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Ruling of the Ombudsperson on Election Appeals – May 2nd, 2005

Appeals: This ruling concerns Appeals to the Ombudsperson 1 to 6, as posted on the KSA website as well as the following appeals received since April 27th, 2005.

- Appeal from Patrick Meehan – Submitted April 29th, 2005
- Appeal from the Reduce All Fees Party – Submitted April 29th, 2005
- Appeal from Steven Lee – Submitted May 1st, 2005

Judgement: Pursuant to section X, Article 3 of the KSA regulations, the power to interpret election regulations and rule on irregularities is vested in the Elections Committee. Therefore, it is not within the Chief Returning Officer's jurisdiction to have made the rulings. This includes both the rulings in his Final Report, issued April 28th 2005, as well as previous decisions issued by him.

Albert. Section X, Article 2 (3) of the KSA regulations does refer to the CRO exercising the duties and responsibilities of the Elections Committee in the event said committee is or becomes defunct, a de-facto committee was in existence during the election period. While not appointed by Council, the committee composed of the CRO, Ron Correll, Pavan Bassi, and Erin Minor was acting as the Elections Committee, recognized as such by the CRO, and portrayed as such to the candidates. Therefore, for the CRO to dismiss this committee mid-way through the election was highly improper and indicates that there was a serious violation of due process. Therefore, any subsequent rulings made unilaterally by the CRO are invalid. As such, the appeals submitted to me regarding the CRO's rulings are immaterial given the invalidity of the rulings themselves.

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Therefore, given the absence of an electoral committee to make such rulings, the individuals who received the highest number of votes for their respective positions are declared elected as of April 1st, 2005. These individuals constitute the duly elected Board of Directors of the society. The Board of Directors of the society is composed of the Executive Board of Directors, Campus Directors, and Campus Representatives. Likewise, the individuals receiving the highest numbers of votes for Campus Council Officer, and liaison positions are declared elected and, as of April 1st, 2005 constitute the duly elected Campus Council Officers and Liaisons of the society. Finally, all fines and financial penalties, including those related to reimbursement of election expenses that the CRO attempted to assess are declared null and void.

The results of the election are listed below:

Executive Board of Directors	
Director of Operations	
Coan, Lisa (C.S.I.)	130
Huff, Mat (R.A.F. Party)	297
Nelson, Jeff (Progressive)	256
Director of Finance	
Arndt, Troy Michael (C.S.I.)	123
Chau, Sammy (Progressive)	263
Takhar, Aaron (R.A.F. Party)	294
Director of External Affairs	
Khatri, Jaivin (R.A.F. Party)	343
Vincent, Rigel W. (Progressive)	335

Director of Events and Student Life

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Atwal, Joey (R.A.F. party) 361
Aguasin, Marlene (Progressive) 310

Director of Academic Affairs
Kearley, Kristina A. (Progressive) 264
McIntyre, Ken (C.S.I.) 130
Nakhla, Mariana (R.A.F. Party) 290

Surrey Campus:
Campus Director
Dhaliwal, Manny (R.A.F. Party) 238
Vu, Matt (Progressive) 198

Campus Representative - 4 positions
Butt, Madiha (Progressive) 126
Hannah, Matt 90
Mann, Raman (R.A.F. Party) 225
Meehan, Patrick 125
Gaudry, Rachel (Progressive) 145
Sandhu, Satinder (R.A.F. Party) 219
Sanker, Kyle (Progressive) 148
Singh, Amrita (R.A.F. Party) 225
Thuy, Socheata 47
Trinidad, Marco (Progressive) 131

Campus Officer - 3 positions
Bruce, Kailee 124
Headley, Kenny (R.A.F. Party) 243
Kuyer, Millie (Progressive) 184
Kwok, Wilfred (Progressive) 157
Sandhu, Amar (R.A.F. Party) 242
Tambis, Jason (R.A.F. Party) 222

Richmond Campus
Campus Director
Lee, Steven Hanju (C.S.I.) Yes 157
No 61

Campus Representative - 3 positions
Basra, Harj (R.A.F. Party) 101
Fareed Sakima, Shameel (R.A.F. Party) 92
Hopwood, Kayce (C.S.I.) 129
Koonja, Ashveen (C.S.I.) 97

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Mann, Harvey (R.A.F. Party) 109
Woo, Johnny (C.S.I.) 125

Campus Officer - 3 positions

(Note: 2 candidates have been elected. Two other candidates tied for third place. However, James Kakish has indicated that he is withdrawing from the election, and so, Rumin Mann is the duly elected candidate.)

Bains, Jas (R.A.F. Party) 113
Bliet, Samantha (Progressive) 120
Diudonne, Cassandra (Cass) (C.S.I.) 124
Kakish, James (R.A.F. Party) 104 (withdrew)
Mann, Rumin (R.A.F. Party) 104
Rona, Togan (C.S.I.) 103

Newton Campus:

Campus Director

Movsessian, Arka (C.S.I.) Yes 19
No 4

Campus Officer - 3 positions

Harry, Gudi Yes 17
No 6

Langley Campus:

Campus Director

Dhami, Raju (R.A.F. Party) 34
Richter, Stafford 48

Campus Representative - 2 positions

Anderson, Laura 49
Dhami, Sabrina (R.A.F. Party) 43
Dhillon, Sat (R.A.F. Party) 34

Campus Officer - 3 positions

Helton, Jeremy (Progressive) 27
Niddery, Liana Francis 26
Robson, Michael (R.A.F. Party) 33
Thompson, Tristan (Progressive) 28
Tiedeman, Dan (Progressive) 20

Multi-Campus Liaison Positions:

First Nations Liaison;

Van Fleet, Michael (Progressive) Yes 322
No 157

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Students with Disabilities Liaison;
Kaur, Gurpreet Tina (Progressive) 256
Sanghera, Arvinder (R.A.F. Party) 251

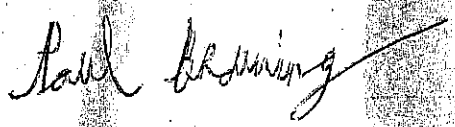
Students of Colour Liaison;
Ghuman, Harpreet (Progressive) 237
Thaliwal, Sanj (R.A.F. Party) 275

Mature Students Liaison;
Dosanjh, Tanveer (R.A.F. Party) Yes 393
No 117

Women's Liaison
Henry, Emily (Progressive) Yes 377
No 144

International Students Liaison
Daoud, Deana (R.A.F. Party) 263
Li, Xiang (Forrest) (Progressive) 220

Sincerely,



Paul Browning
Ombudsperson
Kwantlen University College Student Association
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(604) 505-8470 (cell)
E-mail: ombuds@yourksa.ca