

FINAL REPORT OF THE CHIEF RETURNING OFFICER

University of Toronto Students' Union Spring 2013 Elections and Referendum

Submitted by: Eric Luong, Chief Returning Officer

Friday March 22, 2013

Introduction

This report accounts the events of the UTSU Spring 2013 Elections and Referendum period. It also provides recommendations for consideration by the Board of Directors and the Elections and Referenda Committee to improve processes and policies in order to facilitate future elections.

The Spring 2013 Elections and Referendum period held elections for UTSU Executive Committee and Board of Directors positions for the 2013/2014 term and Bikechain referendum in consideration of a fee increase.

Throughout the elections, the Elections and Referenda Committee provided valuable consultation and recommendations to the Chief Returning Officer (CRO) in regards to matters dealing with the Elections and Procedure Code and past practice. The Committee's main duties are to oversee the elections, review the rules governing elections, schedule election dates, and hire elections officials.

Activities before Voting Period

In preparation for the nomination and campaign period, and in accordance with the UTSU Elections Procedure Code, the following tasks were completed prior to the start of the nomination and campaign periods:

1. Reviewed all relevant UTSU governing documents.
2. Prepared nomination- and election-related publicity materials for campus newspapers, including posters to be distributed on campus and on the UTSU website.
3. Prepared nomination packages for Executive and Board of Director candidates.
4. Hired three Deputy Returning Officers (DROs) for logistical support at the St. George campus and Mississauga campus.

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5. Inspected, selected and booked sites for polling locations.
6. Obtained an up-to-date voters list from the University of Toronto Office of the Vice-Provost, Students.
7. Arranged for the updating of the Online Voter Eligibility Verification System with the University of Toronto Computing Services.
8. Scheduled and completed logistical preparation for the All-Candidates' Meeting.
9. Organized and booked space for the UTSU Election Candidates forum.
10. Ordered ballot boxes, voting screens and seals from Elections Canada.
11. Hired poll clerks, scheduled and organized poll-clerk training sessions.
12. Prepared polling location kits.
13. Updated the UTSU website with relevant election material.
14. Designed ballots and determined ballot quantities and distribution.
15. Arranged for the rental of additional laptops.

Nominations

Nominations for the UTSU elections opened Thursday February 14, 2013 at 09:00 and closed Thursday February 28, 2012 at 16:00. Ten (10) Executive position nomination packages were signed out – four (4) for President, two (2) for Vice- President Equity, one (1) for Vice-President External, two (2) for Vice-President Internal & Services, one (1) for Vice-President University Affairs. Forty-two (42) nomination packages for Director positions were signed out. When the nomination period closed, a total of five (5) nomination packages for Executive positions were returned and 31 nomination packages were returned for the Director positions. Director packages were submitted for 15 of the 19 constituencies available. All of the submitted nomination packages were ultimately approved except for two. One individual attempting to seek election as St. Michael's College representative and one individual attempting to seek election as Dentistry representative failed to meet the necessary requirements to be considered candidates. Both were found to have an insufficient number of

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nominators.

The number of candidates equaled the number of available positions for Victoria College, University College, Innis College, Woodsworth College, New College, the Faculty of Music, the Faculty of Pharmacy, the Faculty of Medicine, the Faculty of Physical Education & Health, the Faculty of Architecture Landscape and Design, Faculty of Applied Science and Engineering and the Professional Faculty At-large. As a result, 24 candidates were elected by acclamation. In addition, as per Bylaw V.3.c, one of the three Arts & Science At-Large candidates was acclaimed as the remaining two candidates were from the same division.

Since there was one candidate for each of the Executive positions, a Yes/No vote would be required. Two candidates prepared to vie for one available Arts & Science At-Large position and two candidates prepared to vie for one Trinity College Director position.

On Wednesday, March 13, the CRO received correspondence from the VP External candidate indicating that she was no longer standing as a candidate for the position. This was received during the middle of voting, making it impossible to remove her name from the ballots. The ballots cast for the confirmation vote for the VP External were not counted and the position will be vacant.

