

Steven H. Lee, Candidate for Richmond Campus Council Director, 2005 KSA General Election

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April 28, 2005

Paul Browning, Ombudsperson
Kwantlen University College Student Association
12666 – 72nd Avenue
Surrey, BC V3W 2M8

Dear Mr. Browning,

This complaint and appeal is in response to the decision of the CRO in his final elections report, released on Thursday, April 28, 2005. Normally, I would appeal this decision to the elections committee, but given that there is no elections committee for this election, I feel that it would be appropriate for the Ombudsperson to consider this complaint and to make a ruling on it in regards to recommending that the CRO to overturn the penalty that was given.

Specifically, it is in reference to "ISSUES RELATING TO CAMPAIGN EXPENSES." In regards to the CSI Party, the CRO has ruled:

- "The C.S.I. slate chose to submit a single form to cover all 10 of its member candidates. Regulation X 5 7 (i) clearly states that every candidate must submit a statement of expenses. The C.R.O. finds that a single form does not meet this requirement. Therefore, **the C.R.O. finds that the C.S.I. slate violated this regulation. The C.R.O. further finds that in this case, this was likely not to have a material impact on the results and therefore finds that this is a minor violation. The penalty that is imposed is to withhold one half of the reimbursement for campaign expense incurred by the C.S.I slate pursuant to Regulation X 5 6 7.**
- The decision concerning the C.S.I. slate specifically considers that the total expenses claimed and attributed to all C.S.I candidates equally could not exceed the spending limits set in this election."

We respectfully submit that the interpretation of this regulation is incorrect, as Mr. Correll has overlooked Regulation X.5.7.(vi.) which clearly states:

"Where candidates incur expenses jointly as members of a slate, the expenses shall be divided equally amongst them. No other distribution of jointly incurred expenses shall be permitted."

In regards to the expense reports submitted by the Progressive Party, the CRO notes:

- All reports were signed by Jeff Nelson on behalf of candidates running for the Progressive Party. All Progressive Party Candidates signed forms designating Jeff Nelson as their campaign manager. Jeff Nelson is also noted as the slate contact on the Progressive Party slate registration form.

The CSI Party was the only Party to submit our slate registration form to the CRO at the all-candidates meeting as per the slate regulations adopted last fall. All CSI candidates signed the form and designated me as the primary slate contact on the CSI slate registration form. As such, I saw it as my duty to ensure my candidates were following the rules and regulations and as such, I personally kept track of all spending and receipts for the party to ensure that as a whole, we did not exceed the spending limits as set for in the all-candidates handbook, as follows:

Multi-Campus Candidates: \$75 each
Campus Council Candidates: \$30 each

As Primary Slate Contact, I:

1. Worked with the CRO and members of my team to ensure that they understood the rules of campaigning;
2. Worked with members of my team to create the ads and ensure they were approved by the CRO. In the end we had both handbills and posters approved for use, as well as nametags but we only printed handbills and the nametags and only ended up giving out handbills. Lisa Coan and Ken McIntyre are the only candidates who used the nametags as it proved to much of a hassle to take them on and off before crossing past the rotunda where the polling station was, to get from the cafeteria to classes – this was noted on the expense form, and we did expense for all nametags that had been made;
3. Personally kept in contact with members of my slate and we all reviewed and communicated to each other about all complaints we submitted during the election;
4. Personally kept track of all spending and receipts for the party to ensure we did not overspend. I was so anal with spending that I did my best to keep us all below the \$30 mark to ensure that all costs were evenly spread out among us;
5. Got the majority of our publishing done. Arka and Lisa each got some printing done on there own, but the majority of the spending on the campaign was done by me with the consent of all the party members, provided I kept us under our spending limit. At the end of campaigning I worked with members of my slate to ensure I had our expense report in order, typing it up to include all expenses of all candidates as all expenses were shared equally. Our only major expense was photocopying handbills which had all of our names on it.
6. Ensured we had our expense report with all related receipts attached, into the CRO within the time he allotted for this; when I arrived to hand in the expense report, the CRO was not on campus as he was on stress leave, and as such, I gave the report to Rolando, who sealed it in an envelope, wrote that he received it along with when he received it and placed it in the KSA safe.

We could have easily taken the expense report we submitted and divided it by ten (the number of people in our party) and submitted 10 pieces of paper, and attached photocopies of all the receipts which would have resulted in wasting maybe 20 – 40 more pieces of paper, from which 10 separate cheques would have been cut.

This needless to say, is economically disadvantageous on a number of levels – firstly, it is disadvantageous on an opportunity cost to members of my slate and myself. It is far easier to submit one expense report, one that had all of our names on it and one that all members of the CSI Party had acknowledged as being a correct reporting of our expenses as I consulted with all

party members about what we had spent and questioned them to ensure they had not done any spending that I did not know about. I had a benefit to minimize the amount of work I had to put out on the election as there was an opportunity cost to do so – elections take up a lot of a student's time, time which is usually spent on studying for midterms and on completing projects. Having to type up on ten pieces of paper what can easily be said on one is not economical in terms of our personal time and in terms of the time the CRO has to commit to reviewing the election.

Secondly, it is disadvantageous on an environmental sustainability level, violating the KSA's own policies regarding the environment and environmental sustainability – printing 30 – 50 pieces of paper to hand into the CRO would not only have taken awhile, it would have wasted 30 – 50 pieces of paper, when in the end, we used less than 4 pages.

I have attached a copy of the expense report we submitted on time. Again, it reflects what was spent by the entire slate printing mainly handbills that had every slate members name on it. As such, every slate member has submitted an expense report – this one, as they were well aware of the amount that was spent and how it divided equally amongst them as per the regulations.

As such, I feel the CRO's decision to withhold any part of what the KSA owes us to be unreasonable. The KSA has lowered the amounts candidates can get back to such a low amount, that we are already hardly getting anything back as opposed to what we spent. Members of the CSI team are not rich, and I myself spent about \$150 out of my own pocket in support of the team, with the understanding that I would get a chunk back from the KSA and then collect a bit more back from the individual members of the slate at a later date. The printing place was downtown, near where I live, and was very inexpensive, as such it made sense for me to get the printing done.

We have not violated the election rules, every member knew what was recorded on the expense report and agreed to have their name on it. So it abides by Regulation X 5 7 (i) and (vi).

Again, in light that there is no elections committee to appeal the ruling of the CRO to, I feel I have no other grounds but to appeal this issue to the ombudsperson.

Respectfully submitted,

Steven H. Lee

Witness Number 1 Name

Witness Number 1 Student Number

Witness Number 1 Signature

Witness Number 2 Name

Witness Number 2 Student Number

Witness Number 2 Signature