

14.1 Call to Order

14.2 Territory Acknowledgement

14.3 Acceptance of the Agenda

14.4 Acceptance of the Minutes:

14.4.1 Council Minutes: April 14, 2025

14.5 Reports:

14.5.1 Executive Directors' Report

- *Roland G. & Sameer I.*

14.5.2 Executive Updates

- *Executives*

14.6 Old Business:

14.6.1 Member in Bad Standing - Vrishank Prabhu

- *Jimmy W.*

14.7 New Business:

14.7.1 General Election Ratification

- *Sameer I.*

14.8 Open Forum

14.9 Adjournment

Reminders:

- Next Council Meeting: May 12, 2025
- Final Council Meeting: May 26, 2025

Executives: Jimmy Wang – President
Shervin Laghaie – Interim VP, Finance & Administration
Cora Bell – VP, External
Xavier Delaney – VP, Student Experience
Moksh Garg – VP, Equity and Sustainability
Greyson Dubé – Chair, School of Business & Media
Adam Matthews-Kott – Chair, School of Transportation, Construction, & the Environment
Russell Moy – Chair, School of Energy
Ja Mu Ku – Interim Chair, Health Sciences
Polina Omelyantseva – Interim Chair, Computing & Academic Studies
Eric Chau – Chair, Downtown Campus

Councillors: Ho Yin (Pedro) Cheng, Alliah Almendral, Zion Chan, Meehika Chadha, Prabjot Sabharwal, Denzel Mohamed, Oscar Gutierrez, Margaret Van Essen, Vikram Gill, Avra Parent, Yachana Jangra, Oceaan Pendharkar, Inez Yoon, Khushmeen Kaur, Tijana Radovic, Marisa Price, Sina Faraj Poor

Staff: Roland Gagel – Director of Finance; Interim Co-Executive Director
Sameer Ismail – Senior Advisor, Strategic Policy; Interim Co-Executive Director
Adam Beggs – Executive Assistant & Board Liaison

Regrets (E.): Geoff Vinod Pittappillil – Chair, Specialized Transport Campuses

Regrets (C.): Isabela Patarroyo Singh, Avneet Kaur, Wasawat (Matt) Joongjai, Erik Aloyan, Yan Yiu Li, Monica Sanchez, Bella McKimmie

Guests: Joseph Yuruk – Member
Pratham Pannu – Member
Vrishank Prabhu – Member
Ethan Van Dyk – Member
Fahad Doza – Member
Yui Nguyen – Member

14.1 Call to Order

The Chair, Jimmy Wang, calls the meeting to order at 17:37 (27 voting members).

14.2 Territory Acknowledgement

Shervin Laghaie acknowledges the territory the meeting is held on.

14.3 Acceptance of the Agenda

Motion:

Be it resolved that the agenda be accepted as distributed.

Moved by: Russell Moy

Seconded by: Polina Omelyantseva

Unanimous

CARRIED

14.4 Acceptance of the Minutes:

14.4.1 Council Minutes: April 14, 2025

Motion:

Be it resolved that the Council minutes from April 14, 2025, be accepted as distributed.

Moved by: Polina Omelyantseva

Seconded by: Shervin Laghaie

Amendment:

To replace "that has been cut" to "has eroded over time" within Cora's Executive Update.

Moved by: Cora Bell

Seconded by: Adam Matthews-Kott

17/1/8

CARRIED

Motion:

Be it resolved that the Council minutes from April 14, 2025, be accepted as amended.

Unanimous

CARRIED

14.5 Reports:

14.5.1 Executive Directors' Report

- Roland G. & Sameer I.

The Interim Co-Executive Directors provided a written report, as submitted.

Discussion:

- Once the awards committees have completed their selection process, a debrief will be held to determine why less applications were submitted this year and potential remedies.
- The federal election has concluded. Once the final numbers are released from Elections Canada, there will be a debrief to review how successful the on-campus voting was.
- Were there voting stations held at the specialty campuses? – No. Elections Canada chose to only host one on the Burnaby campus. The Association is looking to explore ways to communicate information to students about voting.

14.5.2 Executives' Updates

- Executives

The Executives provided verbal reports.

Greyson Dubé – Chair, School of Business & Media

- Brain Brawl has officially concluded for the season. Working to gather data to determine how successful the event was.

Xavier Delaney – VP, Student Experience

- Clubs committee meeting tomorrow at 16:30.

Cora Bell – VP, External

- Will provide a written report on the recent lobbying trip for the next meeting.

Jimmy Wang – President

- The end of year barbeque was attended by a few hundred students. The event was successful, and lots of food was handed out to students.

14.6 Old Business:

14.6.1 Member in Bad Standing – Vrishank Prabhu

- Jimmy W.

As submitted.

Motion:

WHEREAS the Association upholds values of honesty and integrity; and
WHEREAS the Member has been shown to defraud the Association and its Clubs:
NOW THEREFORE BE IT RESOLVED THAT pursuant to Bylaw 2.5 (b) and requiring a 2/3 vote, Council declares Vrishank Prabhu is no longer in good standing with the Association.

Moved by: Jimmy Wang

Seconded by: Geoff Vinod Pittappillil

14/7/6

CARRIED

Khushmeen Kaur – Councillor joined the meeting at 18:21 (28 voting members).

Discussion:

- The Member presented his perspective and explained the situation as he has experienced it, see attached. At the end of his term on the previous Board, he did not submit receipts for reimbursement totaling approximately \$2 200. The receipts were also not produced during the discussions with the Director of Finance or Controller. The Member's view that he is owed money from the Association prompted him to make the purchases at Geared Up to offset the amount he claims he is owed. The Member intends to pay back the money to Geared Up after he receives reimbursement for his purchases from last year.
 - The reimbursement is a separate issue that can handled separately. Since the Member has now submitted the receipts to the accounting department it will be handled by them.

- In the discussion with the Director of Finance, the reimbursement the Member claimed he was owed was \$1 800. It was made clear that without receipts, and approval of the VP Finance & Administration, reimbursements cannot be completed. There was no agreement made to move any funds to the BCIT Engineering Student Society (ESS).
- The statement read at the previous meeting by the Specialty Councillor, Marine Campus, was not written by the Member in question, it was provided by another source.
 - It is unclear if he is or is not currently a member of the Association.

Motion:

To call the question.

Moved by: Shervin Laghaie

Seconded by: Adam Matthews-Kott

14/2/12

CARRIED

The Chair called a recess at 18:50.

The meeting reconvened at 19:00.

14.7 New Business:

14.7.1 General Election Ratification

- Sameer I.

As submitted.

Motion:

Be it resolved that Council ratifies the results of the 2025 BCITSA Elections and that the following members of the Association are declared elected to the following offices for a term beginning June 1st, 2025, and ending May 31st, 2026:

President: Cora Bell

Vice President Finance and Administration: Adam Matthews-Kott

Vice President Student Experience: Pratham Pannu

Vice President External: Shervin Laghaie

Vice President Equity and Sustainability: Huy Tuan Tran

Chair of the School of Business and Media: Ethan Van Dyk

Chair of the School of Health Sciences: Ja Mu Ku

Chair of the School of Energy: Nina Lu

Chair of the Schools of Transportation, Construction and the Environment: Abdul Aziz Ansari

Chair of the School of Computing and Academic Studies: Polina Omelyantseva

Chair of the Specialized Transport Campuses: Marisa Price

Chair of the Downtown Campus: Elena Jou Luo

Moved by: not captured

Seconded by: not captured

17/3/3

CARRIED

Discussion:

- This election had the highest voter turnout in at least ten years. The U-Pass referendum is the only other recent instance of voter turn out of this size.
- During the campaign period there were several posters torn down by Campus Planning. In the future, they will be brought into communications regarding the election, postering, and the rules surrounding them.
- There is no answer yet as to how Reddit comments that were critical of some candidates and laudatory of others will be handled. Due to the anonymous nature of accounts on the site it is difficult to determine if the commenters were instructed to write the comments or if the candidates knew it was happening. It is also impossible to quantify the impact the comments had on the election.
- Why are some parts of the report blacked out? – One is related to a claim about safety. The remainder are provisional and still being discussed by the Elections committee.
 - The blacked-out items did not play a role in the actual decision making and the committee may still decision to adjust some of the redactions.

14.8 Open Forum

Notes.

Sameer Ismail – Senior Advisor, Strategic Policy; Interim Co-Executive Director

- The Association has put out a statement regarding the Lapu Lapu tragedy that occurred over the weekend. Resources are available to students through BCIT, the Association, and other organizations to support them.
 - Is it possible to setup a support group or session for the students that may have been affected by this? – This will be brought back to the Wellbeing team to determine feasibility and execution.

Greyson Dubé – Chair, School of Business & Media

- Regarding the bad standing resolution, how can a member return to good standing? – Bylaw 2.6: A Member in bad standing may be placed in good standing by Ordinary Resolution.

Jimmy Wang – President

- Are there any outstanding complaints in from the general election? – Yes. There are two outstanding matters that are still being handled, neither are outcome determinative. The Elections committee has requested to not discuss the matters yet.

Cora Bell – VP, External

- The Semi-Annual General Meeting will be held on May 26, 2025. Quorum for the meeting is 30 members. All students can attend and vote.

14.9 Meeting Adjournment

The meeting adjourned at 19:23.

Council Meeting Minutes

Tuesday, April 29, 2025
Council Chambers

Minutes Recorded by

Adam Beggs

Approved by Council on:

May 12, 2025

14.3 Be it resolved that the agenda be accepted as distributed.

14.4.1 Amendment to minutes: Replace "that has been cut" to "has eroded over time" within Cora's Executive Update.

14.4.1 Be it resolved that the Council minutes from April 14, 2025, be accepted as amended.

14.7.1 General Election Ratification: as presented.

14.6.1 NOW THEREFORE BE IT RESOLVED THAT pursuant to Bylaw 2.5 (b) and requiring a 2/3 vote, Council declares Vrishank Prabhu is no longer in good standing with the Association

Participant Name

Xavier Delaney	Yes	Abstain	Yes	No	No
Greyson Dubé	Yes	Yes	Yes	Yes	No
Prabjot Sabharwal	Yes	Yes	Yes	Yes	Abstain
Avra Parent	Yes			Yes	Yes
Yachana Jangra	Yes	Yes	Yes		
Ho Yin Pedro Cheng	Yes				
Russell Moy		Yes	Yes	Yes	Yes
Oscar Gutierrez	Yes	No	Yes	No	No
Eric Chau	Yes	Yes	Yes	Yes	No
Vikram Gill	Yes			Yes	Yes
Alliah Almendral	Yes	Yes	Yes	Yes	No
Oceaan Pendharkar	Yes	Yes		Abstain	Yes
Cora Bell	Yes	Yes	Yes	Abstain	Yes
Meehika Chadha	Yes		Yes		
Tijana Radovic	Abstain	Yes	Yes	Yes	No
Zion Chan	Yes	Abstain	Yes		Abstain
Sina Faraj Poor	Yes	Abstain	Yes	Yes	No
shervin laghaie	Yes	Yes	Yes	Yes	Yes
polina omelyantseva	Yes	Yes	Yes	Abstain	Yes
Adam	Yes	Yes	Yes	Yes	Yes
Jimmy Wang	Yes	Yes	Yes	Yes	Yes
Marisa Price	Yes	Yes		Yes	Yes
moksh garg	Yes		Yes	No	Yes
Margaret Van Essen		Yes	Abstain	Yes	Yes
Denzel Mohamed	Yes	Yes	Yes	Yes	Abstain
Ja Mu Ku	Yes	Yes	Yes	Yes	Yes
Khushmeen kaur				Yes	Yes

Executive Directors' Report for Council Meeting – April 29, 2025

Executive Directors/Director of Finance/Organizational activities of note

- Carpets in the Great Hall and SE2 3rd floor were steamed cleaned Easter Long Weekend
- Furniture upgrades for SA Center and Council Chamber have begun to arrive.
- Planning and building the 2025-26 Executive on-boarding and training plan for the summer and fall

Engagement

- The Engagement Team is planning a Student Engagement Forum on May 14. If you'd like to share your thoughts on events, prizes, giveaways, and more, we hope you can attend! Details to come.

- **Marketing and Communications**

- Guichon Creek **Salmon Release** with Childcare; check social for photos!
- **Instagram** follower count is at 5,643, **Facebook** is at 7000, and **LinkedIn** is at 5561
- Planning revamp and design of SA website
- Supporting and finalizing many projects and events before end of year

- **Events**

- **Brain Brawl** concluded last week on April 24 with an excellent crowd!
- **Jack of All Trades** was held last Friday April 25
- We are lining up sponsors and vendors next years events and bookings
- **Health Sciences Expo** is coming up on April 30!