All-Candidates Meeting

The All-Candidates' Meeting was held on Sunday March 3, 2013 at 13:00 in the Hart House Music Room. Attendance was limited to candidates and candidates' authorized representatives, and all-candidates packages were distributed to all attendees. The meeting lasted approximately 1.5 hours, as the DROs reviewed the relevant sections of the Elections Procedure Code, University of Toronto and

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University of Toronto at Mississauga policies and the UTSU By-Laws, and discussed the role of the elections staff.

Campaigning

The campaign period opened on Monday March 4, 2013 at 10:00 and closed on the last day of voting on Thursday March 14, 2013 at 18:30.

Campaign materials, including posters, flyers, rave cards, buttons, stickers, t-shirts, websites, Facebook content and candidate videos were submitted and approved by the CRO throughout the campaign period. Most candidates adhered to the rule that materials must be submitted for approval 24 hours prior to planned distribution.

During the campaign period, complaints were submitted to the Chief Returning Officer alleging violations of the Elections Procedure Code. All complaints submitted to were submitted to the Chief Returning Officer via email, some with accompanying photographic evidence. Seven (7) CRO rulings were made regarding complaints submitted during the campaign. The complaints generally concerned allegations of campaign materials and campaign activity within the six-metre (6-metre) boundary of poll stations and responsibility of campaigners and supporters. All CRO rulings are appended to this report.

Executive Candidate's Forum

The CRO arranged an All-Candidates Forum executive candidates could present a statement to, and answer questions from, the UTSU membership. The forum was held on March 6, 2013 at the New College William Doo Auditorium from 16:00 –18:00.

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The forum was also streamed live online to allow students who could not attend to watch and listen. The event was well-attended.

Speaking in a predetermined order (VP University Affairs, VP Equity, VP Internal and Services, VP External, and President), Executive candidates were given five minutes for an opening statement, 10 minutes of open questions from the floor, and four minutes for closing remarks. Approximately 95 people attended the forum, while a small number of individuals watched via the live online streaming.

At this meeting, there were a handful of individuals in the audience who were disruptive. The Chief Returning Officer gave a single warning before these students chose to leave near the close of the forum.

UTSU Elections at St. George Campus

Poll Locations

As a large campus spread out across downtown Toronto, the University of Toronto St. George campus presents some challenges ensuring representative distribution of poll stations. The Election and Referenda Committee (ERC) is required to consider a number of factors in allocating poll stations, including but not limited to: cost, wireless access, proximity to other poll stations, accessibility for residence and commuter students, and student traffic.

Poll Clerk Training

Poll Clerk training sessions were held at the Hart House Music Room and Sidney Smith Hall Room 2106 on March 7 and 8, 2013, respectively. The training sessions were two hours long and consisted of a brief introduction to the roles and responsibilities of the CRO and DROs, poll clerk duties and responsibilities, polling station setup and closing, trouble-shooting and scenario role-play. Both UTM and St. George poll clerks were trained together. Polling location expectations such as volume of traffic were explained to both UTM and St.

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George poll clerks.

Voting

Voting took place on Tuesday March 12, Wednesday March 13 and Thursday, March 14, 2013. Poll stations were open from 09:00 to 18:30, with the exception of Isabel Bader Theatre polling location that was open between 09:00 to 16:00. Fifty-six (56) poll clerks worked in shifts from 08:00 to 12:00, 12:00 to 15:00 and 15:00 to 19:00. Poll clerks used the Online Voter Eligibility Verification System (OVEV) to confirm voters' eligibility by scanning their T-cards. Other than some occasional delays due to slow Internet connections, the OVEV system functioned smoothly. Voters were asked to sign in and provide their name, student number, faculty/college and signature. Both poll clerks were instructed to initial each ballot as they were given out to students upon confirmation of their eligibility as voters. Poll clerks were provided with a sheet indicating which ballots to give to each voter.

If prospective voters did not have their T-Card (but knew their student number and had other photo ID) or if the prospective voter's status came up as 'ineligible' but the prospective voter believed that they were a UTSU member, poll clerks were instructed to use the double envelope system.

St. George poll clerks met each morning at 08:00 at the UTSU office to collect the necessary equipment and materials from the CRO and DROs. UTM Poll clerks also met each morning at 08:00 with the UTM DRO at the campus police office to collect equipment and materials. Ballot boxes were assembled at the polling locations using Elections Canada seals, clearly marked.

