules governing the Byelection. Taking into account the many complaints filed during recent elections, the orientation emphasized the rules governing campaigning and the potential punishments for failing to abide by them. As in the past, I required in-person attendance at the orientation, although this time I did allow some candidates were unable to attend the primary orientation meeting, to attend a make-up session by zoom.

### Voter Information

CSU provided information for electors about the election and how to vote through email blasts and on the CSU website. Campaigning by the large number of candidates likely also contributed to awareness among students. The high turnout suggests that students were aware of and interested in this Byelection.

### Information Tables

As in past elections, the Election Administrator established information tables for electors at both the North Vancouver and Sunshine Coast campuses. The tables were hosted by persons familiar with the electoral rules and procedures who were available to answer election-related questions. The tables also had printed candidate statements and information guides for distribution.

We asked the staff at the tables to track the number of visitors and their "reasons for visit." The Sunshine Coast campus information table operated for one day (10/04) and recorded 9 interactions with students, the majority of which were for nonelection-related reasons, including asking for directions. The table in the North Vancouver CSU students' lounge was open for two days (10/03 and 10/04) and attracted 27 student visits. The most common reasons for visits were for candidate information and information on election procedures, especially how to file complaints.

Considering these outcomes, the election tables do not seem to be a very effective way of disseminating election information or encouraging people to participate. CSU may wish to consider whether the cost of the tables - about \$600 for labour and printing - is justified given the small number (36) of student interactions.

As an alternative, CSU might consider using large format signage with QR codes that link to election information on the CSU website. Stepped up social media campaigns and email blasts might also yield better results.

## All Candidates Forum

Representatives of the Capilano Courier did an excellent job hosting All-Candidates Forums on September 26 and 28. Unlike in the CSU General Election earlier this year, the Candidate Forums were in-person events. These were well attended by candidates and also attracted some student spectators.

Videos of the Candidate Forums were posted on YouTube, with links to speeches by each individual candidate. The YouTube videos had 694 views which is significantly more than the 438 views of the Candidate Forums during the CSU General Election in March, showing once again that interest in these elections was unusually high.

## Polling and Tabulation

The polling process was held entirely online over 3 days, starting at roughly 11 am on October 3 and ending at 5 pm on October 5. The sending of the ballot on October 3rd was delayed by roughly two hours because of technical problems related to the finalization of the ballot on the Simply Voting system. However, I saw no indication that anyone was prejudiced by this delay.

An initial email distribution of the Ballot by CSU staff contained a dead link, which resulted in at least one student being temporarily unable to vote. A corrected message was sent out shortly after the first, and I have no reason to believe that anyone else experienced any lasting difficulty in voting.

Counting and tabulation was automatic and preliminary results were announced shortly after the close of polling. However, due to complaints against many of the At-Large candidates, two of whom were ultimately disqualified, preliminary results in the at large race were not announced for several days after the election. None of the candidates expressed concern about counting or tabulation.

In 2021, procedures were changed to allow for members to change votes as many times as they want before the end of polling. While this system has advantages, it does mean that candidates will want to convince voters to change their vote, which may encourage overly aggressive campaigning of the kind discussed in the section below dealing with complaints. The election administrator and the CSU community at large should continue to be vigilant against this risk.

## Ballot

The Simply Voting e-voting system continues to be simple and easy to use. The large number of candidates in some races meant that the ranking feature of the STV system was important in these elections, with several rounds of counting being needed before a winner could be determined in

some contests. There was no indication that voters had difficulty understanding or using the ranking system.

Ballots included candidate statements and, for the first time, headshots of candidates.

### Complaints and Appeals

This By-election gave rise to a large number of complaints, most of which related to poster violations or inappropriate campaigning by candidates. As in the past, many of the complainants did not provide evidence of the conduct in question, which required follow up investigations by the Election Administrator. In some cases, complaints of serious misconduct were dismissed because of a lack of evidence.

Of the complaints that were upheld, two resulted in the disqualification of candidates for pressuring voters to vote in front of them (See Decision 2023/B/8 and 3023/B/22). These cases were not isolated incidents; candidates pressuring electors to change their votes or vote in front of them has been an ongoing problem in recent elections. These tactics create an unpleasant atmosphere for students and candidates alike and are a threat to the reputation and legitimacy of the CSU.

As I suggested in the Final Report for the 2023 General Elections, CSU should work to foster a culture of ethical campaigning and respect for the rules among candidates and electors alike. Steps that the CSU might take in this regard include a pre-election public awareness campaign and requiring candidates to sign more detailed pledges to avoid certain problematic behaviour.


### Expense Statements

The filing of expense reports and the submission of supporting receipts are important requirements that help to bring transparency to the elections and ensure a level playing field between candidates. However, several candidates failed to submit the report and receipts by the deadline and had to be reminded to submit. Ultimately two candidates failed to submit reports at all and were disqualified. While these candidates did not win the races they contested, disqualification will prevent them from running in future elections.

While this report highlights some negative aspects of the election, it was on the whole a successful election process distinguished by high levels of student interest and enthusiasm. I would be happy to answer questions or discuss anything in this report with the CSU Board. I would also like to offer congratulations to the winning candidates and the whole CSU community for a successful election.

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David Ennis  
Capilano Students' Union  
Elections Administrator  
Date: October 19, 2023

Signature:  \_\_\_\_\_