- **Publications**

- **Golden Easel Award** - New award for Link student contributors, which recognizes the outstanding creativity of our contributors who handle graphic design and photography assignments for the magazine.
- **Silver Pen Award** - Long standing award for writing
- **The Link magazine** - Summer issue is currently in production and is scheduled for printing and distribution in mid-June.
- The hiring process for the new student Link staff is underway, with phone screenings currently taking place as the current team prepares for graduation.
- We are currently updating and refreshing the **Career Resource Guide**.
- The design process for the **Student Agenda** for the upcoming academic year has started. We have also begun the process of seeking printing companies to produce and deliver approximately 5,000-6,000 copies before the start of the school year.

Student Services

- **Entrepreneurship**

- **Awards:** Intake closed on April 22. The number of applications for the Set Rep Award doubled over last year (with 22), but application numbers for the other award categories were low and many students submitted incomplete applications. Our team will debrief the Awards process in June to understand what can be improved and changed in future years.
- **Student Initiative Fund:** The SIF committee just wrapped up meeting #5 of 6. One intake remains (May 19 deadline).
- **Trades Entrepreneurship Panel Event | Wed, May 14 1-2 PM at Habitat Pub |** Planning is still underway with much coordination with SOCE and Alumni Association. With logistics under control, the main focus is event promotions. All students and alumni (19+) are welcome to attend—please register if you are interested in meeting our expert tradespeople and business owners:
 - <https://www.bcit.ca/event/ask-an-expert-trades-entrepreneurship-panel/>

- **Career Services**

- **Specialty Campus Class Presentations** – More invitations for class presentations following the April Career Fairs. Caroline presented to classes at ATC and BMC, reaching 28 students, and she is scheduled for another session at ATC on April 28.
- **Health Sciences Expo | April 30, 2:30–6:30 PM** – Finalizing details for the Expo. 17 employers have signed up for the Career Fair in the Great Hall, and 10 professional associations and BCIT programs will participate in the networking session TownSquare D. 5 mini info sessions will be held in the Council Chambers.

- **Advocacy Services**

- The department welcomes Maxine, Advocacy Specialist

- **Wellbeing & Food Pantry**

- **Burnaby Food Pantry** (including weekly food hamper pick-ups)
 - Between April 14th and April 25th Students in Need: 211
 - Domestic: 82 International: 129
- **BBY Food Pantry PopUp @ BCIT's Pride on the Tools | April 23**
 - Total Attendance: 40
- **Number of students supported through Wellbeing Appointments between April 1st and April 25th: 17**
- **Go Green thrifting** event on April 30 | 12:30–3:30 PM | SW1

Childcare

- **Salmon Release – April 24** | Was an excellent day! Mark Angelo led the annual release of salmon fry in Guichon creek. Mark is BCIT alumni Instructor and instrumental in the restoration of Guichon creek. This is the 5th year that our children/staff participate to take part in the actual release of the fry into the creek.

Habitat Pub

Pub sales To	Apr 24, 2025	April 30 2024	Variance
○ Total	<u>\$ 49,400</u>	<u>\$ 66,100</u>	<u>(\$ 16,900)</u>
○ Food	\$ 15,800	\$ 22,400	(\$ 6,600)
○ Alcohol	\$ 20,900	\$ 29,900	(\$ 9,000)
○ Catering	\$ 9,500	\$ 10,400	(\$ 800)
○ Misc	\$ 2,900	\$ 3,400	\$ 500

- **Catering YTD** to end of April 24, 2025 – \$56.4k, 2024 – \$21.2k up \$35.2k
 - A number of bookings upcoming
- **Total Revenue YTD** April 24 2025 – \$450.5k, 2024 – \$431k, up \$19.5K
- **Brain Brawl Trivia** Thursday April 24th, 20 players!
- **Jack of All Trades** – April 25th 4pm to 6pm
- Live music coming **May 9th 2025** 4pm to 7pm

Retail

For the Month of:	Apr-2025		Sales Data to:	23-Apr	% of Sale Days for Month	
Total Business Days:	20		Days of sales:	15	75%	
Location	Transactions	Net Sales	Budget	% of Budget	Projection	Difference
Geared Up	432	\$ 28,700	\$ 29,500	97%	\$ 38,500	\$ 9,000
St Central	3,259	\$ 19,800	\$ 33,400	59%	\$ 26,500	\$ (6,900)
St South	6,469	\$ 40,600	\$ 44,700	91%	\$ 54,000	\$ 9,300
Geared Up@NE1	184	\$ 4,200	\$ 10,400	40%	\$ 5,500	\$ (4,900)
Print Shop	276	\$ 2,800	\$ 8,500	33%	\$ 3,500	\$ (5,000)
Total Retail Services locations	10,620	\$ 96,100	\$ 126,500	76%	\$ 128,000	\$ 1,500
Notes						
Print Shop Self-Serve for March is \$1560 (processed Apr.1st in Profitek) and is excluded from the total \$2,800 above.						
Comparable stats for April 2024	to April 30 - 21 bus. days					
Location	Transactions	Net Sales				
Geared Up	617	\$ 33,400				
St Central	4,848	\$ 29,200				
St South	7,036	\$ 42,300				
Geared Up@NE1	398	\$ 9,300				
Print Shop	379	\$ 4,700				
Total Retail Services locations	13,278	\$ 118,900				

- Both Geared Up and Stand Central stores, located in SE2, will be open late on April 30th to offer retail service in support of the event held in the Great Hall.
- Stand South in SE12 continues to offer longer hours on Monday-Thursday. In April-to-date, 4:00-6:00pm, the team served over 900 clients and earned \$6,500 in revenues.
- Stand Central team is supporting several catering events happening this week with coffee and fresh baked goods service, which will positively contribute to April revenues for this location.
- Geared Up in NE1 team has been collaborating with the instructors and recently received an order for drafting kits for ABT online class, which will positively impact April revenues for this location. The store will be open by appointments late next week to accommodate students from this online class.
- The Print Shop team has printed the following projects in April, which will positively contribute to the revenues for this location for this month:
 - BCIT ARSC graduation projects for the 4th year students and end of term projects for the 3rd year students;
 - Vinyl poster for an upcoming conference for Dr. David Halloway, Program Head, Academic Mathematics Department;
 - Project for Chemical and Environmental Technology;
 - The Print shop is in the process of receiving projects for SOE (School of Energy) Capstone 2025, which includes meeting with student groups and providing support with design.

2024-2025 Executive Objectives			Objectives	Report to Council Meeting Apr. 29, 2025 Update #14
Name	Position	#		
Jimmy Wang	President	1	Create and implement a 'Code of Conduct' for Student Executives & Councillors	
		2	Form a plan for new SA space for proposed new building - consult w/Executive Board, Council, Set Reps. Work in tandem w/VPX & Alumni Association	
		3	Implement Governance Review recommendations. Assist Bylaw Committee with Bylaws review and move items from Bylaws to Policy as necessary. Ensure all out of date policies are updated and reviewed.	
Shervin Laghaie	Interim VP, Finance & Administration	1	N/A	
Cora Bell	VP, External	1	Create a bursary for a student who must travel outside of the Lower Mainland for a mandatory practicum.	
		2	By the end of January, create and distribute a guide for Councilors about SA governance structure and the role of Council/Councilors.	
		3	Complete a full review of the current Bylaws and develop a comprehensive list of proposed amendments to recommend to the Bylaw Committee and Council.	

2024-2025 Executive Objectives			Objectives	Report to Council Meeting Apr. 29, 2025 Update #14
Name	Position	#		
Xavier Delaney	VP, Student Experience	1	Complete a revision of the clubs policy, along with ammendments and additions to the policy to be presented to Council. This policy should be under regular review henceforth to respond to the dynamic needs of clubs, as well as to maintain their engagement and longevity on campus.	
		2	Host two clubs forums with at least two thirds of general clubs participation.	
Moksh Garg	VP, Equity & Sustainability	1	To establish a dedicated bursary/award program at BCIT, providing financial support to a distinct group of students	
		2	As the Chair of the Equity and Sustainability Committees, my primary objective is to align BCIT with the United Nations Sustainable Development Goals (SDGs) and to foster equity throughout the campus.	
Greyson Dubé	Chair, School of Business & Media	1	Offer a tax clinic to students in collaboration with the VP of Finance and Administration	
		2	Increase foot traffic to the Habitat Pub by 10%	
Russell Moy	Chair, School of Energy	1	Host and support School of Energy related club events such as RC Classic.	
		2	Create a framework to streamline Set Rep meetings and improve Set Rep/instructor interactions.	
		3	Ensure that doggy destress day occurs on campus as well as other events to boost student morale.	

2024-2025 Executive Objectives			Objectives	Report to Council Meeting Apr. 29, 2025
Name	Position	#		Update #14
Polina Omelyantseva	Chair, School of Computing & Academic Studies	1	N/A	
Adam Matthews-Kott	Chair, Schools of Transportation, Construction & the Environment	1	Implement a student support phone line into the strategic plan. The phone / chat line will be operated by students and offer peer support as well as advice about services available to BCIT student.	
		2	Work with members of the Student Spaces Development Committee to develop community projects.	
		3	Collaborate with Greyson to increase pub traffic by at least 10%.	
Eric Chau	Chair, Downtown Campus	1	Increase the availability of student study spaces utilizing unused classrooms.	
		2	Provide more spaces for Student Association Events to be advertised	

2024-2025 Executive Objectives			Objectives	Report to Council Meeting Apr. 29, 2025
Name	Position	#		Update #14
		3	Smaller Objectives: More AED placements at DTC, disposable/compostable utensils for students and opening the gym earlier to match the time the building opens.	
Geoff Vinod Pittappillil	Chair, Specialized Transport Campuses	1	To advocate for the establishment of financial bursaries specifically tailored for international students across all BCIT Schools, aiming to alleviate the financial burdens associated with higher tuition fees, cost of living, and limited work opportunities. This initiative seeks to ensure equitable access to education, support student well-being, and enhance the overall academic experience for international students.	
		2	Transform the contemplation room at ATC into a vibrant student lounge featuring a gaming console, comfortable couches, and various recreational activities to enhance representation and awareness of SA services.	
		3	Redefine the ATC Councillor position into a Specialty Councillor role to address the significantly lower level of SA representation and the unique amount of work required at specialty campuses (ATC, BMC, and AIC). The goal is to develop a fully accessible and functional model similar to what exists at the Burnaby/Main Campus.	

DECISION NOTE

2025-04-02

PREPARED FOR: Council

PREPARED BY: President

ISSUE: Member in bad standing – Vrishank Prabhu

RECOMMENDED MOTION:

WHEREAS the Association upholds values of honesty and integrity; and

WHEREAS the Member has been shown to defraud the Association and its Clubs:

NOW THEREFORE BE IT RESOLVED THAT pursuant to Bylaw 2.5 (b) and requiring a 2/3 vote, Council declares Vrishank Prabhu is no longer in good standing with the Association.

BACKGROUND:

INCIDENT 1:

Vrishank Prabhu is currently a third year student in the School of Energy. He had previously served two years on the Board as the Chair, School of Energy. During last year's election cycle, he was disqualified for Bylaw violations.

On February 4th at approximately 1:04PM, Vrishank went to the GearedUp store and spoke with the retail clerk. He informed her that he would be charging a few items to the club (Engineering Student Society, ESS) account. The items that were purchased included various highlighters, notebooks, portfolios, pencils, and pencil leader. The amount totalled \$84.39.

On February 5th at approximately at 11:50AM, Vrishank once again made a visit to GearedUp. On this occasion, Vrishank purchased another portfolio, a hat, four clipboards, four scarves, and more stationary. The amount totalled \$282.84.

Vrishank had signed for the items as "VP Internal" of ESS. It is important to note that the VP Internal does not have signing authority within the club. He also wrote a note on the back of the transfer form thanking Roland as well as Anna, the Association Controller. He had never spoken

with either of them about this purchase, nor did they approve it. In sum, the retail value of the merchandise totalled about \$400 after accounting for the 10% Club discount.

When the internal transfer forms and receipts were forwarded to the Accounting department, Roland was approached and asked if he had approved the purchases, owing to the fact that the ESS club account only had \$25 and was therefore insufficient to pay for the merchandise.

Upon being made aware of this, Roland sought to determine if the President, Andrea Obnamia, and Treasurer, Faniel Yemane, had authorized Vrishank to make the purchases on behalf of ESS. They confirmed that they had not approved the purchase, nor had they authorized Vrishank to make the purchase.

Vrishank further stated to Andrea and Faniel that:

“this is a misunderstanding between him and Roland (I'm not sure) about funds. He [Vrishank] mentioned he talked with Roland about money SA owes him and since he can't physically claim a cheque, he wanted the funds to go into ESS. Vrishank said he cleared this up with you [Delaney] and/or Roland.”

There was indeed a conversation on or about January 8th, during which Vrishank entered the SA offices without permission. He had asked Roland some questions about expense reimbursements from his term as Chair, to which Roland replied that if he was owed money, SA would be happy to reimburse him, conditional on the expenses being reasonable and receipts being provided. He became agitated when Roland would not do as he requested.

