

**UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL**

REPORT NUMBER 31 OF THE ELECTIONS COMMITTEE

To the University Affairs Board,
University of Toronto.

Your Committee reports that it met on October 28, 2002 at noon in the Falconer Room, Simcoe Hall, with the following members present:

Professor Michael Marrus (In the Chair)
Ms. Shirley Hoy
Ms. Karen Lewis
Mr. Elan Ohayon
Mrs. Susan Scace

Secretariat:

Ms. Cristina Oke, Chief Returning Officer
Mrs. Beverley Stefureak (Recording Secretary)

In attendance:

Mr. David Melville, member of the Governing Council
Mr. Chris Ramsaroop, member of the Governing Council
Ms. Emily Sadowski, President, Association of Part-time Undergraduate Students

ITEM 2 IS RECOMMENDED FOR APPROVAL. ALL OTHER ITEMS ARE FOR INFORMATION.

1. Reports of the Previous Meetings

A member noted what in his view were omissions from the Reports of the meetings of September 13 and October 2. The Chair agreed to the addition of a statement to the September 13 Report that said, "A matter arose with respect to the terms of reference and was discussed at the beginning of the meeting." With respect to other alleged omissions, the Chair asked that the member communicate these in writing to the Chair who would decide if they were appropriate additions to the Reports. The Chair reminded members that the Reports were meant to summarize the critical points of discussion and were not intended to be an exhaustive record of what had occurred at the meeting. After further discussion, it was agreed that the Report of October 2 would include reference to discussion about the pros and cons of Web elections.

With those two additions, the Reports of September 13 and October 2 were approved.

2. *Election Guidelines 2003*

The Chair indicated that the main purpose of the meeting was to review and approve the *Election Guidelines 2003* to be recommended to the University Affairs Board for its consideration at the November 19 meeting. He had reviewed the proposed amendments to the *Guidelines* and did not believe that any were substantive. They would, therefore, be implemented upon the approval of the University Affairs Board. If, however, there

2. Election Guidelines 2003 (cont'd)

were a substantive or major change, the Board would be required to make a recommendation for approval to the Governing Council. The Chair recalled the extensive and repeated discussion around Web-based voting in past meetings. In his view, a change back to paper ballots would be a major one. He thought it important, therefore, that the issue of Web-based voting be resolved before further discussion on the proposed minor amendments. He opened the meeting to a debate of this question.

A lengthy discussion of the pros and cons of Web-based voting followed. Issues discussed were those of fairness, accessibility, effect on the outcome, possible advantage to knowledgeable voters, reliability of the network, security, perception of justice, verifiability, privacy, minimal standards for re-counts, feasibility of reverting to paper ballots, relevancy of studies flowing out of the United States Presidential elections in Florida, and any possibility that University of Toronto elections might lead the way on public elections.

On motion duly moved and seconded,

YOUR COMMITTEE AGREED

THAT web-based voting be continued for Governing Council student elections.

The Chair invited the Chief Returning Officer to highlight the proposed changes to the *Guidelines*. Ms. Oke reviewed the document that had been circulated with the Agenda, noting amendments and explaining their genesis. She noted that the most substantive change proposed was on pages 21 and 24, and related to the procedure in the event of an equality of votes. The proposed revision was based on input from the community, and in particular from a student who had been personally involved in such a situation last year. Previously an equality of votes had been resolved by the drawing of lot. It was proposed that this be changed to require a second, and if necessary a third, election, following which the Elections Committee would meet to determine how to proceed. In her view, this was a more democratic way of managing the situation and was, in fact, the way an equality of votes for the Vice-Chair of Governing Council had been resolved. Members AGREED.

Ms. Oke referred members to page 35 for a discussion of the proposed reduction in the number of demerit points from 40 to 10. This proposed change was based on a suggestion from the Students' Administrative Council and the Chair recalled that students at the open meeting had been supportive. There was discussion on the proposed amendment. In one member's view, there should not be demerit points at all and campaign violations should be policed by the Elections Committee acting as overseers. Others agreed that the proposed change represented a fair middle-of-the-road approach between automatic disqualification for a breach of the rules and a situation that was not effective for the conduct of fair elections.

On motion duly moved and seconded

YOUR COMMITTEE AGREED

THAT the number of demerit points for disqualification from an election be reduced from 40 to 10.

2. *Election Guidelines 2003* (cont'd)

After some discussion about constituency voting, members AGREED that it should not change except for wording that would recognize three campuses.

The Committee discussed the proposed change to the reimbursement of election expenses. One member thought it should be raised to 100% but others thought that some cost to the candidate gave more assurance that the candidacy was serious. Members AGREED with the proposed change from 50% to 75% and that the CRO should look into a loan mechanism to assist students with up-front election costs, in time for the upcoming election. Also, the CRO was asked to revise the wording of (ii) on page 26 to more clearly describe the options.

The Chair asked if there were any other points to be addressed in the *Elections Guidelines 2003*. A member noted continuing concern with the concept of technical invalidation and time for appeals. Though the *Guidelines* seemed to currently allow one week for appeals, the Chief Returning Officer undertook to ensure that the dates allowed at least a couple of days for an appeal of a disqualification. Further, it was AGREED that wording around candidates' statements would be changed to reflect that, where these exceeded the 100-word limit, only the first 100 words would be printed rather than the current practice of not printing the statement.

The Committee AGREED with the principle that, in situations where students were not registered by the first day of the election period, they would not be disqualified if they applied to the CRO for exemption with good cause and if they were registered at least by the last day of the election period. Wording of the *Guidelines* would be amended accordingly.

Finally, the Committee agreed that the wording on page 6 (#8) should revert to "consider any objection to a ruling or decision ...".

On motion duly moved and seconded

YOUR COMMITTEE RECOMMENDS

THAT the *Election Guidelines 2003* be approved.

3. **Other Business**

Referring to e-mail correspondence previously circulated, a member asked to discuss the disqualification of a student candidate because of registration deadlines. The CRO explained the procedural issues which had led to her decision. There had been no objection from the candidate. The Chair explained that, following extensive consultation with the Secretary of Governing Council, the Chief Returning Officer, the Chair of the University Affairs Board and the Chair of Governing Council and given the elements of administrative law, natural justice and fairness involved, he had decided there were no grounds for the emergency meeting that had been requested by the member.

The meeting adjourned at 2:10 p.m.

Secretary
November 7, 2002

Chair