

DIE Board Hearing Application

Please note that this information will all be public. While the UASU's practice is to redact email addresses and phone numbers from publicly posted DIE Board hearing applications, the information provided may be kept, used, and disclosed in keeping with the operations of the DIE Board, UASU Bylaws, and Alberta's Personal Information Protection Act.

If necessary, the Students' Union DIE Board Registrar may contact you to confirm that you are a student.

NOTE: Under the DIE Board Protocols, the DIE Board reserves the right to reject applications that it judges to be frivolous or vexatious.

Name Jacob Verghese

E-mail

[REDACTED]

Phone Number

[REDACTED]

This application is for a:

DIE Board Hearing

Reason for Application

Describe the specific violation of a bylaw or rule, your specific interpretation question, or the specific errors made by the DIE Board or the CRO. If you want the Board to issue some kind of order, explain what you think the Board should do. You may also attach additional written submissions or supporting documents at the end of this form.

Reason

Dear DIE Board,

I am Jacob Verghese and I am the current Chief Returning Officer for the Student Union. We would like the consultation of the die board on certain regulations and bylaws. The Elections Office is looking to avoid a hearing, and are looking for some help with interpretation.

To give a little backstory on this a third party (SJP) has given their endorsement for certain candidates on their instagram pages. Candidates have reposted this to help elevate their platform as the election office didn't want to censor any of the candidates. However, it seems to have crossed a line to a point where the third party comes across as almost proxy campaigning for certain candidates.

The issue lies now as the third party started tabling for their executive picks and during this time inflammatory speech such as labeling candidates as "racist" and "islamophobic" were used against candidates which were running opposite to who they have chosen to represent them. One of the candidates who is running in the election did see their tabling and had given them three (3) stickers "for personal use". These stickers were given out for "normal" campaigning purposes and it now falls under the weird lines of unauthorized campaigning because the individual distributed them as a secondary owner of the materials and actively affiliated with the third party.

The candidate has informed us that they never knew that this secondary distribution of materials was taking place. But, evidence clearly shows that the candidate saw the tabling events for the past two days: a screenshot of the candidate's Instagram DMs with SJP shows that they interacted with the SJP Instagram story regarding the tabling. When the tabling was done, the candidate declared non affiliation with SJP as asked by the CRO. Other complaints arose from members of the SU that either damage had already been done. The candidate has also gotten endorsement from a spokesperson of the third party as well as another party (the Revolutionary Communist Party) who is in essence destroying and vandalizing

their opponents posters.

We are hesitant to issue a disqualification because we truly do not believe that it would be in either party's interest. Given the sensitive nature of the war in Palestine and the position that it puts Palestinian students in, we do not want to punish students nor candidates in this given context. However, we do not see any fines given in bylaw and regulations which wouldn't cause this disqualification

The Bylaws and regulations in question:

12.5. A Candidate or side in a Students' Union election may distance themselves from a third party in the event the third party effectively conducts Campaign activities under the following conditions: a. the Candidate or side must demonstrate to the C.R.O. that the third party acted without the consent of the Candidate or side; and b. the Candidate or side must demonstrate to the C.R.O. that steps have been taken to distance themselves from the third party and to attempt to halt unauthorized Campaign Activity by that third party. 6. Should a Candidate or side demonstrate the conditions specified under Section 12(5) to the C.R.O.'s satisfaction, the Candidate or side would not be subject to punitive fines as a result of the third party's actions, but could still be subject to counterbalancing fines.

Potential Disqualification

- Any contravention of election rules that cannot be counterbalanced by a lesser penalty.
- Reports of students feeling their voting was coerced/pressured.
- Any situation that, in the CRO's judgment, wilfully undermines the integrity of the election and the free exercise of voting rights.

However, it still sits uneasily with the Elections Office and its influence on the elections is questionable. It is therefore difficult for us to make a ruling as the candidates have used this third party to gain an advantage in this election, intentionally or not. When having conversations with these candidates, they claimed their support but not their actions that the group did without their permission. It falls under weird lines because they have received their endorsement and their actions have given them an advantage but only stopped once all tabling was done.

This is a pressing matter as the tabling happened in the two days prior to voting days and left us little time to deal with the situation. With voting closing soon, this is urgent. Thank you for your attention to this matter.

Sincerely,

Jacob Verghese (CRO)

Sithara Naidoo (DRO)

Proposed Respondent(s)

List the individual(s) alleged to have infringed a rule or who are otherwise adversely involved in interest to your application. If you are appealing a CRO Ruling, list the CRO and any candidates involved.

Anticipated Witnesses

List other individuals involved in the case who can contribute to the Hearing, if any.

Signature



Attach File

Although not required, you may attach additional written submissions or supporting documents for the Board to consider, including any relevant facts, a copy of any Students' Union legislation or rules relevant to your arguments, and your position on the matters in issue. These submissions will help the Board

understand the nature of your complaint or request for interpretation. The Board may rule against you if you do not provide sufficient reasons for your application.

Please submit as a single document.

If you're unsure of how to combine multiple separate documents, you can save all documents as a PDF and use [PDF Merge](#).

Direct any questions to:

DIE Board Registrar

governance@su.ualberta.ca

SUB 6-24