

April 10, 2024

Capilano Students' Union
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Capilano Students' Union 2024 General Elections– Final Report

This report provides an overview and assessment of the electoral processes in the 2024 CSU General Election and offers recommendations for future elections.

Turnout was 14.1%, compared to 18.2% in the fall 2023 By-elections, 15.2%, in the 2023 General Elections, and 12.3% in the 2022 General Elections. A record 59 candidates participated in these elections, with most major positions (President and VPs) being contested by more than three candidates. The previous record (49) was set in Fall 2023. These numbers indicate that the trend in recent years towards greater rates of participation in CSU elections is continuing.

The major flaw in these elections, as in other recent elections, was the proliferation of complaints against candidates for violating the rules. Some of these complaints involved serious allegations of misconduct, including slating, intimidation, and aggressive campaigning. These complaints and their implications are discussed more fully below.

Some parts of this election (nomination signatures, candidate briefings, and voting) took place in person, while others happened on-line (candidate forums, tabulation of results). The adoption of in-person voting at campus kiosks during this election was successful. However, it also introduced new challenges that need addressing in future elections.

Rules and procedures

The key documents in the legal framework for CSU Board elections are *CSU Policy BD06: Elections*, *CSU Procedure BD06.1: Elections*, and the *CSU Bylaws*. While the framework is sound overall, there are some inconsistencies between the different instruments, especially as regards the resolution of disputes and the process for appeals, that should be addressed

Nominations

In 2024, 59 candidates fulfilled the nomination requirements, with no withdrawals. This is a record level of interest in CSU elections.

The nominations process proceeded smoothly and there were no complaints related to candidate nominations.

CBPS Nominations

In March 2023, CBPS Council adopted new rules in the CBPS Bylaws regarding the eligibility for CBPS Council. After some difficulties in implementation during the 2023 Fall By-elections, CSU worked with CBPS to protocols for communication and deadlines for nomination of candidates, suitability interviews to be conducted, and for the names of recommended candidates to be passed to CSU for inclusion on the ballot.

CBPS Council nominations proceeded smoothly except for one CBPS student whose nomination I rejected because he submitted it directly to me after the CBPS deadline had passed.

While the CBPS nomination system worked reasonably well from a logistical perspective, I note that every CBPS position was contested by a single candidate, making this an election in name only. It would be healthy for CBPS Council as an institution to encourage multiple candidates to contest these seats so that students have some choice in who represents them.

Candidate Orientation

The Candidate Orientation meeting was an important opportunity for candidates to learn about, or in the case of incumbents, refresh, their knowledge of the rules governing the election. This year, the orientation included increased emphasis on the need to follow the rules and the potential punishments for failing to do so. I think this approach should continue in future, with particular emphasis being placed on types of conduct that we know are problematic, including aggressive and inappropriate campaign behaviour and slating. To emphasise the importance of the meeting, I required in-person rather than remote attendance. While this may have been an inconvenience for some candidates, I think the impact of the meeting was increased by it being in-person.

A few candidates were unable to attend the primary orientation meeting, which required make-up meetings. All candidates eventually received the orientation briefing.

Voter Information

CSU provided information for electors about the election and how to vote through email blasts. Active campaigning by candidates also likely helped to raise awareness. Although turnout in this election was surprisingly high (14.8%) given the move to in-person voting, CSU should continue to explore ways to raise awareness and increase turnout through creative outreach to electors. This might include more frequent email messages, as well as messages targeted towards sub-groups of students who are not participating at the same level as others.

One group to which particular attention should be paid is domestic students who turned out at around 2% in this election. That is an extremely low number and one that should give CSU pause. If a group representing more than half of students is effectively disengaged from CSU governance, CSU's legitimacy as a representative student body is at risk. I am not sure what the right strategy for dealing with this situation is, but I encourage CSU to consider what it can do to strengthen domestic student awareness of and participation in CSU elections.

All Candidates Forum

The 2024 General Election All-Candidates Forums were held on March 5 and 7 and hosted, as in previous years, by journalists from the Capilano Courier. Candidates were interviewed sequentially rather than debate style and their responses were posted on Youtube. Chapter links to comments by each candidate made it easier for interested electors to learn about individual candidates. The videos of the candidate forums, which were posted on Youtube, had 356 views, compared to 458 in the 2023 Fall By-elections.

Polling and Tabulation

This year, instead of online voting, voting conducted in person at voting kiosks in the library lounge. Voting took place over 3 days, starting at 9 am on March 14th and ending at 5 pm on March 16th using the same Simply Voting software that CSU used in previous elections. Although there were some lineups on the first day, an increase in the number of kiosks ensured that students did not have to wait long to vote on the second and third days. There were no major problems with voting, although some students who were university employees had difficulty logging into the system on the first day. This problem was addressed, and no further problems were reported on the second and third days.

To assist in voting, CSU hired 3 Election Clerks who checked student ID, managed the queue of voters, and gave instructions to voters on how to vote.

While the move to in-person voting was successfully implemented, some new challenges arose that should be considered if in-person voting is to be used in future elections. In particular, there was a significant level of aggressive campaigning during polling, especially in and around the library building where polling took place. Several students reported being harassed while lining up by candidates pushing for slates of candidates.

