Date: August 28th 2014  Time: 6.05 pm

In Attendance:
BO ZHANG (Chair)
CORY HODGSON
JAMES HWANG
JAMIE HUDSON
VIVIAN KWAN

Excused Absence:

Others in Attendance:
SACHITHA KUSALADHARMA

1. CALL TO ORDER:

The meeting was called to order by ZHANG at 6.05 pm.

2. APPROVAL OF AGENDA

ZHANG moved to suspend Standing Orders.
The motion was seconded by HWANG.
Vote 5/0/0
CARRIED

HUDSON moved to approve the agenda for August 28, 2014 as tabled.
The motion was seconded by HODGSON.
Vote 5/0/0
CARRIED

3. APPROVAL OF MINUTES

ZHANG moved to approve the minutes for August 14, 2014 as tabled.
The motion was seconded by KWAN.
Vote 3/0/2 (Abstentions by HODGSON and HWANG)
CARRIED
4. Chair’s Business

(a) Agenda Changes

ZHANG: Our agenda was very different from the other committees and convoluted. So, we talked about changing our agenda during the last meeting. We decided to combine Miscellaneous with General Orders. We also added Discussion Items. We had no space to discuss items before. Not every discussion would lead to the drafting of first principles. Also, for conciseness, we combined Drafting Bills for First Reading and Drafting Bylaws for Second Reading. I also removed the Call to Order item at the start.

HODGSON: Was it in our standing orders that we had to follow a particular template?

ZHANG: Yes. That’s why I had to suspend the Standing Orders at the start. If you guys agree, I’ll make the edits, and bring the Standing Orders back for approval.

HODGSON: It looks good.

HWANG: In the Standing Orders it specifically says that second readings should go before first principles.

ZHANG: We can just take that out. That would be one change to make.

HWANG: I’m still reluctant to combine them. There was a reason why it was done like that.

ZHANG: We can add that we do the second readings first within this section. This doesn’t change how the committee would function. It only affects how the agenda looks.

HWANG: Wouldn’t discussions go under General Orders?

ZHANG: We talked about that too. The words “general orders” made it seem like there needed to be an order. In the other committees there is a discussion period. When we discuss something, we don’t necessarily want to make it into a motion.

(b) Bylaw Calendar

ZHANG: We wanted to have a comprehensive review of all the bylaws throughout the year. There are quite a few mistakes in them. However, we have other items coming up as well. So, we wanted to make a tentative schedule. This calendar would definitely not be a solid calendar.

HWANG: At the end of a meeting, can you inform which bylaws are coming up?

ZHANG: We were discussing whether or not to read all the bylaws at the meeting. There are pros and cons of both. The idea I got from last meeting was to read longer bylaws before the meeting and discuss any concerns, while reading shorter bylaws during the meeting itself. For the next meeting, we will be discussing Bylaw 100. We will be reading that on our own before the meeting.
(c) Fall Meeting Schedule

ZHANG: We can stick with the same time or to send out another Doodle poll.

_The committee decided to conduct another Doodle poll._

5. DRAFTING
BYLAWS

(a) Access Fund Bill – First Principles

ZHANG: These are the first principles we came up during our last meeting based on the principles that vice-president Hodgson gave us. But, weren’t confident enough to bring it before Council because we didn’t know about the conditions between the Finance Committee and the University.

HODGSON: There are some principles where the wording can be a bit better. I also suggest that we should table this because I got an email last night with more updates.

Regarding Point iii), the reason I put meaningful input was because students would not have approval of the policies. It just wouldn’t happen. There are 3 agreements. First, there’s the Funding Agreement. It’s about the nature of the money. Second, there are the terms of reference. This broadly defines how the money should be used. Finally, we have the Bursary Policy. This goes in depth about how the money should be used. We sign and agree on the first two. The Bursary Policy is for all bursaries, and not just for the Access Fund. For example, we used to give money to part-time students. However, the University’s policy is to not to give money to those students. We don’t get final say in that. Having said that we still need to have some control. That’s where point iv) comes in. They would disburse money first, and we reimburse them. We can stop reimbursement if they are doing something we don’t like.