INCIDENT 2:

In a separate but tangentially related incident, Vrishank alleged that there were expenses incurred in his role as Chair that came out of his pocket personally. Upon investigation, this claim turned out to be false. On April 8th, 2024, he was shown to be bragging about how SA paid for a bulk shirt purchase that he had made. Further communications with the SA Accounting department showed that a wire transfer had been made to the vendor; that is to say, Vrishank was never “out of pocket” on that expense.

Despite this, Vrishank approached a club executive on January 27th, 2025 alleging that SA had never reimbursed him for the shirt expense, which amounted to \$755.58. There was no proof of purchase provided.

On February 5th, Vrishank approached the club executive once again to request an update on the “shirt money”. When asked again for a receipt, he claimed that it would be in the “SA email” (Chair email) and that he would have to “look back at the [credit card] charge”, despite knowing that none existed.

There is a deeply disturbing trend of misrepresentation of his actions to both SA staff, fellow students, and clubs/club executives. Vrishank has demonstrated a trend of acting dishonestly with the goal of self enrichment and should be placed in bad standing with our organization as he cannot be trusted with Association business any longer.

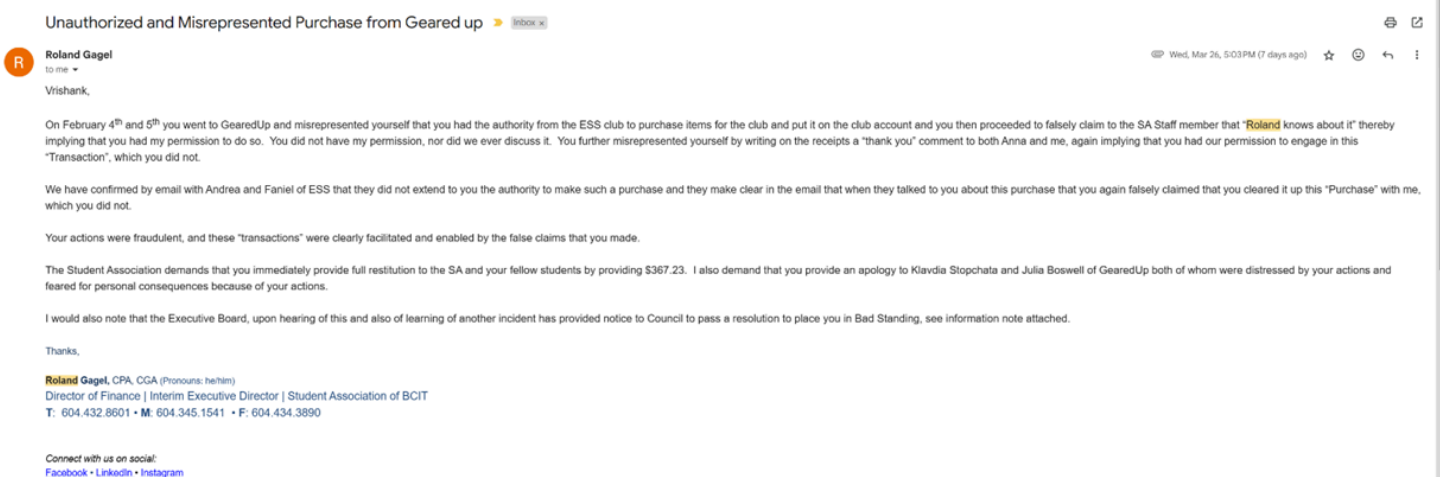


Figure 1: The sole communication I received regarding this notice, to my personal email rather than my BCIT email, where I expected official notice to go to.

I want to start this letter by genuinely apologizing for the stress and any anguish this situation has caused regarding the financial impact my actions have had on the Student Association's operations.

I do acknowledge that what I did completely messed up internal financial process flow between multiple moving parts in the organization between accounting, merch, finance and club procedures. This is something I have talked about to Anna and clarified on March 31st, only 5 days after the notice, when this motion was originally intended to go on floor.

The situation is as follows:

I am owed money from the Student Association due to me not submitting my reimbursements in my second term as Chair for the School of Energy. At the time where I was presented with defamation trials for my third term as Chair when the hearings overlapped DIRECTLY with my final exam timings. At the time, I was unable to find said reimbursements and I personally let go of recuperating them.

However, given the ESS' difficulties with accessing finances with the SA over the school year, I decided to pursue said reimbursements and have the funds that are owed to my credit card to instead go to the ESS account. When I approached Roland on this situation, my interpretation of the conversation was for me to create NEW expenses and submit those as reimbursements, and he would take care of the SA's backend processing of these expenses to fulfill the previous reimbursements I had made with my own money as Chair. future and new club expenses made as reimbursements, and my past expenses as Chair.

After my conversation with Roland, the purchases I made were never intended to be club EXPENSES, but rather serve as the reimbursement process, my intention of these expenses at Geared Up was to encourage and uplift the core team of executives running the ESS.

The decision note placed against me seems extremely retaliatory, given the personal battles I have had with the Student Association President, who one of my classmates in the BEng Electrical for 3 years, and has showcased a history of unhealthy, retaliatory decisions including attempts on impulsively impeaching numerous Board members.

1. The email and the way things are written out are unacceptable to a student, and come off extremely aggressive. This email from Roland was the first that I heard of the situation from the SA.
2. The situation in which I came to SE2 and spoke to Roland was nowhere as aggressive as the false evidence presented. I entered SE2 and asked to speak to Roland with pure patience and we came to a reasonable conclusion regarding the reimbursement decision - which evidently was misinterpreted on my end.
 - My mistake was not getting things in writing over e-mail, since it was verbal.
 - The aggression came from when our conversation shifted closer towards the topic of the SA's recent senior leadership management.
3. The ESS did not APPROVE this expense because it was not INTERPRETED from the club as a club expense. The staff at Geared Up simply asked me to put an account down for the expense, in which I said it was for the ESS, a club.

This situation has been escalated dramatically to the point of intervention with BCIT on Non-Academic policy violation. Being given less than a weeks notice on this situation right before finals is a pattern I have noticed from the current Association's leadership regarding political disputes. I've gained all that I could learn from my time with the Association, and now supporting student initiatives through clubs directly has proven to be a much more impactful way to engage with the student body.

Nonetheless, I do not believe I deserve to be put in bad standing at today's Council meeting.

BC Societies Act §70(3)(b) requires that before a member can be disciplined or expelled, the society must give the member a reasonable opportunity to represent themselves to the society. **A notice of only 7 days was given. BCITSA Bylaws §2.5(c)(i) provides 13 days as reasonable notice for putting a member in bad standing.** Furthermore, in the notice provided by Roland, no opportunity was presented to represent a case in defence, nor was the date and time of the Council meeting indicated (which was changed at the last minute from Monday to Wednesday).

As for the current meeting, I was again given no notice that this motion would be taking place today.

Thank you, all members of Council, for your consideration on this notice.

Vrishank

DECISION NOTE

April 29, 2025

PREPARED FOR:	BCITSA Council
PREPARED BY:	The BCITSA Elections Committee
ISSUE:	Ratification and report on 2025 Elections

RECOMMENDATION:

That Council adopt a motion to ratify the results of the 2025 BCITSA Elections, in accordance with Bylaw 5.10, in particular Bylaw 5.10(d).

MOTION:

Be it resolved that Council ratifies the results of the 2025 BCITSA Elections and that the following members of the Association are declared elected to the following offices for a term beginning June 1st, 2025 and ending May 31st, 2026:

President: Cora Bell

Vice President Finance and Administration: Adam Matthews-Kott

Vice President Student Experience: Pratham Pannu

Vice President External: Shervin Laghaie

Vice President Equity and Sustainability: Huy Tuan Tran

Chair of the School of Business + Media: Ethan Van Dyk

Chair of the School of Health Sciences: Ja Mu Ku

Chair of the School of Energy: Nina Lu

Chair of the Schools of Transportation, Construction and Environment: Abdul Aziz Ansari

Chair of the School of Computing and Academic Studies: Polina Omelyantseva

Chair of the Specialized Transport Campuses: Marisa Price

Chair of the Downtown Campus: Elena Jou Luo

(In this instance, members of Council named in the motion are encouraged to abstain.
Any such abstentions do not affect quorum, so long as they are recorded as abstentions)

SUMMARY:

Under the Bylaws, the members of the Executive Board are elected annually in the spring, and this occurred most recently in March and April 2025. The results of the election are, however, subject to ratification by Council. What this means is that Council agrees that the election was conducted fairly and

that the results should stand. It does not mean that Council is suggesting that everything ran perfectly, but rather that procedures were followed reasonably. **It does not mean that Council is expressing an opinion on whether or not individuals named in the motion should become Executives - that was for students to decide during the election. It further does not mean that Council is expressing an opinion on the results of any complaint or appeal – these were matters for the independent committees charged with that duty.**

The administration of BCITSA elections is a complex process including staff, the BCIT Registrar's Office, a Selection Committee of members of Council, and an independent Elections Committee and independent Appeals Committee, both composed of students at large who are not involved in the Association. Below is the Elections Committee's final report for Council.

REPORT ON THE SPRING 2025 ELECTIONS

Vol. 1

April 25th, 2025

Prepared by:
Kushal Kumar (Chief Returning Officer)
Christy Alibudbud (Deputy Returning Officer)
Elisei Odagiu (Deputy Returning Officer)
Sameer Ismail (Elections Administrator, non-voting)

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1. Introduction

2. Background

3. Timelines

4. Compliance

5. Decisions

6. Analysis

7. Conclusion

Appendix 1 - Detailed Results

Appendix 2 – Decisions of the Elections Committee

1. Introduction

The Elections Committee appreciates this opportunity to provide a detailed update to Council on the administration of the elections that took place earlier this spring. The Student Association plays a unique and indispensable role in representing all BCIT students, and the opportunity for members of the Association to elect their peers to lead the organization is an essential element in enabling the Association to fulfill its mandate.

The entire election, more or less, takes place over a five to six week period from late February to early April, although a great deal of planning goes into the process throughout the year. This report provides Council, and the members of the Association generally, an overview of what happened during those weeks, any challenges or decisions that the Committee was called upon to address, and some initial analysis and conclusions.

As it is that there are further issues that the Elections Committee is reviewing, but that do not implicate the results of the election, there will be a second volume submitted that deals with those issues.

2. Background

The election of Executives annually flows from the B.C. *Societies Act* requirements that registered societies have a board of directors, while the precise form of BCITSA elections is set out in the Bylaws of the Association. Briefly, these incorporate the following elements:

- The President and the four vice presidents are elected by all students, while seven Chair positions are elected by students at various schools and specialty campuses;
- Elections occur in the spring and Executives serve a one year term beginning June 1st;
- In order to be candidates, applicants must meet specific criteria or receive a conditional waiver of those criteria by the independent Elections Committee;
- Candidates are selected by way of a First Past the Post ballot, where the candidate who receives the greatest number of accepted ballots is elected;
- While day to day administrative matters are handled by the Elections Administrator and the BCIT Registrar's Office, any disciplinary or formal decisions are the responsibility of an independent Elections Committee;
- In order to enhance confidence in the system, decisions of the Elections Committee are reviewable by an Appeals Committee and are reported out to Council afterwards; and

- The Association is administratively neutral about the outcome of the election but is firmly committed to filling all positions and encouraging all students to participate.

3. Timelines

The nominations period ran from Friday February 21st to Monday March 7th. Consistent with the Bylaws, all students are given two weeks' notice prior to the close of nominations. Students are encouraged to apply through a variety of communication channels including email newsletters, posters and digital advertising, and individual recruitment.

After nominations close, BCIT assists the Association by verifying that all candidates meet the applicable criteria relating to student status, course load, and minimum GPA. This overlaps with the spring break, given that many students are away during that time and it is not an opportune time for campaigning by candidates anyways.

Campaigning begins on a staggered basis, when a candidate has completed their attendance at an All-Candidates Meeting. This predominantly happened on Thursday, March 20th, but in the case of a small number of candidates happened the following day. All such meetings were offered in a hybrid format, so that a variety of candidates could be accommodated. By March 20th, the Elections Committee had also finalized all decisions necessary to determine who was eligible to proceed as a candidate in the elections.

Voting took place between Monday March 24th and Friday April 4th, an extended period compared to previous years, though more or less identical to last year. Unlike some past elections, there was no overlapping BCITSA fee referendum, which likely had a negative impact on election turnout. On the other hand, more candidates ran in this election than in any time in recent memory, which had a positive impact on turnout, which was up substantially year over year.