Also, as mentioned above, maintaining a sufficient number of voting kiosks is important to avoiding long lines and ensuring that students can vote within a reasonable amount of time. Based on the experience during this election, a minimum of 7 kiosks should be open at all times.

Counting and tabulation was automatic and preliminary results were announced shortly after the close of polling. None of the candidates expressed concern about the counting or tabulation.

Ballot

The ballot created on the Simply Voting system was well laid out and easy to understand. Many races had enough candidates that the ranking feature of the STV system came into play and there is no indication that voters were unable to understand or use the ranking system.

Complaints and Appeals

The 2024 Election cycle gave rise to 57 formal complaints and a significant number of informal complaints (either in person or by email). Many of these were anonymous complaints by candidates about other candidates. Most did not provide solid evidence of the conduct in question. In some cases, complaints without supporting evidence were dismissed. However, where the complainant provided some evidence, the Election Administrator undertook follow-up investigations.

Most of the complaints in the early stages of the campaign related to poster violations. Several decisions required candidates to move or remove posters. Two candidates were required to remove posters that shared certain design elements.

Once voting began, a large number of complaints were made about aggressive and inappropriate campaigning, especially in and around the library where polling was taking place. After the first day, because of persistent problems, candidates were barred from the library entirely. Even after this step, I continued to receive complaints about candidates and supporters hanging around the entrances of the library and bothering students.

Two candidates were disqualified for improper campaigning in and around the library, although one of these disqualifications was overturned on appeal.

The difficulties arising from inappropriate campaigning were so widespread and difficult to manage that I recommend that campaigning not be allowed at all during polling if CSU uses in-person voting in future.

I received a large number of complaints from students about slating. Many of these attached screen shots of SMS messages, social media posts or photographs of candidate lists. It is clear that candidates and their supporters were circulating lists of candidates but proving that candidates were complicit in slating was difficult. Ultimately only 3 candidates and 1 non-candidate were disqualified for slating, although it is clear that this was a widespread problem.

Handling this large volume of complaints was very challenging, especially since most of them required some degree of investigation. As I have mentioned in previous reports, the short timeframes involved and limited resources available to investigate produce results that are far from perfect. Among other things, the 48-hour deadline for decision on complaints was not met in the majority of cases. The handling of complaints was further complicated by the fact that most

complaints are made anonymously. In many cases, it is difficult to investigate anonymous complaints and verify anonymous evidence without giving away the identity of the complainant.

Taking all these facts into account, it is clear that changes to the dispute resolution process are needed, especially given the extent of candidate misconduct that has been evident over the past two election cycles.

In the short term, the system could be made more effective by:

1. Prohibiting campaigning during polling. A blanket ban will be much easier to enforce and would spare students from being harassed as they go to vote.
2. Prohibiting anonymous complaints by candidates. Students seeking a CSU Board position should have the courage to publicly state if CSU rules are being broken. Eliminating anonymous complaints by candidates would help to reduce the burden of investigating and verifying information.
3. Creating an offence for pressuring a candidate or voter not to file a complaint.
4. Rewording the sections governing “minor” and “serious” offences to make it clear that impact on the elections is not necessary for an offence to be treated as serious. Even the most serious offences (threats, proxy voting) will not necessarily affect the outcome of the election. The current wording is ambiguous on this point.

While the above noted changes can improve the process, in the longer term, CSU should prioritize fostering 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: (i) a pre-election public awareness campaign; (ii) requiring candidates to sign more detailed pledges to avoid certain problematic behaviour; and (iii) the appointment of student election monitors who could be visible during the election campaign to remind students and voters what the rules are and encourage students to vote.

Arbitration Panel

An important new element of the CSU election dispute resolution process was the introduction of an Arbitration Panel to hear appeals from decisions of the Election Administrator on complaints. The Arbitration Panel is comprised of three members: and two members with legal expertise and/or expertise in student union management.

While the Arbitration Panel made the dispute resolution process more thorough and transparent, there are some lessons learned for future elections:

1. The 48-hour deadline for Arbitration panel decisions set out in the Bylaws is not workable. To my recollection, none of the Arbitration panel’s four decisions were made within that deadline. That deadline should be replaced by something that is realistic. Perhaps 7 days.

2. Given that an appeal involves no cost and little effort, it is not surprising that every candidate disqualification was appealed to the Arbitration Panel. This will undoubtedly continue in future elections, which will delay the finalization of results.

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, a several candidates failed to submit the report and receipts by the deadline and had to be reminded to submit. At the time of writing, some of them still have failed to do so. It is possible that some of these candidates will ultimately be disqualified. However, since none of them were elected, disqualification is not a particularly effective sanction. As mentioned above under "Complaints", some mechanism for sanctioning candidates in future elections would be helpful in such situations.

Two candidates exceeded the spending limit by a small amount. Since the sections dealing with expense reports are not very well developed, I will issue a warning to these candidates. However, the rules should be amended to make it clear that exceeding the spending limit, even by a small amount, is a violation of the rules that can result in disqualification.

One candidate failed to file an expense report at all after multiple requests and that candidate was disqualified.

David Ennis
Capilano Students' Union
Elections Administrator
Date: April 10, 2024

Signature:  _____