Poll stations were closed each day at 18:30 and ballot boxes were sealed and signed by poll clerks. The CRO and DROs would then accompany the St. George campus poll clerks with the sealed ballot boxes to the Ombudsperson office, where they were stored until the count night. On March 14, the ballot

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boxes were transported from the Ombudsperson office to the UTSU office in a vehicle under the supervision of the CRO and a scrutineer. Ballot boxes from March 14 were brought directly to the UTSU office for the count.

All the ballots were designed in-house and the ballots were printed at All Solutions Printing. The ballots were delivered on Monday, March 11 where they were locked and stored in the Elections Office. The ballots were then sorted to the appropriate designated polling location box along with all the other election items.

Storage and Transportation of Ballot Boxes

At the close of each voting day, poll clerks transported the sealed ballot boxes to the University of Toronto Ombudsperson Office, where it was to be kept for safekeeping. The Ombudsperson along with another staff facilitated access to the room through a secured key process. Only the Ombudsperson and CRO had access to the office.

UTSU Elections at UTM

This section details the following: poll station materials shared with UTM; poster locations allotted for UTSU candidates; poll location and voter eligibility; and the storage and transportation of ballot boxes.

Poll Station Materials at UTM:

The following materials were used at UTM:

- Voting screens
- Ballot boxes
- Laptops
- T-card scanners
- Extension cords
- Envelopes
- Ballots for UTSU executives
- Pens and markers

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The materials listed above were transported by the CRO and two DROs via the UTM Shuttle Bus.

Poster Locations at UTM:

Several poster locations were allotted for UTSU candidates. The locations were spread out between the CCIT Building, South Building and Kaneff Building. In contrast with St. George campus practices, posting boundaries were clearly delineated on the UTM campus through the DRO's guidance.

Polling Locations and Voter Eligibility

Voting took place at UTM from Tuesday, March 12 to Thursday, March 14.

The following poll stations were set up at UTM:

- x *CCIT* – 9:00 to 18:30
- x *South Building* – 9:00 to 18:30
- x *Instructional Building* – 9:00 to 18:30

These locations were pre-registered with and subsequently approved by the UTM Student Affairs Council.

All full-time UTM and St. George students were eligible to cast ballots for UTSU executives at any UTM poll location. UTM students were not, however, eligible to vote for Director candidates.

Storage and Transportation of Ballot Boxes

UTSU ballot boxes were transported to UTM Campus Police Office, located at the South Building as voting concluded on each day. When voting concluded on the last day of voting, all ballot boxes and polling station materials were transported via taxi by the UTM DRO and poll clerks.

Issues at Polling Stations

Polling stations operated smoothly aside from a few stations closing for five to ten minutes due to ballot shortages. The only major incidents were two

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individuals, identified as Brett Chang and Pierre Harfouche, harassing poll clerks and volunteers and attempting to videotape and disrupt voters. Mr. Chang specifically attempted to stage a campaign violation by planting and photographing campaign material at the polling station. Poll clerks expressed their frustration and disappointment of the actions of the aforementioned individuals. However, while disruptive and stressful for the poll clerks, the integrity of the vote at the particular polling station was never compromised.

Master List Verification

Each day at the close of polls, sign-in sheets were gathered and voters were verified on a master list. This was used to produce the master list for double envelope verification.

Ballot Counting

At 20:00 after the close of voting on Thursday March 14, 2013, the CRO oversaw the vote count at the UTSU office. The count was concluded at 01:00 on Friday March 15, 2013.

Each candidate was allowed one scrutineer to be present for the count. Scrutineers were instructed to request any contested ballots to be put aside and ruled on by the CRO. Scrutineers were not allowed to touch ballots or disrupt the count. There were a total of six (6) scrutineers that signed in for the ballot count.

