

DIE Board Ruling 2014-10 – Appeal Application Dismissed

Having read the Panel's decision in DIE Board Ruling 2014-07 in addition to the submitted application, I am declining this appeal request due to its explicit prohibition under Bylaw 1500(34)(7). Ruling 2014-07 dealt with an appeal of CRO Ruling #1 in the 2015 Student Council/GFC Election.

Ms. Hudson contends that the DIE Board should exercise its general remedial discretion under Bylaw 1500(29) to permit an appeal due to procedural unfairness and clarification regarding the written notice requirement for proxies.

Having spoken with Mr. Alzaman, chair of DIE Board Hearing 2014-07, I am confident that no procedural unfairness has taken place. The hearing followed correct procedure under the DIE Board Protocols; both parties had the opportunity to make submissions to the panel, and a decision was reached in an unbiased manner. I would specifically note that since the burden of proof of any facts lies on the Applicant, it was reasonable for her to speak first, and both parties retained the right to cross-examine one another irrespective of order.

Although DIE Board retains the broad discretion to make any order proscribing any remedy the Board considers appropriate and just in the circumstances, this is an exceptional clause to be exercised only in extraordinary circumstances. Since Ms. Hudson's substantive claims regarding 'written notice' were already addressed in paras 10-11 of DIE Board Ruling 2014-07, and no procedural unfairness has taken place, this threshold has not been met.

This appeal is therefore dismissed, and Ms. Hudson's disqualification is upheld.

Sean Wallace, Chief Tribune

From Bylaw 1500:

29 General Powers of Enforcement

If the Board finds an application for action or application for appeal requires action by the Board may make any order proscribing any remedy the Board considers appropriate and just in the circumstances.

34 Elections

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7. No appeal shall exist from a ruling of the D.I.E. Board on an appeal of a ruling by the C.R.O.