



February 17, 2012

As many of you are likely aware, last night the Dalhousie Student Union (DSU) Elections Committee announced the disqualification of two candidates: Presidential candidate Jamie Arron and VP Academic & External candidate Aaron Beale.

The Elections Committee's decision to disqualify these candidates was not made lightly. The Committee is given a mandate to ensure that elections run as democratically and fairly as possible by Section 8 of the DSU Constitution. Prior to the commencement of the campaign period, the Committee made a concerted effort to inform candidates of the necessity and importance of familiarizing themselves with the Constitution.

Before explaining the specific reasons for the disqualification of these two candidates, the Committee would like reiterate that the overarching guiding principle of the DSU elections processes is that they be as fair as possible for all parties involved. For this reason, election rules and regulations are specifically structured to prevent any candidate from accessing tools and materials that are not available to all candidates. The Committee is mandated to penalize any candidate who fails to abide by these rules, particularly when those rules have been broken in a way that violates the spirit of DSU elections. Once a candidate exceeds \$100 in fines, that candidate is automatically disqualified as per Section 8, Article 12(d)(x)(d) of the Constitution.

The reason these disqualifications were not announced earlier in the voting period is that the Committee is **constitutionally mandated not to reveal disqualifications until the voting period has ended** [Section 8, Article 12(d)(v)(c)]. The justification for this is that if a disqualification is overturned on an appeal, the results of the original vote can be upheld.

Details of factors leading to the candidate disqualifications

Aaron Beale

The candidate was disqualified because he exceeded \$100 in fines. The details of the fines are as follows:

- Members of the Elections Committee discovered 29 of the candidate's handbills posted around Howe Hall in the post-campaign period, which is a violation of Section 8, Article 12 (d) (viii) of the Constitution . The penalties associated with these infractions include \$5.00 per poster as per Section 8, Article 12(d)(viii)(a). Since the postering occurred after campaigning had ended, the candidate was also penalized \$20 for post-campaigning as per Section 8, Article 12(d)(viii)(c).
- The candidate was fined \$20 for door knocking in Shirreff Hall, which is against University policy, and \$20 for failing to remove chalk from walls before the



assigned deadline of 8PM on Tuesday, February 14th. These fines were levied based on Section 8, Article 12(d)(viii)(e).

Jamie Arron

The candidate was also disqualified because he exceeded \$100 in fines. The details of the fines are as follows:

- The CRO visited the candidate's website at 7:00 AM on February 6th and found it to be active prior to the official start time of 8:00 AM, violating the pre-campaigning rule found in Section 8, Article 12(a)(i). For this infraction the candidate was fined \$20 as per Section 8, Article 12(d)(viii)(c).
- The candidate used video footage owned by the DSU in his one-minute campaign video. When this was brought to the Committee's attention on February 7th, we levied a fine of \$20 against the candidate for inappropriate use of DSU resources and asked him to edit out the offending footage. The candidate complied and sent the Committee the newly edited video for review, at which point it was approved under the condition that the original video (containing the offending footage) would not be circulated. It was brought to our attention on February 13th that the original video containing the offending footage remained on the candidate's website, for which he was fined an additional \$20.
- On the night of February 14th, the following Facebook status was made by the candidate:

The DSU is at a crossroads. Will you vote for the same ol' insiders or for the new wave of engagement? Times are a'changing. Lets make it happen''

This post was perceived by the Elections Committee to be a comment regarding his campaign and the campaigns of those he had been actively campaigning with over the course of the week. The Committee felt that this statement amounted to encouragement to vote for the candidate. The Elections Committee ruled that this incident constituted post-campaigning, asked the candidate to remove the offending post and fined him \$20 as per the regulation found in Section 8, Article 12(d)(viii)(c).

- On Wednesday, February 15th the Elections Committee received a phone call from a student in Risley Hall who had witnessed the candidate in question and another candidate tailgate into residence and solicit students for their votes in the hallways of the locked area of the building on Sunday, February 12th. Solicitation in residence is against University policy, and for this reason, the Elections Committee decided to levy a fine of \$20 against both the candidate in question and the other candidate.



- On Wednesday, February 14, the candidate posted several messages of endorsement of other candidates on individuals' Facebook pages. The Committee judged that this candidate's posts clearly constituted campaigning in the post-campaign period. The Constitution defines campaigning as "all forms of advertising by any campus medium, or the distribution and/or posting of any material designed and/or likely to influence voters" [Section 8, Article 12(a)(i)]. This definition is not exclusive to individual candidates campaigning on their own behalf, but can also be applied to candidates campaigning on behalf of each other. The opinion of the Committee is also that the candidate in question had clearly associated himself as a member of a "dream team" to which he had referred on earlier occasions and was known to have consisted of himself and the other three candidates he endorsed.

The Committee judged that this infraction constituted an additional \$20 fine for post-campaigning, bringing the total amount of fines to \$120, effectively disqualifying the candidate.

What happens next

Both candidates have the right to appeal the decision of the Elections Committee and are given 72 hours after receiving notification of their disqualification to present their appeal to the Committee. Once the Committee has received the appeal a meeting will be arranged to discuss the situation again.

If the Committee decides to uphold its previous ruling, the disqualified candidates will be given five days to make an appeal to the DSU's Judicial Board. If this step is undertaken, it is difficult to estimate a timeline, as this will depend on the Judicial Board's scheduling. It is the goal of the Elections Committee to resolve this matter as soon as possible.

For your reference, the DSU Constitution can be found at the following link: <http://dsu.ca/files/DSU%20ConstitutionMay52010.pdf>. The election section begins on page 64.

If you have any further questions, please send them in writing to election@dal.ca.

Sincerely,
The Elections Committee