

Spring 2017 Violation 2: Lusaka v. Supervisor of Elections

C. Jacobs delivers the opinion of the Commission

I

Although Ms. Lusaka alleges several counts, the Elections Commission decided this case based on the timeline stipulated into evidence.

On February 8, 2017, at 11:46 a.m. Ms. Lusaka filed her candidacy. On February 9, 2017, at 10:11a.m. the Supervisor of Elections informed Ms. Lusaka that her candidacy was being questioned. On February 12, 2017, Ms. Lusaka received an e-mail instructing her to attend the candidacy meeting. On February 13, 2017 Ms. Lusaka was present at the candidacy meeting. That same day, the Supervisor of Elections received an advisory opinion from the Supreme Court instructing her that Ms. Lusaka should be disqualified from the ballot because she did not have a Vice – President candidate. On February 14, 2017 at 3:19 p.m. Ms. Lusaka received an e-mail informing her that her name would not be present on the ballot. February 15, 2017, Ms. Lusaka submitted her campaign budget statement. That same day, Ms. Lusaka filed an appeal challenging the validity of her name being taken off the ballot.

II

The Elections Commission decided the validity of this appeal by analyzing the powers and duties of the Supervisor of Elections. Section 703 (B) of the Student Body Statutes states in pertinent part, that:

[Supervisor of Elections shall] rule on qualifications within three academic days of the filing deadline, subject to final approval by the Elections Commission.

The filing deadline was February 8, 2017. The Supervisor of Elections informed Ms. Lusaka she was being disqualified on February 14, 2017 – four (4) academic days after the filing deadline. The Elections Commission holds that because the Supervisor of Elections did not rule on Ms. Lusaka’s qualifications until four (4) academic days after the filing deadline, the disqualification is null and void. Ms. Lusaka’s name shall appear on the ballot.