

**MIT UA JUDICIAL REVIEW BOARD**

*Held:* The UA Judicial Review Board rules that:

1. The Election Commission acted within their given power by the Code (II.B.3), and did not violate the UA Constitution, the Bylaws, or the Code.
2. The Election Commission conducted the election process in a fair manner, and the elections of Spring 2020 were thus fair.

The UA Judicial Review Board has conducted an investigation of the Spring 2020 election cycle, spoke with the UA Election Commission and MIT Student Organizations, Leadership, and Engagements Office, and reviewed the ballots and results of the elections. Our findings and reasonings behind our rulings are as follows:

**I****On the matter of Joint Ticket Ballots**

The purpose of the UA Judicial Review Board is to interpret the governing documents of the UA as they are. Per the UA Election Code (herein ‘Code’) II.B.3, the Election Commission has the power to “enact any special rules governing the election process that do not conflict with the UA Constitution, the Bylaws of the UA Council, or this Code.” The Code does not, on the other hand, compel the Commission to announce such changes. The Code also has no specific guidelines for tickets and does not endorse neither joint not separate tickets.

While the concept of joint tickets is new to UA elections, the Code does not require that the elections are run with separate tickets. In addition, since write-in option was available for every position, members of the UA could have voted for a mixed pair of candidates if they wanted to. This means that members of the UA were not restricted to vote for either pair and only that combination of President and Vice President

The decision to make this election consist of joint tickets where applicable was made based on the running mate option on the intent-to-run form. The candidates who chose each other as

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running mate were combined as a joint ballot, those who opted out appeared on a separate ticket.

Again, even in a joint ticket ballot, it was possible for UA members to vote for a mixed pair of candidates, so again their options were not restricted.

## II

On the matter of the Inability to Vote

Ethan Feuer of MIT SOLE submitted a formal explanation of the process and the error log form the class of 2023 election. The voting system on Engage was set up with eligibility lists limiting who is eligible to vote on a ballot: a class of 2022 member, for instance, is eligible to vote for a class of 2023 president. The error with some of the members not being able to vote stemmed from the eligibility lists. Members who held positions in Class Council were “for some reason removed from the eligibility list.”

This applied to all member of the class of 2022 Class Council, and the issue was resolved for them on that day.

This only applied to one member among the class of 2023 Class Council, Amanda Hu. She was told to send her vote via direct email to the Election Commission, but the Commission decided against manually recording her vote as it may be unfair. The Commission also noted that her vote would not sway the results, considering the margins of victory across the class of 2023 Council elections. The Judicial Board has reviewed the results provided by Engage and found that the Commission indeed did not manually record her vote.

The bug on Engage was later reported to the vendor by SOLE.

## III

On the matter of Equitable Platform for Platforms

The Code does not compel the Election Commission to provide candidates with an “equitable platform” for them to campaign on. As such, it is the candidates’ responsibility to manage their campaigns.

## IV

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On the matter of Conflict of Interest

Our investigation found that the votes are counted by an entirely automated process on Engage, independent from the Election Commission or any member involved in the election process. We found no such instances of conflict of interest, and the results provided by Engage exactly match the results released by the Election Commission.

Please contact the UA Judicial Review Board at [ua-judboard@mit.edu](mailto:ua-judboard@mit.edu) if you have any questions or concerns.