

UVSS Elections 2020 – Complaint 1A and 1B Decision

Respondents: Sarina de Havelyn, Carlton Taylor and Abdul Abuelazm

Offense: The complaint, received February 25, 2020, alleges that three candidates had chalked messages in the Petch Breezeway. The complainant alleges that chalking in the Petch Breezeway contravenes section 5.4.k of the UVSS Electoral Policy Manual ("Chalking is permitted only on classroom chalk boards and on exterior surfaces that are exposed to the weather.") and section 13.00 of the Student Election Poster and Banner Procedures with UVic Poster, Banner and Handbill Policy ("Chalking is permitted during student elections under the following conditions: (a) the chalking is on an exterior surface that is fully exposed to weather"). Photographic evidence was also provided by the complainant. The complainant also provided evidence of other chalking in the Petch Breezeway that has been there for several months.

Response: All three candidates and their campaign managers were provided with a copy of the complaint and the photographic evidence. The responses received do not deny the allegation. The responses received by the Electoral Office suggest that the individuals who did the chalking were not aware that chalking for student elections was not permitted in this area. The responses received by the Electoral Office also indicate that actions had already been taken, and the chalking had been removed from the Petch Breezeway.

Finding: The responses received by the Electoral Office confirm the information from the complainant. My interpretation of the UVSS Electoral Policy Manual is consistent with that of the complainant, and that chalking is not permitted in the Petch Breezeway as it is not exposed to the weather. I find that the three candidates violated section 5.4.k of the UVSS Electoral Policy Manual.

Sanctions: Within 24 hours of receipt of this decision, each of the three respondents are required to:

1. Remove, with water, all of their chalking in the Petch Breezeway.
2. Remove, with water, any of their own chalking on unauthorized surfaces.
3. Remove two [2] of their campaign posters for the remainder of the election period.

The complainant or the respondents may appeal this decision to the Elections Adjudicator within one business day. If the decision is appealed, the sanctions noted above apply until overturned on appeal.

Shawn Slavin

Chief Electoral Officer