Results were announced at 3:30pm on Friday April 4th, with clear winners being able to be announced in eight of the twelve positions. Credible complaints were pending in the other four, which might have been outcome determinative, and on that basis those results were withheld. Subsequent to the resolution of those complaints and any associated appeals, results for two further roles were announced on April 14th, with the remaining results for the final two positions announced on April 22nd. All candidates have a 24-hour period during which to file an appeal of the election results, along with a longer window for complaints related to certain forms of misconduct. Multiple such complaints were received and are discussed further below. These resulted in the disqualification of two candidates, but the total number of candidates seeking election allowed the runner-up in each contest respectively to be declared the winner. Finally, one candidate opted not to accept the role were they to have been declared the winner, and the runner-up in that position was therefore declared the winner.

4. Compliance

The Committee wishes to thank most candidates for participating in the election in an ethical and considerate manner. Ultimately, however, numerous complaints were received relating to candidate misconduct shortly before the deadline. These are discussed in Section 5 below.

In addition, there were a variety of minimal compliance issues that did not require disciplinary action. Most candidates submitted campaign materials in the proper way, and no candidate campaigned with unapproved campaign materials. However, there are always a few candidates who submit posters which need to be revised due to non-compliance. This is an administrative rather than a disciplinary matter, and is always resolved by the candidates. Indeed, the pre-approval process for campaign materials explicitly contemplates such scenarios and is designed to resolve such issues in a proactive manner.

That said, in this election some candidates went beyond the usual compliance-related issues and violated rules related to campaign materials. The context of these issues escalated what might ordinarily be administrative issues into disciplinary ones.

There was further an issue near the midpoint of the campaign period where a number of posters were inexplicably torn down. Regrettably, many candidates opted to seek remedies outside of the system established for resolving these issues. This led to unnecessary conflict. Some candidates went so far as to actively seek to undermine the faith of their colleagues in the election system, which was inappropriate, unproductive, and led to needless tension within the process. In the end, it emerged that the issue was not related to candidates, but instead to overzealous members of BCIT staff who were unhappy with the visual clutter of campaign posters. Action will be taken in advance of the next election to ensure that this situation is not repeated.

Furthermore, concerns were raised with respect to the use of Reddit accounts where the owners of those accounts did not make their identities public. Reddit is a platform that is anonymous by default. All three of the candidates for President were criticized to varying extents on Reddit. Two candidates complained about these accounts. However, it is important to note that the role of the Election Committee is to resolve complaints related to individuals bound by Bylaw 5. For the most part, these are candidates, though in the case of substantiated complaints related to Executives or staff, the Committee can investigate and submit its findings to Council or the SA's People & Culture department, respectively. In this case, no evidence was provided linking any account complained of to a person over whom the Committee had jurisdiction. Moving forward, the Association may wish to determine the extent to which it is practical to make further efforts to regulate the growing amount of anonymous, online content that is prevalent in campaigns.

No candidate overspent the limit, and all candidates submitted the required post-campaign paperwork to demonstrate their compliance with these rules.

5. Decisions

The Committee had before it three decisions relating to candidate eligibility. Two applicants did not meet the minimum requirements for GPA and therefore requested waivers of the rules. The Committee has the power to consider these waivers on a case-by-case basis and reach its decision based on whichever factors it deems most relevant.

In both instances, the Committee received a briefing on how best to apply the principles of due process and procedural fairness to this request. The Committee also received written waiver requests from each of the candidates in question. The Committee deliberated on its decision, and in each case decided that no further information was required from the individuals requesting waivers.

Ultimately, the Committee determined that it would waive the criteria in one instance, declined to issue a waiver in a second, and declined to consider the third application, as granting the waiver would have been contrary to another provision of the Bylaws. These decisions were communicated to the applicants by written decisions delivered in a timely manner.

The Committee further heard four consolidated complaints, related to various allegations. After careful review of each matter and deliberation, the Committee upheld one complaint in its entirety, upheld another in part while dismissing it in part, and dismissed others in their entirety. In two cases the respondents exercised their right to appeal the decision, which the Appeals Committee considered and ultimately denied.

6. Analysis

There were successes and shortcomings in this election, as with any election. The nominations process was considerably more successful than it has been in the past. This was the first time in three years where no positions were left unfilled, meaning that as it stands, there is no pending by-election.

The total number of applicants, 48, was double the goal of 24 (an average of two applicants per position), which had a positive impact on turnout. This number ultimately fell to 37 candidates as a result of withdrawals, as well as others who did not meet criteria to stand for election who ultimately opted not to seek a waiver. It appears that the number of students who participated in the elections increased substantially relative to last year. Much of this success can be attributed to a more robust approach to candidate recruitment, including at SA events held during the nominations period. Only one position was filled on an acclamation basis.

Some feedback has been received about the inability of students to revisit their ballots, which becomes an issue on the combined ballot for the positions of President and the Vice Presidents. In those situations, a student who casts a vote for one of those positions cannot return at a later date to cast the

others, and many are not aware of this. This likely led to a high abstention rate for some roles. We recommend that SA staff consult with the BCIT Registrar's Office to explore solutions to this issue.

Finally, feedback was also received regarding the fact that candidate biographies were not posted on the SA website prior to the start of voting, and that for a brief period of time, visitors to the elections page were greeted with information about the elections that included a link to biographies of current SA Executives, some of whom were candidates for election. Some items must be noted here for context, however – a deadline of one week in advance of poll opening was set to receive these biographies. No more than two candidates submitted their biographies by that deadline. The remainder did so at the end of that week, or over the weekend. At any given time, the Association's Marketing & Communications Department is supporting a number of initiatives, and sets aside time accordingly. When candidates disregard deadlines, they cannot expect to do so without consequence. In this case that meant that while the Association did its utmost to post all biographies in a timely manner, there was a brief delay. Had this information been submitted in a timely manner, there would have been no such issue. It must also be noted that the complaint related to information about current Executives being posted was not received until April 5th, the day after the end of voting, in spite of this matter being known to the Complainant at least since March 24th. Complainants have an obligation to make the Election Administrator aware of an issue in a timely manner so that action can be taken. By waiting until the conclusion of the election, there was no longer any ability to resolve the issue. The Association has run a number of elections with the same information posted, and has done so without any candidate expressing a complaint. Going forward, we recommend that the Election Administrator work with stakeholders to determine what the appropriate balance is between communicating with members about those who currently hold office, and ensuring as level a playing field as possible.

7. Conclusion

In sum, this was a positive election for the Student Association: participation was satisfactory and all positions were filled. That said, the dramatic increase in candidate numbers created a certain degree of chaos, and the increase in misconduct or questionable behaviours by some candidates has cast a shadow over the process. However, the process was both free and fair. All elections have shortcomings, but so long as processes are reasonably followed, this is not cause for undue alarm.

As highlighted in the *Analysis* above, there remains much work to be done. The Committee encourages the Association, especially incoming Executives and returning councillors and permanent staff, to explore additional ways of engaging BCIT students in governance year-round. In the long run, this can make BCITSA elections more competitive, increase participation, and strengthen the relationship that members have with their elected leaders.

Appendix 1 - Detailed Results

BCITSA Election Results 2025

President

BELL, Cora	303
DELANEY, Xavier	XX
YURUK, Joseph K	206

Vice President, Finance and Administration

MATTHEWS-KOTT, Adam	414
SINGH, Aryan	200
SINGH, Ashmeet	127

Vice President, Student Experience

YOVENDI, Grazielle Valenica	W/D
PANNU, Pratham	205

Vice President, External

LAGHAIE, Shervin	382
LAVALLÉE, Brandt	327

Vice President, Equity & Sustainability

CHIANG, Yi Chun	36
EMSRIKUL, Kumpooh	61
HO, Ronald	46
LEUNG, Hazel	300
MANKAR, Ronak Ganesh	114
MENKIS, Dean	288
TRAN, Huy Tuan	505

Chair, School of Business + Media

ALMENDRAL, Alliah Yzabel	XX
NGUYEN, Andy	57
VAN DYK, Ethan	119

Chair, School of Health Sciences

ABED, Shahd	28
KU, Ja Mu	80
PARENT, Avra	59

Chair, School of Energy

HARA, Taiyo	48
LU, Nina	108

Chair, Schools of Transportation, Construction, and the Environment

ANSARI, Abdul Aziz	52
FELFELIAN, Farzad	39

Chair, School of Computing and Academic Studies

BARTOO, Shivaun	66
BASI, Janek	25
GONZALES, Edro	96
HOANG, Linh	32
OMELYANTSEVA, Polina	186
ROMBOUT, Caley	56
ZHAO, Ziheng (Jerry)	27

Chair, Specialized Transport Campuses (PRICE, Marisa)

YES	19
NO	1

Chair, Downtown Campus

LU, Sandy	27
JOU LUO, Elena	73

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election - Fall 2025/2026 - All Students

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 1538 (6.3%) of 24441 electors voted in this ballot.

Which of the following candidates do you select for the position of President?

Option	Votes
Xavier Delaney	340 (40.0%)
Cora Bell	303 (35.7%)
Joseph Kaan Yuruk	206 (24.3%)

VOTER SUMMARY

Total	1538
Abstain	689 (44.8%)

Which of the following candidates do you select for the position of Vice President Finance and Administration?

Option	Votes
Adam Matthews-Kott	414 (55.9%)
Aryan Singh	200 (27.0%)
Ashmeet Singh	127 (17.1%)

VOTER SUMMARY

Total	1538
Abstain	797 (51.8%)

Which of the following candidates do you select for the position of Vice President External?

Option	Votes
Shervin Laghaie	382 (53.9%)
Brandt LaVallee	327 (46.1%)

VOTER SUMMARY

Total	1538
Abstain	829 (53.9%)

Which of the following candidates do you select for the position of Vice President Student Experience?

Option	Votes
Grazielle Valencia Yovendi	577 (73.8%)
Pratham Pannu	205 (26.2%)

VOTER SUMMARY

Total	1538
Abstain	756 (49.2%)

Which of the following candidates do you select for the position of Vice President Equity & Sustainability?

Option	Votes
Huy Tuan Tran	505 (37.4%)
Hazel Leung	300 (22.2%)
Dean Menkis	288 (21.3%)
Ronak Ganesh Mankar	114 (8.4%)
Kumpooh Emsrikul	61 (4.5%)
Ronald Ho	46 (3.4%)
Yi Chun Chiang	36 (2.7%)

VOTER SUMMARY

Total	1538
Abstain	188 (12.2%)



Election ID: 256368
To validate the authenticity of this
report please contact Simply
Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, School of Business + Media

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 326 (3.8%) of 8682 electors voted in this ballot.

Which of the following candidates do you select for the position of Chair, School of Business + Media?

Option	Votes
Alliah Yzabel Almendral	145 (45.2%)
Ethan Van Dyk	119 (37.1%)
Andy Nguyen	57 (17.8%)

VOTER SUMMARY

Total	326
Abstain	5 (1.5%)



Election ID: 256370

To validate the authenticity of this
report please contact Simply
Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, School of Health Sciences

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 168 (5.3%) of 3156 electors voted in this ballot.

Which of the following candidates do you select for the position of Chair, School of Health Sciences?

Option	Votes
Ja Mu Ku	80 (47.9%)
Avra Parent	59 (35.3%)
Shahd Abed	28 (16.8%)

VOTER SUMMARY

Total	168
Abstain	1 (0.6%)



Election ID: 256372

To validate the authenticity of this
report please contact Simply
Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, School of Energy

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 156 (6.1%) of 2552 electors voted in this ballot.

Which of the following candidates do you select for the position of Chair, School of Energy?

Option	Votes
Nina Lu	108 (69.2%)
Taiyo Hara	48 (30.8%)

VOTER SUMMARY

Total	156
Abstain	0 (0.0%)



Election ID: 256373

To validate the authenticity of this
report please contact Simply
Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, Schools of Transportation and Construction & the Environment

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 93 (1.3%) of 7202 electors voted in this ballot.

Which of the following candidates do you select for the position of Chair, Schools of Transportation and Construction & the Environment?

Option	Votes
Abdul Aziz Ansari	52 (57.1%)
Farzad Felfelian	39 (42.9%)

VOTER SUMMARY

Total	93
Abstain	2 (2.2%)



Election ID: 256374

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report please contact Simply
Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,

A handwritten signature in black ink that reads "Brian Lack".

Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, School of Computing & Academic Studies

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 497 (6.4%) of 7744 electors voted in this ballot.

Which of the following candidates do you select for the position for Chair, School of Computing and Academic Studies?

Option	Votes
Polina Omelyantseva	186 (38.1%)
Edro Gonzales	96 (19.7%)
Shivaun Bartoo	66 (13.5%)
Caley Rombout	56 (11.5%)
Linh Hoang	32 (6.6%)
Ziheng (Jerry) Zhao	27 (5.5%)
JaneK Basi	25 (5.1%)

VOTER SUMMARY

Total	497
Abstain	9 (1.8%)



Election ID: 256371
To validate the authenticity of this report please contact Simply Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, Specialized Transport Campuses

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 20 (2.0%) of 1014 electors voted in this ballot.

Do you support Marisa Price for the position of Chair, Specialized Transport Campuses?

