Regarding the assessment of demerits to candidates for failure to attend the mandatory Candidates’ Meeting of March 9, 2015

OPINION.

PER CURIAM.

On March 16, John Lin, acting in his official capacity as Student General Counsel for the University of Michigan Central Student Government, filed an Election Complaint against twenty-four candidates for the March 25-26, 2015 CSG election, for violating Article VI, §(B)(7)(d)(iv) of the Compiled Code (Election Code): Not Attending a Mandatory Candidates’ Meeting. Mr. Lin requested this Commission to issue one demerit per individual, along with a 3% vote reduction, to those candidates found to be in violation of the Election Code.

After taking into account the written statements of a number of the respondents submitted before the hearing, and listening to the oral statements of several other respondents at the hearing itself, the University Elections Commission has decided to issue warnings in lieu of demerits to the following eight students, based upon compelling and legitimate reasons for their absence, specified respectively:
• The following candidates who had well-documented and compelling health concerns, academic commitments, and/or work commitments:
  o JARED FERGUSON
  o TAYLOR HELBER
  o BARBARA LANIER
  o NATHAN NOVARIA
  o SHARVIL PATEL
  o ROHIN PATEL
  o MEREDITH STARKMAN
• Candidate TARA McMANUS is also given a warning in lieu of a demerit due to special circumstances. Ms. McManus is a member and volunteer in the Prison Creative Arts Project and has a weekly commitment to teach a class to prisoners at the Adrian Correctional Facility every Monday evening. While this Commission is not generally inclined to excuse absences for extracurricular activities, special circumstances apply in this case because the prisoners depend upon her to teach the class, and their participation in said class materially affects their ability to obtain parole. In that regard, this activity is more similar to a work commitment as compared to other candidates’ extracurricular activities.

The UEC hereby issues demerits against the following fourteen individuals for their failure to attend the March 9, 2015 Candidates’ Meeting:

• Candidate FABIANA DIAZ is issued one demerit. Ms. Diaz seeks mitigation of the demerit to a warning on account of a travel delay. The UEC is disinclined to allow absences due to pre-planned travel, and although Ms. Diaz provided proof that her flight was in fact delayed, her original flight and travel plans had her returning Wednesday, March 11, 2015, which would have still been two days after the Candidates’ Meeting. The Election Director received a signed candidate form from Ms. Diaz dated February 27; therefore, Ms. Diaz knew or should reasonably have known of the candidates’ meeting Monday, March 9, 2015.
• Candidate SERENA JONES is issued one demerit. Ms. Jones attended the hearing today and explained that she lives and works in Detroit, and ran out of money and got into an automobile accident in Ypsilanti on the day of the Candidates’ Meeting, precluding her from attending. While her explanation and circumstances seemed unfortunate, we are only issuing warnings to candidates with well-documented reasons for missing the candidates’ meeting. Because we did not receive any such documentation from her other than a compelling explanation for her absence, and because she did not contact the Election Director until four days after the meeting to explain her absence, we are inclined to issue a demerit.
• Candidate ERIC KRAMER is issued one demerit. Mr. Kramer contacted the Election Director prior to the Candidates’ Meeting to inform her he was feeling ill, and sent a written statement in advance of our hearing; however, he provided insufficient medical evidence (such as a doctor’s note) to be excused from the Candidates’ Meeting on health grounds.
• The following candidates did not contest the issuance of a demerit against them for failure to attend the Candidates’ Meeting, and in the absence of written or oral
statements on their behalf, the UEC hereby issues a default judgment of one demerit against each of the following individuals:
  o  CHRISTOPHER CAMPBELL
  o  ALEXANDROS DEMETRIOU
  o  JOSEPH FRAILEY
  o  KATIE KENNEDY
  o  WILLIAM MARSHALL
  o  RAMON MARTINEZ
  o  LUIS SAGASTUME
  o  THEODORE SALLEN
  o  JAZMINE WELLS
  o  ALYSSA ZANNELLA
  o  LEAH ZEKELMAN

The UEC will issue no demerits to MARCO KAWASAKI and ROHAN SINHA, as notice was received by the Election Director that these candidates have withdrawn from the election.

It is so ordered.