ZHANG: If we don’t reimburse, are they going to take money back from students? If it goes from their budget, that’s fine. But, if they take money back from the students, we would be in a very delicate situation. In such a case, although we have the power, I’m sure Council or the Finance Committee would not do that.

HODGSON: There will be some mistakes. Nothing will be perfect. That’s not what I’m talking about. I’m talking about them systemically ignoring the policy. I don’t think we will be held accountable if they have completely broken the policy. It’s not a decision which will be made lightly. This is a fund all students pay into. We have a responsibility to provide a certain level of oversight.

ZHANG: Because we don’t have approval over the policy, we are not actively involved. There may be a scenario where the University makes a decision and we don’t know about it till later. They would have already given the money out according to their decision. If we say no at that time, would the money be
coming from the University or would students be asked to pay back?

HODGSON: What they do is up to them. We do a reimbursement. If they take money back from the students, they would have to re-charge them. I really don’t see them doing that because it would look awful.

We do review the process every year. There are six disbursements each year, and a change isn’t likely to happen within a year. Policy will be set on an annual basis, and we’ll be at the table for those discussions. This clause is there if they make decisions on their annual policy review without consulting us. I don’t think that’s going to happen though. Essentially, we have a veto power. We have used such a veto power for the Golden Bears and Pandas Legacy Fund successfully. Our responsibility is to the students paying into the Access Fund to ensure that the money is used according to the referendum. There is a trade-off with the amalgamation. Before, we had control over specific details. That has been reduced in favor of increased accessibility. Last year’s Grant Allocation Committee decided that it was a worthy trade-off. We have given away quite a bit of control, and we have to make sure that we retain what control is left.

ZHANG: I’m ok with it as long as they don’t pull money back from the students.

HODGSON: I really don’t think they would do it.

ZHANG: We all want to make sure that we have a certain amount of control over this, and that it’s administered properly.

HODGSON: Coming back to the First Principles, we can have more specific language about point ii). In the appeals committee, they are cutting one of the Students’ Union (SU) representative positions. Their rationale was that this makes it two student representatives; one SU rep and one GSA (Graduate Students’ Association) rep, two reps from the Registrar’s Office, and the chair. It says in the policy that the chair only votes to break a tie. I don’t know how to feel about it. Also, student priorities are not unanimous across the board. The GSA and SU can have very different positions. I would have really preferred 2 seats for us. The SU provides 50% of the money that goes out. We should get 50% of the seats. That was my initial position. They didn’t accept that. Anyway, I’m going to push for 2 SU positions. I’ll have to talk with Jane.

ZHANG: Why can’t they get a student-at-large position?

HODGSON: They won’t. Their rationale is that they don’t want students who are not knowledgeable. Our counter argument was that students have been approving the Access Fund for many years.

ZHANG: How do they know that the SU reps are qualified?

HODGSON: We told them that they would be.

ZHANG: We have the Nominating Committee to select qualified students.

HODGSON: Yes. That’s what we pointed out.

Anyway, this amalgamation is of net benefit to students. There were several things that were crucial without which we wouldn’t have moved forward with it. They did those. The Appeals Committee is still in a negotiation process. We are also not totally happy with the oversight mechanism.
ZHANG moved to table the Access Fund Bill till the next meeting. The motion was seconded by HODGSON. Vote 5/0/0 CARRIED

(b) SERC Bill – First Principles

ZHANG: The conversation regarding SERC (Social and Environmental Responsibility Committee) became a conversation regarding the SU in general. If Council isn’t able to see what any committee/group is recommending to the executives, how do we know that the executives are making the correct decisions? We are not looking at micromanaging. It’s to give us the background on where the decisions came from. In my opinion, most of the things that come to Council are framed through the executives. As such, if the executives are pushing for direction, it’s hard for us to not have a bias.