Option	Votes
Yes	19 (95.0%)
No	1 (5.0%)

VOTER SUMMARY

Total	20
Abstain	0 (0.0%)



Election ID: 256376
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report please contact Simply
Voting at info@simplyvoting.com.

Apr 4, 2025

British Columbia Institute of Technology
3700 Willingdon Ave
Registrar's Office
Burnaby, BC
V5G 3H2 Canada

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

Results - BCITSA Executive Election 2025/2026 - Chair, Downtown Campus

Start: 2025-03-24 12:00:00 America/Vancouver

End: 2025-04-04 12:00:00 America/Vancouver

Turnout: 130 (4.2%) of 3098 electors voted in this ballot.

Which of the following candidates do you select for the position of Chair, Downtown Campus?

Option	Votes
Elena Jou Luo	73 (57.9%)
Sandy Lu	27 (21.4%)
Ramanpreet Kaur	26 (20.6%)

VOTER SUMMARY

Total	130
Abstain	4 (3.1%)



Election ID: 256375

To validate the authenticity of this
report please contact Simply
Voting at info@simplyvoting.com.

Appendix 2 – Decisions of the Elections Committee

Summary of Decisions

2025-01-03

The Complainants alleged that the Respondent's comments during the campaign amounted to defamation, as prohibited by BCITSA Bylaw 5.8(b). They also alleged that other statements made by anonymous accounts on Reddit may also have been defamatory, or posted by an Executive. The Election Committee determined that the comments made by the Respondent were not defamatory, and that there was no evidence connecting the anonymous comments either to the Respondent or to an Executive. The complaint was therefore dismissed.

2025-01-04

The Complainants alleged that three Respondents engaged in defamation, corrupt practices (aiding and abetting), solicitation of an endorsement from an Executive, impermissible endorsements by an Executive, and impermissible slating. The complaints of defamation were dismissed against all Respondents. As there was no evidence that the non-Executive Respondents had asked or sought in any way an endorsement from the Executive Respondent, the complaints of solicitation of an endorsement from an Executive were dismissed, as were all complaints of aiding and abetting.

With respect to the complaints of impermissible endorsements by an Executive, these were upheld by the Election Committee in three instances, as was a complaint of a violation of impermissible slating under Bylaw 5.8(c). A penalty of disqualification was imposed for each of the three instances of impermissible endorsement by an Executive, and a Letter of Reprimand ordered for the instance of impermissible slating.

2025-01-05

The Complainant alleged that the Respondent violated Bylaw 5.8(c) by posting campaign materials referencing multiple candidates. The Respondent conceded that they had posted the offending materials to their social media account, and further acknowledged that they should have sought advice but didn't. As the offence was aggravated by a message to other candidates, indicating in profane terms their lack of concern for compliance with the rules, the Election Committee imposed a penalty of disqualification.

2026-01-06

The Complainants alleged that the Respondents engaged in defamation and corrupt practices, primarily related to posters having been torn down, and also related to other campaign activities. The Election Committee found that the standard for a corrupt practice had not been reached, and that in context, the comments in question, while objectionable were not defamatory. Warning letters were directed to be issued to Respondents.

BCITSA ELECTIONS COMMITTEE

Before:

Kushal KUMAR, Chief Returning Officer (Presiding)

Christy ALIBUDBUD, Deputy Returning Officer

Elisei ODAGIU, Deputy Returning Officer

Advisor:

Sameer ISMAIL (Advocate Appointee)

Decision of: 09 April 2025

Xavier Delaney

Joseph Yuruk

(Complainants)

v.

Cora Bell

(Respondent)

File #: 2025-01-03

REASONS FOR JUDGMENT

I. INTRODUCTION

1. These are the unanimous reasons for the Judgment rendered by this Committee on 09 April 2025, in the matter brought by Xavier Delaney and Joseph K Yuruk, both candidates for the position of President, against Cora Bell, also a candidate for President, for what the Complainants allege are violations of BCITSA Bylaws pertaining to defamation.

2. For the reasons that follow, the Committee finds that the Respondent did not commit defamation.

II. BACKGROUND

3. Each year, the Student Association of the British Columbia Institute of Technology (the 'BCITSA') holds elections whereby the student population elects the Executive Board (the 'Board'), consisting of a President, four Vice-Presidents, and seven Chairs representing different academic schools and campuses within the British Columbia Institute of Technology ('BCIT') (individually 'Executives'). These elections must be conducted between the last week of March,

and the last school week in April¹. This year, the voting period of the campaign ran from 24 March 2024 until 04 April 2025.

4. The conduct of such elections is subject to various rules, including those governing the conduct of candidates in the course of the campaign. These are predominantly found in BCITSA Bylaw 5.8 and BCITSA Regulation 5.

5. Each candidate seeking to run for office is required to attend an All Candidates Meeting², the purpose of which is to ensure that candidates, whether they are running for the first time, or might be considered seasoned veterans of the process, receive information on the Bylaw and Regulatory provisions they should familiarize themselves, along with some common and/or noteworthy pitfalls that must be avoided. This includes admonitions related to defamatory conduct, and the independence of candidates from one another. Candidates are also admonished to read the relevant Bylaws and Regulations thoroughly, and to seek out the advice of the Election Administrator if they have questions.

6. In this case, all parties, having run in BCITSA elections in the past, had also previously attended such meetings.

7. It is alleged that the Respondent, in violation of Bylaw 5.8(b), defamed Complainant Delaney by mischaracterizing his role in the suspension and/or reinstatement of two Association-sanctioned clubs.

8. It is further alleged that the Respondent, in contravention of Bylaws 5.8(b), also defamed Complainant Yuruk by way of her discussion of events surrounding his termination as a Councillor, as well as his conduct with regards to the adoption of Association Policy EXT-12.

III. FACTS

9. The Elections Committee finds the following facts.

10. The Reddit screen name aroc33 is associated with the Respondent.

11. With respect to the allegations made by Complainant Delaney, the Election Committee finds the following facts.

12. At all material times, Complainant Delaney was Chair of the Clubs Committee.

13. The allegedly Defamatory Statement did refer to the Complainant.

14. The allegedly Defamatory Statement was not presented as a statement of fact.

¹ BCITSA Bylaw 5.1

² BCITSA Bylaw 5.8 and Regulation 5(12)

15. The allegedly Defamatory Statement might tend to lower Complainant Delaney's reputation in the eyes of a reasonable person.
16. The allegedly Defamatory Statement was made to at least one other person.
17. With respect to the allegations regarding the sufficiency of the reasons for termination made by Complainant Yuruk, the Election Committee finds the following facts.
18. The allegedly Defamatory Statement did not refer to the Complainant.
19. The allegedly Defamatory Statement was not presented as a statement of fact.
20. The allegedly Defamatory Statement would not tend to lower Complainant Yuruk's reputation in the eyes of a reasonable person.
21. The allegedly Defamatory Statement was made to at least one other person.
22. With respect to the allegations regarding the conduct of Complainant Yuruk with respect to Association Policy EXT-12, the Election Committee finds the following facts.
23. The allegedly Defamatory Statement did not refer to the Complainant.
24. The allegedly Defamatory Statement was, in part, presented as a question of fact.
25. The allegedly Defamatory Statement would not tend to lower Complainant Yuruk's reputation in the eyes of a reasonable person.
26. With respect to the allegations regarding statements made by accounts whose owners are unknown to the Parties, the Election Committee finds the following facts.
27. The Respondent does not own or control any of these accounts.
28. The Respondent is not aware of the identities of the owners of any of these accounts.
29. The Respondent did not, and could not, have directed or prevented the conduct of the owners of any of these accounts.

IV. ANALYSIS

30. We begin by noting that where we have found facts that together amount to a finding of defamation, the burden of proof (except where a defence may be raised) is with the Complainant, and the standard of proof is a preponderance of the evidence. In plain English, this

means that for the most part, the Complainant must prove that it is more likely than not that each element of an offence is true.

31. We begin with the text of the provision in question, which states that "defamation of another candidate or person, whether orally, via campaign materials or otherwise, shall be prohibited."³

32. The provision is broadly worded. The use of the words "or otherwise" in expanding the scope of the provision beyond traditional campaign materials further make clear that a defamatory statement need not be made in a manner that a voter might ordinarily associate with a campaign.

33. Considering this broad language, we find that the provision does apply to the alleged Defamatory Statements at issue in this complaint.

34. We proceed, therefore, by analyzing the statements made by the Respondent, in light of the factual findings and analysis listed above.

35. Defamation is a serious matter. Now, perhaps more so than ever before, a false statement made about another can travel far and wide before any effort at correcting the falsity can take effect. Meanwhile, the potential for harm multiplies.

36. As a result, previous BCITSA Councils, as well as the broader membership, took great pains to include incredibly broad prohibitions against defamation that extended beyond other candidates, and beyond campaign materials.

37. As we have in the past⁴, we find the general framework for defamation in British Columbia useful, and have chosen to use it here. For a defamation claim to be successful, the communication must: tend to lower the reputation of the subject in the eyes of a reasonable person, must refer to the subject, and must be communicated to at least one person other than the subject.

38. In conducting our analysis here, it should be noted that the authorship of some of the alleged Defamatory Statements was undisputed, while the authorship of others was, and is, unclear.

39. Our findings of fact in paragraphs 13-26 above indicate that we not are satisfied that each of the elements of defamation were present in any alleged Defamatory Statement clearly attributable to the Respondent.

40. To begin with, Complainant Delaney was the Chair of the Clubs Committee, and chaired a meeting where two clubs were suspended. While Complainant Delaney spoke at length about

³ BCITSA Bylaw 5.8(b)

⁴ *McGillivray v Prabhu* BCITSA Election Committee 2024-01-01, para 30

the fact that the motions in question were not presented by him, nor did he vote on them, neither of those questions are addressed in the alleged Defamatory Statements. Instead, the statement indicates that as Chair of the Clubs Committee, he had an obligation to ensure the Committee followed a procedure that was fair and appropriate. Furthermore, while Complainant Delaney alleges that the statement wrongly credits the President for resolving the situation, the statement in question refers to a sequence of events, where resolving the matter happened *after* complaints were made to the President, not *because* of that action. It was further caveated with an explicit acknowledgement of opinion, as it began with the words “[a]s I understand.”

41. In sum, we find that not only are some elements of defamation missing, the Respondent, through her choice of words, meets her burden on at least three defences: those of truth, fair comment, and responsible communication on matters of public interest.

42. Turning next to the allegedly Defamatory Statements regarding Complainant Yuruk, we begin with the statement related to his dismissal as a Councillor. It is important to distinguish here that if the comments made referred to *him* and *his* termination, such comments would clearly refer to him. However, in this case, the statements made by the Respondent came in the context of a discussion of the *letter*, authored by the Chair of the School of Energy, that warned of the potential termination of Complainant Yuruk from his role as Councillor, and whether or not that letter provided sufficient reasons for such a course of action. As the comments were about the sufficiency of a letter, they could certainly be seen to refer to the Chair of the School of Energy, who was the author of the letter, but they do not refer to Complainant Yuruk.

43. In most situations, discussion of a person’s alleged conduct, as it related to a person’s termination, would tend to lower that person’s reputation in the eyes of a reasonable person. However, this conversation did not relate to any specific misconduct on the part of Complainant Yuruk. Instead, it referred to whether or not he received sufficient reasons leading up to his termination. It is possible that even in this case, such a discussion might tend to lower that person’s reputation in the eyes of a reasonable person, but we do not find that fact to have been proven here.

44. We do find that the allegedly Defamatory Statement in question was made to at least one other person.

45. Once again, with respect to this allegedly Defamatory Statement, as the key elements of defamation are not all present, we need go no further. However, once again, in this case at the very least the Respondent would rebut any presumption of defamation, given that the comments made would satisfy the standard for fair comment and reasonable communications on matters of public interest.

46. Moving to the second allegedly Defamatory Statement relating to Complainant Yuruk, this relates to Association Policy EXT-12. It is important to note that this comment was made in the context of criticisms about process and the online environment made by another student. It should be noted then that neither the words nor the context suggest that reference was made

specifically to Complainant Yuruk. Rather, we find that the reference made was to the overall process before Council. This is supported by use of terms related to Council's process: the fact that nothing occurred *in camera*, the threshold required for adoption of the Policy, etc.

47. We also find that given that there was no reference to Complainant Yuruk here, that it has not been established that the allegedly Defamatory Statement would tend to lower Complainant Yuruk's reputation in the eyes of a reasonable person.

48. Finally, we find that the allegedly Defamatory Statement was made to at least one other person.

49. Here, as throughout our decision, as we have found that not all elements of defamation were present, the allegation must fail. However, once again, given the context of the statement, even if the elements of defamation had been present, the Respondent would meet her burden on three defences: truth, fair comment, and reasonable communications on matters of public interest.