Present for the vote count was the CRO as supervisor, three DROs, the Chair of the Elections and Referenda Committee, and UTSU administrative support staff. In the basement, ballot boxes were opened and 10-12 poll clerks sorted the different colour-coded ballots. Teams of three counters were set up in the rest of the office, there were eight (8) teams overall. In each team of three, one person read the ballot result aloud while the other two recorded the result on a tally

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sheet. After each pile of ballots, the two recorders verified they had identical numbers to each other and then the team moved on to the next pile of ballots.

Spoiled Ballots

Ballots were considered spoiled if:

- x No voter intent was indicated on the ballot;
- x Only one poll clerk initialed the ballot;
- x No poll clerks initialed the ballot;
- x Too many candidates were selected on the ballot.

Double Envelope Ballots

Elections staff verified the eligibility of voters who had used the double envelope system. Double envelopes were checked against the master voters list to determine if (a) the voter was eligible; and (b) the student had not already voted using their T-Card. Eligible voters' ballots remained in the second, interior un-marked envelope and were sorted and counted normally in order to maintain the anonymity of the voters' choices. All ineligible ballots were separated and not counted. Several attempts to vote multiple times were discovered and taken care of.

Announcement of Results and Recount

At the conclusion of ballot counting on March 15, 2013, unofficial election results were posted on the UTSU website. No recounts were required or requested.

Appeals

No appeals were made throughout the elections.

Results: Election via Acclamation and via Plurality of votes cast

Election via Acclamation:

Arts & Science At-Large: Yasmeen Emadi

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Victoria College: Shadrak Gobert and Lynn Scherloski

University College: Nativ Hossain and Aimee Quenneville

Innis College: Will Warnica

St. Michael's College: Cullen Brown, Bilal Duranni, Vere-Marie Khan

New College: Dalia Hashim, Khalid Khan and Silviu Kondan,

Woodsworth College: Josephine Petrolo, Tannishtha Pramanick, and Zijian Yang

Faculty of Music: Nia-Imara Barberoussa

Faculty of Medicine: Alexander Wasserman

Faculty of Applied Science & Engineering: Vanessa Bridge

Faculty of Architecture, Landscape & Design: Katrina Lorn

Faculty of Pharmacy: Suyoung Aaron Chin

Faculty of Physical Education & Health: Alexandra Khalil

Professional Faculty At-Large: Mathew Krawczyk and Helen Phan

Election via Plurality of votes:

The total for the elections results are for all polling locations.

President

Munib Sajjad

Yes: 2037

No: 945

Spoiled: 179

Vice-President Internal & Services

Cameron Wathey

Yes: 2086

No: 893

Spoiled: 180

Vice-President Equity

Yolen Bollo-Kamara

Yes: 2018

No: 942

Spoiled: 194

Vice-President University Affairs

Agnes So

Yes: 2052

No: 923

Spoiled: 182

Arts & Science At-Large Director

Noor Baig: 801

Ben Coleman: 1097

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Spoiled: 141

Trinity Director

Benjamin Crase: 165

Umer Saeed: 59

Spoiled: 13

Bike Chain Referendum

Yes: 1758

No: 765

Spoiled: 123

Voter turnout

During the 2013 elections, the voter turnout was approximately seven (7) per cent.

Recommendations

1. There should be a differentiation between a “nominee” and a “candidate” in the EPC.
2. The Instructional Building at the University of Toronto Mississauga campus should permanently replace the North Building polling station as there is more student traffic and voter turnout at the former location.
3. Article III of the Elections Procedure Code should state that candidates who sign out nomination packages must clearly indicate at the start the position that they are seeking.

Acknowledgements

The CRO would like to thank the DROs, poll clerks, and UTSU staff who provided logistical support for the elections.

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Appendix A – CRO Rulings 001-007

CRO Ruling 001

A complaint was filed on March 5, 2013, alleging that Team Renew violated the Elections Procedure Code for the usage of a table inside the lobby of the Sid Smith Hall that is not in act of accordance with the building's policy on table booking.

The CRO has investigated and determined that Team Renew did not violate Article VI (1)(m)(ii) of the Elections Procedure Code. The CRO has been reassured that candidates have simply been using that space to meet up and have not used it as an active place to campaign. Furthermore, there has been no complaint made by the administrators of the Sid Smith Hall regarding this matter.

No demerit points will be issued in response to this complaint.