HODGSON: I’m pretty certain the reason why it says SERC should report to Council is because I put it there. I was pushing for it. But, I admit I was wrong. My argument was that they should report to Council because they were created by an order of Council. Council actually directed the executives to create SERC. It’s a committee of the executives, and has nothing to do with Council. Any recommendations that come through them should be in the Executive Committee minutes. Additional specific information would be very hard to discuss at the Council’s level. For example, there is a union issue with taking garbage bags out as there may be sharp objects. There may be other ways to get the information out better. I just don’t think SERC reporting to Council is the best way.

ZHANG: I don’t think so either. I think that there should be a Councillor seat. Not just for SERC, but for pretty much everything. I don’t think we should be grilling you guys at the question period. The reason why minutes and other stuff are available is because councilors can get the required background by reading them. If so, councilors won’t have such questions at Council.

HODGSON: Having public SERC minutes is a good solution. I just don’t like the fact that there appears to be a certain responsibility to follow up on a formal report, which is not really there. About your other point, that’s how the SU worked before 2003. There was a big shift. You can talk to Mark Dumouchel or Jane Lee about it.

ZHANG: We also didn’t have enough context to create principles from the long paragraphs.

HODGSON: The first one is the only principle. The rest were my explanations. I’m also comfortable with telling that the minutes should be online/public.

ZHANG: Even if we don’t have minutes, it would be good to at least have the recommendations. I know some committees don’t take minutes. I don’t want
6. DISCUSSION ITEMS

HODGSON: We should need to have a conversation on whether we want Bylaw 8100 to be more restrictive. We ought to discuss whether to make it more specific on what grounds Council would approve a Faculty Association (FA) advocating contrary to political policy. Right now, an FA has to present to Council, and a vote has to happen. There’s nothing around the basis Council makes that decision on. That’s the conversation we need to have. Regarding the issue with the LSA (Law Students’ Association), there was a lot of criticism about their consultation. My personal feeling is that you can’t do it unless you have a referendum. We must talk about how to prevent such a thing happening in the future, and how to deal with it.

HUDSON: What’s happening about it now?

HODGSON: Vice-president Orydzuk is dealing with it. A probation investigation would occur. If they are put on probation, several conditions would be put forth.

ZHANG: This bylaw should be preventative. It shouldn’t be about punishing.

HODGSON: Derecognition was discussed as well.

ZHANG: Derecognition can come through either Council or the Faculty itself.

HODGSON: It would be good if everyone reads the bylaw and tell what they think.

KWAN: I like to know whether it is possible to restrict last minute presentations.

HODGSON: That was our bad as well as theirs. We told them multiple times to put it on the agenda. It was our bad to not bring it up right away. It is
against the rules. You suspend Standing Orders to move it. Things on the late agenda are not automatically moved over. It’s the Speaker’s call. I think we are a little too liberal in suspending Standing Orders. To answer your question, we do have a rule in place, but we override it a lot.

ZHANG: I will talk about this at Council. Also, please tell the committee if you have any suggestions on the issues vice-president Hodgson mentioned. It’s up to us to follow up on this in order to prevent something like this happening in the future.

HODGSON: I suggest that you should put this in your report and invite other councilors to talk about this.

(b) Committee Attendance Standing Orders

ZHANG: Did you guys get to read the DIE board decision? Basically, they said that the Nominating Committee was breaking bylaw.

HODGSON: One thing I brought up was whether we could make bylaw saying the specifics. I think they said we can.

ZHANG: My opinion was that we should have a clarification. I would bring it back as a bill. I think we should let the committees make the necessary arrangements after we decide. Or would you like the Nominating Committee to stop breaking bylaw right now?

HODGSON: They would be breaking bylaw if they actually remove someone. This could be a longer conversation.

ZHANG: I’ll talk about this in my report, and bring this back as a bill during our next meeting.

7. CLOSED SESSION

NIL

8. NEXT MEETING

Not decided.

9. ADJOURNMENT

ZHANG moved to adjourn the meeting. The motion was seconded by HWANG. Vote 5/0/0 CARRIED

The meeting was adjourned by ZHANG at 7.18 pm.