50. Turning to the anonymous accounts, it is important to note that some jurisdiction must be established for this Committee to consider a complaint. At a minimum, we would require a finding that some person regulated by the Elections Bylaws or Regulation was responsible for the anonymous statements that were made. No evidence was presented by either Complainant to provide such a link. While some suspicions were raised, none were substantiated and this process is not designed to involve the expenditure of large sums of money on expert witnesses who might be able to engage in analysis of writing styles, for example.

51. Given that the Respondent herself was quite frank in her own comments, we are not persuaded that it is likely that she was herself responsible for any of these anonymous accounts. Furthermore, as no burden has been met that would demonstrate her knowledge of the identity of the owners of such accounts, nor any ability to direct such owners, we have no jurisdiction to inquire further at this time, though the Committee did attempt to ascertain the identities of the owners of two accounts.

52. The Respondent raised an allegation that the complaints made against her were made in bad faith. It is unclear whether or not this statement was meant to be a counter complaint. That being said, the threshold required to establish a malicious complaint is a high one, and it is not met here.

53. It is important for candidates for election to realize that while it may be their wish that campaigns focus on platforms and issues, their opponents are entitled to discuss matters that are less comfortable. Democracy requires that latitude be given to permit those debates. This may involve individuals being portrayed in a light they would not choose for themselves. It must be stated that on its own, this is not sufficient to prove defamation. In an election, a candidate's record is considered fair game for discussion. This happens in elections across Canada.

V. THE COMMITTEE'S GENERAL JURISDICTION

54. The Committee has general responsibility for the interpretation and enforcement of the Elections Bylaw and any Regulation adopted pursuant thereto⁵.

55. The Committee is the only body authorized to hear election-related complaints filed during an election period.⁶

VII. CONCLUSION AND ORDERS

56. For the foregoing reasons, the Committee hereby orders that the Complaint be dismissed in its entirety.

"Kumar, K."
"Alibudbud, C."
"Odagiu, E."

⁵ Bylaw 5.17(a)

⁶ Bylaw 5.17(d)

BCITSA ELECTIONS COMMITTEE

Before:

Kushal KUMAR, Chief Returning Officer (Presiding)

Christy ALIBUDBUD, Deputy Returning Officer

Elisei ODAGIU, Deputy Returning Officer

Advisor:

Sameer ISMAIL (Advocate Appointee)

Decision of: 09 April 2025

John Doe
Dean Menkis
(Complainants)

v.

Xavier Delaney
Huy Tuan Tran
Joseph K Yuruk
(Respondents)

File #: 2025-01-04

REASONS FOR JUDGMENT

I. INTRODUCTION

1. These are the unanimous reasons for the Judgment rendered by this Committee on 09 April 2025, in the matter brought by John Doe (a member of the BCIT community) and Dean Menkis (a candidate for the position of Vice President, Equity and Sustainability) ('the Complainants'), against Xavier Delaney and Joseph K Yuruk, both candidate for the position of President, and Huy Tuan Tran, a candidate for the position of Vice President, Equity and Sustainability ('the Respondents') for what the Complainants allege are violations of BCITSA Bylaws pertaining to defamation, impermissible slating, aiding and abetting, and soliciting and receiving prohibited endorsements.

2. For the reasons that follow, the Committee finds that the complaint against Respondent Delaney is upheld in part, and dismissed in part.

3. For the reasons that follow, the Committee finds that the complaint against Respondent Yuruk is dismissed in its entirety.

4. For the reasons that follow, the Committee finds that the complaint against Respondent Tran is dismissed in its entirety.

II. BACKGROUND

5. Each year, the Student Association of the British Columbia Institute of Technology (the 'BCITSA') holds elections whereby the student population elects the Executive Board (the 'Board'), consisting of a President, four Vice-Presidents, and seven Chairs representing different academic schools and campuses within the British Columbia Institute of Technology ('BCIT') (individually 'Executives'). These elections must be conducted between the last week of March, and the last school week in April¹. This year, the voting period of the campaign ran from 24 March 2024 until 04 April 2025.

6. The conduct of such elections is subject to various rules, including those governing the conduct of candidates in the course of the campaign. These are predominantly found in BCITSA Bylaw 5.8 and BCITSA Regulation 5.

7. Each candidate seeking to run for office is required to attend an All Candidates Meeting², the purpose of which is to ensure that candidates, whether they are running for the first time, or might be considered seasoned veterans of the process, receive information on the Bylaw and Regulatory provisions they should familiarize themselves, along with some common and/or noteworthy pitfalls that must be avoided. This includes admonitions related to defamatory conduct, the independence of candidates from one another, and the perils of endorsements by Executives. Candidates are also admonished to read the relevant Bylaws and Regulations thoroughly, and to seek out the advice of the Election Administrator if they have questions.

8. In this case, Respondent Delaney, the sitting Vice President, Student Experience, was running for election as President, and had previously attended multiple All Candidates Meetings. Respondent Tran was a new candidate. Respondent Yuruk had run in at least one by-election, and was a former member of Council.

9. It is alleged that Respondent Delaney, in violation of Bylaw 5.8(i), was observed engaged in campaign activities with Respondent Tran, at different times and in different places. It is further alleged that, in violation of Bylaw 5.8(i), Respondent Delaney was observed to declare in the presence of voters that he had voted for a candidate for the position of Vice President, Student Experience, effectively endorsing that person to be his successor. It is also alleged that he was a participant in a Discord chat where he endorsed Respondent Yuruk's comments regarding Cora Bell, the only other candidate for President, and in doing so implicitly made an alternate endorsement, also in violation of 5.8(i).

¹ BCITSA Bylaw 5.1

² BCITSA Bylaw 5.8 and Regulation 5(12)

10. It is alleged that Respondent Delaney, in violation of Bylaw 5.8(b), by endorsing Respondent Yuruk's comments regarding Ms. Bell, also engaged in defamation.

11. It is further alleged that Respondent Delaney in contravention of Bylaw 5.8(c), posted or caused to be posted on LinkedIn an endorsement made by Bobby Davison, endorsing a slate of candidates.

12. It is further alleged that in assisting other Respondents with their alleged violations of Bylaws, that Respondent Delaney contravened the aiding and abetting prohibitions in Bylaw 5.8(n).

13. It is alleged that Respondent Tran violated Bylaw 5.8(j) by campaigning with Respondent Delaney, and that he further violated Bylaw 5.8(n) by aiding and abetting Respondent Delaney in his alleged violation of Bylaw 5.8(i).

14. It is alleged that Respondent Yuruk violated Bylaws 5.8(c), (d), and (e) by campaigning with Respondent Delaney, violated Bylaw 5.8(b) by making defamatory comments about Cora Bell, and that in working in concert with Respondent Delaney to violate the Bylaws, that he further violated bylaw 5.8(n) as well as Bylaw 5.8(i).

III. FACTS

15. The Elections Committee finds the following facts.

16. The Discord screen name Zavié (zavie) is associated with Respondent Delaney.

17. The Discord screen name [REDACTED] is associated with Respondent Yuruk.

18. The Discord screen name Deano is associated with Complainant Menkis.

19. The Discord screen name TheCoolBobster is associated with Bobby Davidson.

20. The Discord screen name busy. (bussiest) is associated with Grazielle Valenica Yovendi, a candidate for Vice President, Student Experience.

21. Respondent Delaney did campaign with Respondent Tran.

22. With respect to the Discord chat statements 'ABC' and [REDACTED] the Committee finds the following.

23. The comments did refer to Ms. Bell.

24. The comments would not tend to lower Ms. Bell's reputation in the eyes of a reasonable person.

25. The comments were made to at least one other person.

26. The comments were made publicly.

IV. ANALYSIS

27. We begin by noting that in our proceedings, the burden of proof (except where a defence may be raised) is with the Complainant, and the standard of proof is a preponderance of the evidence. In plain English, this means that for the most part, the Complainant must prove that it is more likely than not that each element of an offence is true.

28. Our analysis commences with the allegations against Respondent Yuruk. The allegations against him are based entirely on his use of the term 'ABC' which Respondent Delaney concedes meant 'Anyone But Cora' and further use of a term [REDACTED] which Respondent Delaney concedes meant, and that he understood to mean [REDACTED]. Nothing in that phrase is suggestive of action on his part to solicit Respondent Delaney's endorsement, and we therefore find that the Complainant has not met their burden of proof.

29. Moving to the question of defamation, we begin with the text of the provision in question, which states that "defamation of another candidate or person, whether orally, via campaign materials or otherwise, shall be prohibited."³

30. The provision is broadly worded. The use of the words "or otherwise" in expanding the scope of the provision beyond traditional campaign materials further make clear that a defamatory statement need not be made in a manner that a voter might ordinarily associate with a campaign.

31. Considering this broad language, we find that the provision does apply to the alleged Defamatory Statements at issue in this complaint.

32. We proceed, therefore, by analyzing the statement made by Respondent Yuruk, in light of the factual findings and analysis listed above.

33. Defamation is a serious matter. Now, perhaps more so than ever before, a false statement made about another can travel far and wide before any effort at correcting the falsity can take effect. Meanwhile, the potential for harm multiplies.

34. As a result, previous BCITSA Councils, as well as the broader membership, took great pains to include incredibly broad prohibitions against defamation that extended beyond other candidates, and beyond campaign materials.

³ BCITSA Bylaw 5.8(b)

35. As we have in the past⁴, we find the general framework for defamation in British Columbia useful, and have chosen to use it here. For a defamation claim to be successful, the communication must: tend to lower the reputation of the subject in the eyes of a reasonable person, must refer to the subject, and must be communicated to at least one person other than the subject.

36. In conducting our analysis here, it should be noted that the authorship of the alleged Defamatory Statements was undisputed.

37. Our findings of fact in paragraphs 21-23 above indicate that we not are satisfied that each of the elements of defamation were present in the alleged Defamatory Statement.

38. To begin with, we do find that the comments in question did refer to Ms Bell. Respondent Delaney readily conceded that this was an existing joke. Given that this admission was contrary to his own interests, we find it credible.

39. We do not find, however, that the comments in question would tend to lower the reputation of Ms. Bell in the eyes of a reasonable person. While they were certainly inappropriate in their nature, that might say more about the individuals who made and agreed with the remarks, rather than the person the remarks referred to.

40. Finally, we do find that the remark was made to at least one other person.

41. In this case, with the elements of defamation not met, this claim is dismissed with respect to Respondent Yuruk. Further, as the elements of the offence are not met, it follows that this claim must also be dismissed with respect to Respondent Delaney, as must any claim of aiding and abetting related to defamation.

42. However, the analysis of the 'ABC' and [REDACTED] claims does not end with defamation. We must now turn to allegations that Respondent Delaney violated Bylaw 5.8(i). We begin with the provision in question, which reads "except in cases of self-endorsement, no current Executive or BCITSA employee shall publicly endorse any candidate for any office in a general election."⁵

43. We must determine the purpose of this Bylaw provision, as well as the meaning of two terms in this Bylaw provision, namely the words 'publicly' and 'endorse'. This Committee is bound both by its own past decisions and those of previous Appeals Committees.⁶

⁴ *McGillivray v Prabhu* BCITSA Election Committee 2024-01-01, para 30

⁵ BCITSA Bylaw 5.8(i)

⁶ BCITSA Bylaw 5.17(i)

44. We are guided therefore in interpreting these terms by a previous decision of this Committee, which has been relied upon in one form or another by every Election Committee since 2017.⁷ That decision makes clear that the Election Committee, in making its decisions, must not look merely at dictionary definitions of words on paper, but more broadly to the purpose that the Association sought to achieve both in terms of the Election rules as a whole, and when adopting a specific provision or provisions.

45. The clause in question exists for a straightforward purpose: to ensure that Executives do not use the power of their incumbency to create any impression that they are distorting the democratic process to seek to elect individuals other than themselves. This is not meant to be limited simply to their choice of words, but more holistically to their actions.

46. Beginning with the term 'publicly' we find that the term is not meant to reference a closed group of individuals. Were this to be the case, an endorsement would be made in an invitation-only group chat could have a thousand participants, but would still not be considered to violate the Bylaws. That was clearly not what this provision intended. Rather, we find that an endorsement is public when it happens in anything other than a conversation with a single voter.

47. To the term endorse, again, we do not find that the term is meant to reference explicit use of the words 'I endorse' or 'I support.' Rather, we find precisely what candidates have been told for nearly a decade: that any action, whether implicit or explicit, that would lead a reasonable observer to conclude that an Executive was supportive to some extent of a person's candidacy.

48. Bearing this in mind, we turn to the conduct alleged regarding Respondent Delaney with respect to Bylaw 5.8(i). In the early hours of March 28th, Mr. Delaney participated in a group chat created ostensibly for the purposes of discussing a response to the widespread removal of campaign posters. Mr. Delaney suggested that it was understood, on the basis of previous messages within that group chat, that all participants had voted, and therefore his comments could not have impacted any votes.

