Ap

peal

Filed By: Alissandra Reed

Against: Supervisor of Elections

Date Appeal was Heard: October 20, 2013

Vice-Chair L. Hebb delivers the unanimous opinion of the Commission.

Ms. Reed brings before the Commission an appeal challenging the results of the election for senate seat 1 in the college of music. She requests that the Commission invalidate the results of the election for senate music seat 1 and that a new election is held.

The facts are as follows: An IT glitch occurred that disenfranchised over 100 students in the college of music. When these students in the Jurisdiction of college of music senate seat 1 tried to vote for a senate candidate they were not allowed to by the computer system. This glitch only affected certain students in the college of music and only on the ballot for senate seat 1 in the college of music. The margin in that election was only 14 votes. This glitch has since been corrected and the Commission has been assured that no other students were affected by the glitch.

Any time students are barred from voting in a particular election without a legitimate reason there is cause to ask for that election's result to not be certified and for another election to take place. When the number of students who were improperly barred from voting exceeds the margin of victory in the election it becomes unjust to certify those election results. In this case, if the students in question who were not allowed to vote had been allowed to vote, it is conceivable that the outcome of the election could be different. As such, it is in the interest of an equitable outcome that the current election results for music seat 1 not be certified and that a new election takes place as soon as possible where all eligible voters are allowed to vote.

Hence it is the opinion of this Commission that the election results for college of music senate seat 1 not be certified due to the disenfranchisement of certain voters in the college of music. Further we request that a new election be held for this senate seat. The Commission would also like to note that there is no evidence that this disenfranchisement was intentional or anything beyond an IT glitch that was beyond the control of the supervisor of elections. Also, there is no belief that this glitch affected the vote in any races besides music seat 1.

The appeal is sustained.