Dear HUCSC Elections Committee and Candidates,

 On March 3, 2021 at approximately 10:00 AM an Affiliates Appeals Board (AAB) came to a decision on the matter of the appeal of a decision made by the Huron University College Students’ Council (HUCSC) Elections Committee. With all members of the AAB present, the decision was passed unanimously to maintain the ruling of the HUCSC Elections Committee.

 The AAB convened to deal with the matter of an appeal of the penalties imposed against USC Representative Candidate Alexis Magder during an HUCSC Elections Committee Disciplinary Meeting on February 27, 2021. The HUCSC Elections Committee decided to grant 194 demerit points and 32 vote deductions on the issues of pre-campaigning, abuse of position, campaigning without consent, and using unauthorized campaign colours.

The following is an excerpt from communications following the February 27th meeting outlining the Election Committee’s decisions:

On the matter of pre-campaigning, the Committee voted unanimously in favor of disciplinary action. The Committee determined that Alexis obtaining followers before the Campaign Period constituted Pre-Campaigning (6.01 (1) (h)). The Committee voted unanimously to assign Alexis a lesser penalty of 5 demerit points for this violation after considering mitigating circumstances and her arguments. The Committee voted unanimously that each of these demerit points result in 1 vote deduction, for a total of 5 vote deductions.

On the matter of abuse of position or status, the Committee voted unanimously in favor of disciplinary action. The Committee determined that Alexis used her status as a previous HUCSC candidate to your advantage (6.01 (2) (c)). The Committee voted unanimously to assign Alexis a lesser penalty of 9 demerit points for this violation after considering mitigating circumstances and her arguments. The Committee voted unanimously that each of these demerit points result in 1 vote deduction, for a total of 9 vote deductions.

On the matter of campaigning without consent, the Committee voted unanimously in favor of disciplinary action. The followers who were following Alexis' account when she re-opened it for this campaign could not have consented to receive communications from her campaign, in violation of Section 6.01 (1) (f). The Committee voted unanimously to assign Alexis the minimum penalty of 3 demerit points for this violation after considering mitigating circumstances and her arguments. The Committee voted to consider this violation on a per-follower basis. Based on Alexis' own estimation of around 60 existing followers at the time she reused her account, the Committee voted to assign her 180 demerit points. The Committee voted that each of these demerit points would result in 1/10 of 1 vote deduction, for a total of 18 vote deductions.

On the matter of the use of the color red, the Committee voted unanimously in favor of Issuing a warning and no further disciplinary action. Red should no longer be used as a primary color in Alexis' campaign posts.

On the matter of disqualification for receiving 18 or more demerit points, the Committee voted unanimously **against disqualification**after consideration of Alexis' character and the inadvertent nature of her actions.

In total, Alexis has received **194 demerit points**and **32 vote deductions**.

The AAB had been called as the other candidates felt as if a disqualification of Mager was in order. The appellants stated that she should be disqualified for the following reasons:

* The application of 1 vote deduction for 10 demerit points was insufficient for disciplinary action in violation of Section 6.0 (1) (f)
* She accumulated over ten times the allotted demerit points that would usually attribute to disqualification
* The candidates felt that it was “unfair” that Mager’s character was used to defend her against disqualification

The AAB unanimously agreed with the decision of the HUCSC Elections Committee citing the following: seeing that by-law 6.02 (3) states that up to 1 deducted volte can be applied for each demerit point in the election of General Assembly Representatives, issuing 1:10 vote deduction per demerit point was within the authority of the Committee. The AAB also acknowledged the autonomy of the HUCSC Elections Committee to use discretion to determine the appropriate issuance of penalties.

To prevent a similar incident in the future, the Board further recommends that the HUCSC reviews their Elections Policy to eliminate confusion regarding campaigning on social media. Specifically, the AAB recommends that the HUCSC explicitly require a new campaign social media account be created for each new election cycle and generally provide more clarification regarding what constitutes consent in a virtual space.

If you have any questions, do not hesitate to ask the Governance Associate for the KUCSC, Emily O’Neill for clarification. She can be reached at associate.governance@kucsc.com.

The 2020/2021 Affiliate Appeals Board.