49. However, this defence must fail for a number of reasons. First, the Bylaw in question does not just exist to prevent actual distortion of the process, but to avoid the appearance of the same. Next, subsequent users added to a Discord group may under some circumstances be able to view the entire chat history, which appears to be the case here. Third, having reviewed the history of the group chat from its creation until the time Respondent Delaney made his remarks, at no time did anyone discuss who had or had not already voted. In any event, the Bylaws do not suggest that an Executive can publicly endorse another candidate, provided that they are subjectively satisfied that the entirety of the audience has voted. Rather, they set out a clear standard, a standard that Respondent Delaney violated.

⁷ *Doe v. Baryshnikov* BCITSA Election Committee 2017-02-01 para. 20-23

50. Moving to the substance of the allegations related to the group chat, the first question is whether or not the 'ABC' statements amounted to an endorsement. Respondent Delaney suggests that he could not have endorsed Mr. Yuruk, as he wished to win the Presidency himself. However, it is not uncommon for those who make endorsements to support multiple candidates, for the same office. Similarly here, we find that Respondent Delaney was effectively making a fallback statement that suggested that where he might be unable to win someone's support, that they ought to support Mr. Yuruk rather than Ms. Bell. This fallback endorsement is still prohibited. Respondent Delaney's final defence that he was just joking is unpersuasive, and we are certainly troubled by casual joking about [REDACTED]. We find that this behaviour violated Bylaw 5.8(i).

51. The second allegation related to the group chat relates to the alleged endorsement of Grazielle Valenica Yovendi for the position of Vice President, Student Experience, the role Respondent Delaney currently holds. At 12:19 AM on March 28th, Respondent Delaney stated to Ms. Yovendi "Okay, so I am keeping student experience till May 31 then I'll be Pres and you take my position." This was followed at a future date with multiple references in the same group chat on March 31st at 9:31 PM and 9:33 PM, whereby Respondent Delaney further discussed that he had voted for Ms. Yovendi, jokingly suggesting that he wished to take back his vote. Respondent Delaney denied he had ever discussed in the group chat who he had voted for, but the screen shots tell a different story. The fact that Respondent Delaney also deleted those comments from the Discord group chat late last week is deeply concerning to us, as it constitutes the destruction of evidence we required to do our job. Fortunately, both screen shots and other records exist and are in our possession. Respondent Delaney's testimony being contradicted by the facts, we do not credit his denial here. We find that the evidence provided supports our finding that Respondent Delaney violated Bylaw 5.8(i) through his implicit endorsement of Ms. Yovendi.

52. The final allegation related to the improper endorsement of Respondent Tran, a candidate for Vice President, Equity and Sustainability. Respondent Delaney showed the committee his ballot to demonstrate he had not in fact voted for Respondent Tran. However, as mentioned throughout this decision, perception is every bit as important as reality here. The question we must consider is what a reasonable bystander would have understood. Respondent Delaney, himself a sitting Executive, did not have to speak with voters side by side with another candidate in the SE2 food court. He did not have to accompany Respondent Tran to classes to speak there. These were both choices Respondent Delaney made himself. By his own admission, he prioritized convenience over the rules governing the integrity of the process. We find that Respondent Delaney violated Bylaw 5.8(i) by campaigning with Respondent Tran.

53. Finally, we turn to the allegation that Respondent Delaney violated Bylaw 5.8(c) by sharing or causing to be shared a LinkedIn post authored by Bobby Davidson that endorsed a full slate of candidates for the BCITSA Executive. The text of Regulation 5, Paragraph 5 makes clear that social media posts are campaign materials. It cannot be the case that by sharing materials rather than authoring them creates immunity from the Bylaws. The outcome of such an understanding would be absurd. Every candidate could have a friend create materials that violated the rules,

and then simply share those materials, casting blame on the person who created them. We do not accept that the Bylaws could ever sanction such an interpretation.

54. Here, Mr. Delaney seeks to excuse his conduct by suggesting he wasn't paying attention, and that he thought he was sharing a post that only endorsed him. Admittedly, such a post did exist. At some point between 5:00 PM on April 4th, and the morning of the meeting, Respondent Delaney deleted the post. When asked about this, he indicated that he had made the decision to transition his LinkedIn profile away from his campaign and back to a professional posture. However, he left up another LinkedIn post with his campaign voting poster. We therefore find this explanation unpersuasive, and remain concerned that as with comments related to Ms. Yovendi, efforts might have been made by Respondent Delaney to conceal his conduct, though we make no finding to that effect. Regardless, we find that Respondent Delaney violated Bylaw 5.8(c).

55. Turning to the allegations against Respondent Tran, his testimony was consistent with that of Respondent Delaney, namely that Respondent Tran was campaigning on his own, and Respondent Delaney joined him. No evidence was presented that suggested that Respondent Delaney advised Respondent Tran in advance of any plan to campaign with him. We find that the burden of proof is not met to establish a violation of Bylaw 5.8(j).

56. Consequently, as there was no violation of Bylaw 5.8(j) on the part of Respondent Tran, and there is no evidence before us that he sought to assist any person in violation of the Bylaws, we also find that the burden of proof is not met to establish a violation of Bylaw 5.8(n).

V. SANCTIONS

57. We begin by discussing the factors the Committee is required to consider when determining sanctions for misconduct. These were first laid out by the Election Committee in 2017⁸ and we remain bound by them today⁹.

58. In sum, where the Committee possesses discretion as to the form or severity of the sanction to be imposed for misconduct, principles of fairness require us to consider certain factors: effectiveness and proportionality. Balancing these factors requires us to consider the usefulness of a sanction in remedying an infraction, denouncing misconduct, deterring future misconduct, and also ensuring that the severity of the sanction bears a reasonable relationship to the severity of the infraction itself.

59. Bearing this in mind, as regards Respondent Delaney, his misconduct as outlined in Paragraph 7 was egregious, and risks being seen by the public as an abuse of his incumbency as an Executive. Furthermore, it took place not once, not twice, but three times. This conduct is aggravated by Respondent Delaney's lack of candour, and by his destruction of evidence

⁸ *Doe v. Baryshnikov* BCITSA Election Committee 2017-02-01 para. 27-28

⁹ BCITSA Bylaw 5.17(i)

material to our investigation. Considering the factors above, sanctions such as a letter of reprimand do not suffice to remedy the infraction, denounce the misconduct, or to deter future misconduct. The severity of the infractions, and the fact that they were repeated, leave this Committee with only one appropriate response, namely disqualification.

60. In respect of the first violation of Bylaw 5.8(i), we direct that Respondent Delaney be disqualified.

61. In respect of the second violation of Bylaw 5.8(i), we direct that Respondent Delaney be disqualified.

62. In respect of the third violation of Bylaw 5.8(i), we direct that Respondent Delaney be disqualified.

63. Proceeding to the misconduct outlined in Paragraph 9, and weighing the same factors as noted above, we find that a lesser penalty is warranted here. Here, the issue of a potential abuse of office is not a factor for us to weigh, and we find that Respondent Delaney is somewhat less culpable here. It should be noted that there was an endorsement post from the same author that only endorsed him, and that it was open to him to share that post.

64. We must stress that we are deeply concerned by the pattern of conduct we have witnessed, where numerous violations have been justified by excuses of jokes, carelessness, and the like. The Committee cannot, and does not, permit these to excuse conduct that plainly violates rules meant to ensure a free and fair election.

65. In respect of the violation of Bylaw 5.8(c), we direct that a Letter of Reprimand be issued to Respondent Delaney.

66. While Respondent Tran did not directly violate the Bylaws, we do find that he fell short of expectations by not reporting Respondent Delaney's conduct. We direct that a warning letter be issued to him, reminding him of his obligations.

V. THE COMMITTEE'S GENERAL JURISDICTION

67. The Committee has general responsibility for the interpretation and enforcement of the Elections Bylaw and any Regulation adopted pursuant thereto¹⁰.

68. The Committee is the only body authorized to hear election-related complaints filed during an election period.¹¹

VII. CONCLUSION AND ORDERS

¹⁰ Bylaw 5.17(a)

¹¹ Bylaw 5.17(d)

69. For the foregoing reasons, the Committee hereby orders that with respect to the allegations against Respondent Yuruk, the Complaint be dismissed.

70. For the foregoing reasons, the Committee hereby orders that with respect to each of the violations of Bylaw 5.8(i) on the part of Respondent Delaney, and with respect to the violation of Bylaw 5.8(c), the Complaint be upheld, but that for any remaining allegations against Respondent Delaney, the Complaint be dismissed.

71. Pursuant to our analysis above, Respondent Delaney is not a candidate for election.

72. For the foregoing reasons, the Committee hereby orders that with respect to the allegations against Respondent Tran, the Complaint be dismissed.

"Kumar, K."
"Alibudbud, C."
"Odagiu, E."

BCITSA ELECTIONS COMMITTEE

Before:

Kushal KUMAR, Chief Returning Officer (Presiding)

Christy ALIBUDBUD, Deputy Returning Officer

Elisei ODAGIU, Deputy Returning Officer

Advisor:

Sameer ISMAIL (Advocate Appointee)

Decision of: 09 April 2025

John Doe
(Complainant)

v.

Alliah Yzabel Almendral
(Respondent)

File #: 2025-01-05

REASONS FOR JUDGMENT

I. INTRODUCTION

1. These are the unanimous reasons for the Judgment rendered by this Committee on 09 April 2025, in the matter brought by John Doe, a member of the BCIT Community, against Alliah Yzabel Almendral, a candidate for the position of Chair of the School of Business + Media, for what the Complainants allege are violations of BCITSA Bylaws pertaining to impermissible slating.

2. For the reasons that follow, the Committee finds that the Respondent did engage in impermissible slating.

II. BACKGROUND

3. Each year, the Student Association of the British Columbia Institute of Technology (the 'BCITSA') holds elections whereby the student population elects the Executive Board (the 'Board'), consisting of a President, four Vice-Presidents, and seven Chairs representing different academic schools and campuses within the British Columbia Institute of Technology ('BCIT') (individually 'Executives'). These elections must be conducted between the last week of March,

and the last school week in April¹. This year, the voting period of the campaign ran from 24 March 2024 until 04 April 2025.

4. The conduct of such elections is subject to various rules, including those governing the conduct of candidates in the course of the campaign. These are predominantly found in BCITSA Bylaw 5.8 and BCITSA Regulation 5.

5. Each candidate seeking to run for office is required to attend an All Candidates Meeting², the purpose of which is to ensure that candidates, whether they are running for the first time, or might be considered seasoned veterans of the process, receive information on the Bylaw and Regulatory provisions they should familiarize themselves, along with some common and/or noteworthy pitfalls that must be avoided. This includes the independence of candidates from one another, a discussion of what constitutes campaign materials, and the best practice of consulting with the Election Administrator before posting campaign materials to ensure they are compliant with the Bylaws and Regulations. Candidates are admonished that seeking and receiving such advice is a complete defence against claims of misconduct, but that failing to do so can result in consequences if a breach is later found to have occurred.

6. It is alleged that the Respondent, in violation of Bylaw 5.8(c), published or caused to be published campaign materials that referred to more than one candidate when she shared a LinkedIn post thanking a now former Councillor, Bobby Davidson, for his endorsement. Mr. Davidson is also a member of the BCIT Board of Governors.

III. FACTS

7. The Elections Committee finds the following facts.

8. Mr. Davidson created and posted to his own LinkedIn an endorsement that included a list of candidates he thought to be worthy of support (the 'Endorsement').

9. The respondent reposted that endorsement on her own LinkedIn with a message of gratitude to Mr. Davidson, along with other references to the election (the 'Repost').

10. The Repost was public.

11. The Repost contained the names of approximately a dozen candidates for election.

12. The Repost constitutes campaign materials for the purpose of Regulation 5, paragraph 5.

13. The Respondent did not avail herself of the preclearance option for campaign materials.

¹ BCITSA Bylaw 5.1

² BCITSA Bylaw 5.8 and Regulation 5(12)

IV. ANALYSIS

14. We begin by noting that in our proceedings, the burden of proof (except where a defence may be raised) is with the Complainant, and the standard of proof is a preponderance of the evidence. In plain English, this means that for the most part, the Complainant must prove that it is more likely than not that each element of an offence is true.

15. We further note that consistent with longstanding precedent, to which we are required to adhere³, that this Committee must interpret provisions of the Bylaws and Regulations to give effect to the purposes for which they were adopted⁴.

16. We turn then to the text of the provision in question, which states that “campaign materials shall endorse only one candidate.”⁵

17. The repost in question leads us to ask two questions: does the Repost endorse more than one candidate, and does the Repost constitute campaign material?

18. As the Repost endorses twelve candidates, it clearly endorses more than one.

19. BCITSA Regulations make clear the definition of campaign materials⁶, which include combinations of images, video, and text, which are reasonably considered to be associated with BCITSA elections or a candidate for such election, and if they are posted in any place or forum where any voter might reasonably be expected to be able to view it. The Respondent conceded that this is the case.

