

Ruling #1

March 2016 Students' Council and General Faculties Council Election
Attendance at Mandatory Candidates' Meeting – Multiple Candidates

Parties to the Ruling

- Frank Garane, Candidate for Students' Council and General Faculties Council (Arts)
- Todd Li, Candidate for General Faculties Council (Nursing)
- Alyssa Roussel, Candidate for Students' Council (Physical Education & Recreation)
- Jessica Nguyen, Chief Returning Officer

Applicable Bylaw, Rules, and Regulations

- Bylaw 2300 §10 (Candidate Registration Meeting)
- Bylaw 2300 §11 (Content of the Candidate Registration Meeting)
- Rules and Regulations §1.3 (Candidates' Meeting)

Facts

1. Frank Garane, Todd Li, and Alyssa Roussel submitted valid and complete nomination packages for the March 2016 Students' Council and General Faculties Council Election prior to the nomination deadline on Monday, March 7 at 17:00.
2. Candidates Frank Garane, Todd Li, and Alyssa Roussel were not present at the mandatory candidates' meeting on Monday, March 7 at 18:00, at the time when the Chief Returning Officer was taking attendance as per Bylaw 2300 §11(f).
3. Candidates Todd Li and Alyssa Roussel did not attend the candidates' meeting and did not designate a proxy for the candidates meeting in writing to the Chief Returning Officer.
4. Candidate Frank Garane sent a proxy, who arrived approximately 20 minutes into the meeting, where the Chief Returning Officer indicated that it was already too late to fulfill Bylaw 2300 §10, which requires that candidates attend the meeting in its entirety. Furthermore, this proxy was not designated to the Chief Returning Officer prior to the meeting as is required by Bylaw 2300 §10 and therefore cannot be considered an official proxy.
5. Candidates Todd Li and Alyssa Roussel followed up with reasons for not attending the meeting. The Chief Returning Officer does not find that any of their reasoning for not attending the meeting enough to lift the penalty of disqualification as both candidates simply claim to have forgotten about the meeting.
 - a. Response from Alyssa Roussel:
 - i. "I received your email this morning, and I apologize profusely for my absence at the candidates meeting. Yesterday was a very busy day for me and I has several academic commitments that needed to be completed. As a result of this, I forgot about my obligation to attend this important meeting. As far as I am aware, I am running uncontested for the position of PER Councillor on the Students' Union. I would hate to see my faculty suffer as a result of my negligence. If there is anything I can do to make up for this absence please let me know, however I am aware that there is not much room for allowances. I would love to represent my faculty again this year on the SU. I look forward to hearing from you about this matter; I apologize again for my not being there."

b. Response from Todd Li:

- i. "I apologize for not attending the meeting. Unfortunately and honestly I do not have an excuse, I truly forgot about the meeting as I was occupied with an interview during 6:00 pm. At the end of the day I have no say in whether I can or I cannot run in the election, that's for you to decide. But I really hope that you can give me another chance to prove myself from this fault. Thank you."

Ruling

1. Bylaw 2300 §10 and Rules and Regulations §1.3 were not respected by any of the aforementioned candidates, therefore a penalty should be assessed.

Penalty

- Frank Garane will be disqualified from the Students' Council and General Faculties Council (Arts) race.
- Todd Li will be disqualified from the General Faculties Council (Nursing) race.
- Alyssa Roussel will be disqualified from the Students' Council (Physical Education & Recreation) race.

So decided on: Wednesday, March 9 @ 09:00. Time limit for appeal: Thursday, March 10 @ 13:00.

Please direct any inquiries towards:

Jessica Nguyen
Chief Returning Officer
University of Alberta Students' Union