Date: March 6, 2013

Time: 8:32PM

CRO Ruling 002

A complaint was filed on March 12, 2013, alleging that Team Renew committed a violation of Article VI (1)(n)(i & ii) of the Elections Procedure Code. The complaint alleges that Team Renew placed campaign material within 6 meters of a polling station.

The C.R.O. has investigated and determined that there is insufficient evidence to find a violation of Article VI (1)(n)(ii) of the EPC. Though the C.R.O. acknowledges that there were campaign materials around the polling station, there was insufficient evidence to show that the campaign materials were left by the candidates or their non-arm's length party. The election staff endeavoured to remove all campaign materials from the unauthorized areas continuously throughout the voting period. Voters are reminded by candidates and elections staff to not leave flyers lying around.

No demerit points will be issued in response to this complaint.

Date: March 13, 2013

Time: 10:30PM

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CRO Ruling 003

A complaint was filed on March 12, 2013, alleging that volunteers for Team Renew, including Vice-President internal & Services candidate Cameron Wathey, committed a violation of Article VI (1)(n)(i) of the Elections Procedure Code. The complaint alleges that Team Renew was campaigning within 6 meters of a polling station in the Bahen Centre for Information Technology.

The C.R.O. has investigated and determined that there is insufficient evidence to find a violation of Article VI (1)(n)(i) of the EPC. The Deputy Returning Officers was present when this allegation took place and has stated that volunteers and candidates of Team Renew were outside the 6 meter boundary of the polling station at the Bahen Center. The boundary was clearly marked off by florescent tape.

No demerit points will be issued in response to this complaint.

Date: March 13, 2013

Time: 10:30PM

CRO Ruling 004

A complaint was filed on March 14, 2013 alleging that materials from Team Renew were left next to the ballots and polling box at the Bahen Centre polling station.

The CRO has investigated and determined that poll clerks had carried their duty by removing campaigning materials from the voting screen to ensure that materials are not in view sight of the voter. The CRO has notified all poll clerks to be more aware of campaigning materials that are within the 6 metre boundary of polling stations.

No demerit points will be issued in response to this complaint

Date: March 14, 2013

Time: 2:34PM

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CRO Ruling 005

A complaint was filed on March 14, 2013, alleging that members of Team Renew committed a violation of Article VI (1)(n)(ii) of the EPC. The complaint alleges that Team Renew placed campaign material within 6 meters of a polling station.

The CRO has investigated and determined that there is insufficient evidence to find a violation of Article VI (1)(n)(ii) of the EPC. Though the CRO acknowledges that there were campaign materials around the polling station, there was insufficient evidence to show that the campaign materials were left by the candidates or their non-arm's length party. The election staff endeavored to remove all campaign materials from the unauthorized areas continuously throughout the voting period. Voters are reminded by candidates and elections staff to not leave flyers lying around.

No demerit points will be issued to in response to this complaint.

CRO Ruling 006

A complaint was filed on March 14, 2013, alleging that members of Team Renew committed a violation of Article VI (1)(n)(ii) of the EPC. The complaint alleges that Team Renew placed campaign material within 6 meters of a polling station.

The CRO has investigated and determined that there is insufficient evidence to find a violation of Article VI (1)(n)(ii) of the EPC. Though the CRO acknowledges that there were campaign materials around the polling station, there was insufficient evidence to show that the campaign materials were left by the candidates or their non-arm's length party. The election staff endeavoured to remove all campaign materials from the unauthorized areas continuously throughout the voting period. Voters are reminded by candidates and elections staff to not leave flyers lying around.

No demerit points will be issued to in response to this complaint.

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CRO Ruling 007

A complaint was filed on March 14, 2013, alleging that Agnes So violated the Elections Procedure Code for campaigning inside of a classroom in Sidney Smith Hall, and within immediate proximity of a polling station.

The CRO has investigated and determined that Agnes So did not violate Article VI (1)(l)(ii) of the Elections Procedure Code. Agnes obtained permission from the lecturer before the start of class and in addition any classroom in Sid Smith would be well outside of the 6m boundary of the polling stations as stated in Article VI (1)(n)(i) of the EPC.

No demerit points will be issued in response to this complaint.