20. As we have already noted⁷, there can be no question that a repost must be considered campaign material. Any consideration otherwise would lead to scenarios where candidates could simply repost materials that were lewd, indecent, defamatory, etc. and avoid any accountability for doing so, on the basis that they were not the originators of the content.

21. The Respondent has indicated that she merely made the Repost to thank Bobby for his endorsement, but this goal could have been accomplished either by contacting him privately during the campaign, or publicly following the campaign.

22. On this basis, we find that the Respondent violated Bylaw 5.8(c).

³ BCITSA Bylaw 5.17(i)

⁴ *Doe v. Baryshnikov* BCITSA Election Committee 2017-02-01 para. 20-23

⁵ BCITSA Bylaw 5.8(c)

⁶ BCITSA Regulation 5(5)

⁷ *Doe and Menkis v Delaney, Tran, and Yuruk* BCITSA Election Committee 2024-01-04, para 63

V. SANCTIONS

23. We begin by discussing the factors the Committee is required to consider when determining sanctions for misconduct. These were first laid out by the Election Committee in 2017⁸ and we remain bound by them today⁹.

24. In sum, where the Committee possesses discretion as to the form or severity of the sanction to be imposed for misconduct, principles of fairness require us to consider certain factors: effectiveness and proportionality. Balancing these factors requires us to consider the usefulness of a sanction in remedying an infraction, denouncing misconduct, deterring future misconduct, and also ensuring that the severity of the sanction bears a reasonable relationship to the severity of the infraction itself.

25. In this case, we consider the fact that the purpose of this provision is to ensure candidates each run for election on their own merit, and to prevent elections from becoming partisan affairs to the greatest extent possible.

26. While we appreciate the Respondent's desire to thank Mr. Davisdon for his endorsement, she had multiple options to do so without violating the rules, as we discuss in Paragraph 21 above.

27. We must also consider factors in aggravation and mitigation here. We consider in mitigation that the Respondent did not delete the Repost, thereby preserving evidence. However, in aggravation we must consider that candidates were aware that in not preclearing their campaign materials, there could be consequences

28. We further consider in aggravation that the Respondent, in a Discord group chat with others, mere days prior to publishing the Repost, displayed recklessness as to the importance of ensuring campaign materials were compliant with the rules, stating of this process "[I] give no fucks."

29. Bearing in mind the carelessness and recklessness that these comments reveal, and weighing all the factors, we find that a Letter of Reprimand is insufficient in this instance, and we therefore find that disqualification is the only option available to us.

30. In respect of the violation of Bylaw 5.8(c), we direct that the Respondent be disqualified.

V. THE COMMITTEE'S GENERAL JURISDICTION

⁸ *Doe v. Baryshnikov* BCITSA Election Committee 2017-02-01 para. 27-28

⁹ BCITSA Bylaw 5.17(i)

31. The Committee has general responsibility for the interpretation and enforcement of the Elections Bylaw and any Regulation adopted pursuant thereto¹⁰.

32. The Committee is the only body authorized to hear election-related complaints filed during an election period.¹¹

VII. **CONCLUSION AND ORDERS**

33. For the foregoing reasons, the Committee hereby orders that the Complaint be upheld.

34. Pursuant to our analysis above, the Respondent is not a candidate for election.

"Kumar, K."
"Alibudbud, C."
"Odagiu, E."

¹⁰ Bylaw 5.17(a)

¹¹ Bylaw 5.17(d)

BCITSA ELECTIONS COMMITTEE

Before:

Kushal KUMAR, Chief Returning Officer (Presiding)

Christy ALIBUDBUD, Deputy Returning Officer

Elisei ODAGIU, Deputy Returning Officer

Advisor:

Sameer ISMAIL (Advocate Appointee)

Decision of: 22 April 2025

Huy Tuan Tran

Ronak Mankar

(Complainants)

v.

Dean Menkis

Pratham Pannu

(Respondents)

File #: 2025-01-06

REASONS FOR JUDGMENT

I. INTRODUCTION

1. These are the unanimous reasons for the Judgment rendered by this Committee on 22 April 2025, in the matter brought by Huy Tuan Tran and Ronak Mankar (the 'Complainants'), both candidates for the position of Vice President, Equity and Sustainability against Dean Menkis, also a candidate for Vice President, Equity and Sustainability, and Pratham Pannu, a candidate for Vice President, Student Experience (the 'Respondents') for what the Complainants allege are violations of BCITSA Bylaws pertaining to defamation, as well as a further allegation that Respondent Pannu violated BCITSA Bylaws pertaining to corrupt practices.

2. For the reasons that follow, the Committee finds that the Respondents did not commit defamation or engage in corrupt practices.

II. BACKGROUND

3. Each year, the Student Association of the British Columbia Institute of Technology (the 'BCITSA') holds elections whereby the student population elects the Executive Board (the 'Board'), consisting of a President, four Vice-Presidents, and seven Chairs representing different

academic schools and campuses within the British Columbia Institute of Technology ('BCIT') (individually 'Executives'). These elections must be conducted between the last week of March, and the last school week in April¹. This year, the voting period of the campaign ran from 24 March 2024 until 04 April 2025.

4. The conduct of such elections is subject to various rules, including those governing the conduct of candidates in the course of the campaign. These are predominantly found in BCITSA Bylaw 5.8 and BCITSA Regulation 5.

5. Each candidate seeking to run for office is required to attend an All Candidates Meeting², the purpose of which is to ensure that candidates, whether they are running for the first time, or might be considered seasoned veterans of the process, receive information on the Bylaw and Regulatory provisions they should familiarize themselves, along with some common and/or noteworthy pitfalls that must be avoided. This includes admonitions related to defamatory conduct. Candidates are also admonished to read the relevant Bylaws and Regulations thoroughly, and to seek out the advice of the Election Administrator if they have questions.

6. In the course of the campaign, it transpired that a number of campaign posters were torn down in various locations at BCIT's Burnaby campus, including SE6, SE12, SW1, and elsewhere. The volume of posters removed created a great deal of speculation and consternation amongst candidates as to who the culprit was.

7. During this time, Respondent Menkis indicated his belief that Complainant Mankar was the culprit behind the removal of posters. Similarly, Respondent Pannu entered into a series of verbal altercations with Complainant Mankar, accusing him of removing posters and demanding reimbursement. This altercation was sufficiently heated that a BCIT instructor became involved in its resolution.

8. It is alleged that the Respondents, in violation of Bylaw 5.8(b), defamed the Complainant Mankar by suggesting that he was responsible for the removal of campaign posters.

9. It is further alleged that Respondent Pannu engaged in a corrupt practice by way of the verbal altercation noted above.

10. In a further exchange, Respondent Menkis is alleged to have suggested that Complainant Tran was "lying" and making claims that were "not sustainable" to a group of voters that the latter was speaking with.

11. It is further alleged that Respondent Menkis engaged in defamation through his criticism of Complainant Tran's campaign positions.

¹ BCITSA Bylaw 5.1

² BCITSA Bylaw 5.8 and Regulation 5(12)

III. FACTS

12. The Elections Committee finds the following facts.
13. Respondent Menkis, in a Discord post, stated that Complainant Mankar was responsible for the removal of campaign posters.
14. In the case of the statement made online by Respondent Menkis about Complainant Mankar (the 'First Allegedly Defamatory Statement'), it did refer to Complainant Mankar.
15. The First Allegedly Defamatory Statement would tend to lower Complainant Mankar's reputation in the eyes of a reasonable person.
16. The First Allegedly Defamatory Statement was made to at least one other person.
17. The First Allegedly Defamatory Statement was made at a time of rampant speculation regarding the culprit in question, and at a time where candidates had largely opted to work outside of the rules-based process for resolution of issues.
18. In the case of the statements made by Respondent Menkis about Complainant Tran (the 'Second Allegedly Defamatory Statement'), it did refer to Complainant Tran.
19. The Second Allegedly Defamatory Statement would tend to lower Complainant Tran's reputation in the eyes of a reasonable person.
20. The Second Allegedly Defamatory Statement was made to at least one other person.
21. In the case of the accusations made in the verbal altercation between Respondent Pannu and Complainant Mankar (the 'Third Allegedly Defamatory Statement'), they did refer to Respondent Mankar.
22. The Third Allegedly Defamatory Statement would tend to lower Complainant Mankar's reputation in the eyes of a reasonable person.
23. The Third Allegedly Defamatory Statement was made to at least one other person.

IV. ANALYSIS

24. We begin by noting that where we have found facts that together amount to a finding of defamation, the burden of proof (except where a defence may be raised) is with the Complainant, and the standard of proof is a preponderance of the evidence. In plain English, this means that for the most part, the Complainant must prove that it is more likely than not that each element of an offence is true. Where this burden is met, the burden falls to the Respondent to demonstrate a valid defence.

25. We begin with the text of the provision in question, which states that “defamation of another candidate or person, whether orally, via campaign materials or otherwise, shall be prohibited.”³

26. The provision is broadly worded. The use of the words “or otherwise” in expanding the scope of the provision beyond traditional campaign materials further make clear that a defamatory statement need not be made in a manner that a voter might ordinarily associate with a campaign.

27. Considering this broad language, we find that the provision does apply to the alleged Defamatory Statements at issue in this complaint.

28. We proceed, therefore, by analyzing the statements made by the Respondents, in light of the factual findings and analysis listed above.

29. Defamation is a serious matter. Now, perhaps more so than ever before, a false statement made about another can travel far and wide before any effort at correcting the falsity can take effect. Meanwhile, the potential for harm multiplies.

30. As a result, previous BCITSA Councils, as well as the broader membership, took great pains to include incredibly broad prohibitions against defamation that extended beyond other candidates, and beyond campaign materials.

31. As we have in the past⁴, we find the general framework for defamation in British Columbia useful, and have chosen to use it here. For a defamation claim to be successful, the communication must: tend to lower the reputation of the subject in the eyes of a reasonable person, must refer to the subject, and must be communicated to at least one person other than the subject.

32. In conducting our analysis here, it should be noted that the authorship of the allegedly Defamatory Statements was undisputed.

33. Our findings of fact in paragraphs 14-23 above indicate that we are satisfied that each of the elements of defamation were present in the alleged Defamatory Statements clearly attributable to the Respondents

34. However, context matters in terms of a defence. It is noteworthy that at the time accusations were being made about posters, a sizeable group of candidates sought to investigate the matter themselves, and operated at a distance from the Association’s administration of elections. This conduct led to a growing atmosphere of distrust and speculation.

³ BCITSA Bylaw 5.8(b)

⁴ *McGillivray v Prabhu* BCITSA Election Committee 2024-01-01, para 30

35. On that basis, we find it to have been unsurprising that finger-pointing occurred in this environment. With respect to the First Allegedly Defamatory Statement, we find that a defence of fair comment applies under the circumstances.

36. Furthermore, within the context of a political campaign, the fair comment defence is at its strongest, especially with regards to criticism made by one candidate against statements or policies made by another. While it is deeply unpleasant to be accused of dishonesty by another candidate, such statements are generally protected. We find that to be the case with respect to the Second Allegedly Defamatory Statement.

37. Turning finally to the Third Allegedly Defamatory Statement, we note that as with the First Allegedly Defamatory Statement, the environment in question was one where many candidates primarily channeled their energy into holding meetings amongst themselves seeking to resolve the matter themselves. They did so knowing that in doing so they would have far fewer investigatory resources than even the limited resources at the disposal of the Association. In this context, a confrontation seemed almost inevitable. We find that such a confrontation also falls within the fair comment defence. We furthermore find that the nature of the confrontation does not rise to the level of a corrupt practice as prohibited by Bylaw 5.8(n).

38. We understand that concerns of personal safety were of great concern to Complainant Mankar. This Committee always seeks and hopes for a safe environment for all participants in an election. That being said, we do not have the expertise to assess questions of safety, nor do such questions fall within the power granted to us by the Association's Bylaws and Regulations. These are important questions, to be sure, but they are questions for other entities to resolve, if appropriate.

V. THE COMMITTEE'S GENERAL JURISDICTION

39. The Committee has general responsibility for the interpretation and enforcement of the Elections Bylaw and any Regulation adopted pursuant thereto⁵.

40. The Committee is the only body authorized to hear election-related complaints filed during an election period.⁶

VII. CONCLUSION AND ORDERS

41. This campaign involved a number of candidates, some of them parties to this Complaint, who behaved in a manner throughout the election that we find to have been objectionable. These behaviours ultimately undermined trust in the process, and contributed to an atmosphere of distrust on campus. In the end, it was the voters who lost.

⁵ Bylaw 5.17(a)

⁶ Bylaw 5.17(d)

42. For the foregoing reasons, the Committee hereby orders that the Complaint be dismissed in its entirety.

43. Notwithstanding the dismissal of the Complaint as filed, the Committee orders that warning letters be issued to each Respondent, and that such letters remind them of their obligations in the future.

"Kumar, K."
"Alibudbud, C."
"Odagiu, E."