

University of Alberta Students' Union

STUDENTS' COUNCIL LATE ADDITIONS

Tuesday March 8, 2005 – 6:00 p.m.
Council Chambers 2-1 University Hall

2004-23/5

PRESENTATIONS

2004-23/5b

Bar Revitalization Midterm Review, presented by Alvin Law, Vice President (Operations and Finance).

Please see document LA 04-23.01

2004-23/6

REPORTS

2004-23/6b

Jordan Blatz, President

Please see document LA 04-23.02

2004-23/6c

Lisa McLaughlin, Vice President (Academic)

Please see document LA 04-23.03

2004-23/6d

Duncan Taylor, Vice President (Student Life)

Please see document LA 04-23.04

2004-23/7

QUESTION PERIOD

2004-23/7a

SAMUEL - Given that there has been four weeks since the last Council meeting, I was wondering if the President, the Vice-President (Academic) and the Vice-President (Student Life) could explain why there were no reports submitted in time for inclusion in the main agenda package.

BLATZ - Thanks for the email. I chose to not include a report in the main agenda package for two reasons. 1) It has been a busy week and 2) I wanted to wait to see the full text of Bill 1 before writing my report. If you have any other questions, I will be happy to answer them during question period.

Please see document LA 04-23.05

2004-23/7b

SAMUEL - Mr. Speaker, it's my understanding that an event called the "Tuition Tetrathlon" was scheduled to be held yesterday (Thursday, March 3rd). It's my further understanding that the event was subsequently cancelled. I was wondering:

- a. What the event was intending to accomplish, given that the tuition decision has come and gone?
- b. Why was the event cancelled?
- c. Why was the event planned during election campaigns week, where the clear majority of Students' Union resources were being used?
- d. Can I be reassured that it was a coincidence that the posters used to advertise the event shared the color scheme of one of our Presidential candidates?

BLATZ - You are correct, we had scheduled an event called 'Tuition Tetrathlon' for yesterday, Thursday, March 3rd. We decided to postpone the event indefinitely. Here are answers to your questions:

1. The event was a supposed to be a fun way for students to participate in a tetrathlon, with each leg of the competition symbolizing a barrier to post-secondary education. We intended the event to raise awareness of these issues just before when we anticipated Bill 1 being introduced (three weeks ago, we didn't anticipate that the government would introduce Bill 1 the same day as the Throne Speech.
2. The event was cancelled due to lack of student group and student interest. It was also fortunate that the event was cancelled as we probably wouldn't have received much media coverage due to the RCMP tragedy.
3. Again, we planned it during this week to correspond with the Throne Speech and Bill 1.
4. The poster used to advertise the event was designed to look like our lawn signs, it was a complete coincidence that they may resemble a candidates posters.

2004-23/9

BOARD AND COMMITTEE REPORTS

2004-23/9b

Discipline, Interpretation and Enforcement Board Report

1. DIE Board Ruling #4 – January 18, 2005 (Reference: Universal Bus Pass Referendum)
2. DIE Board Ruling #5 – February 16, 2005 (Reference: Referendum on Proposed Health Care Plan and Publication of Information).
3. DIE Board Ruling #6 – January 18, 2005 (Reference: Bylaw 2400).
4. DIE Board Ruling #6a – January 18, 2005 (Reference: Bylaw 2400).

Please see document LA 04-23.06

2004-23/12

NEW BUSINESS

- 2004-23/12d **MOTION BY NICOL, RESOLVED THAT** Students' Council:
a. appoint a councilor to fill a vacant position on the Audit Committee,
b. appoint a member of the committee as an interim chair,
c. direct the Audit Committee to immediately select a new chair.
- 2004-23/12e **MOTION BY BLATZ, RESOLVED THAT** the document "Health Plan Memorandum of Agreement" that was sent to Students' Council on January 11, 2005, be recalled and classified as confidential due to third party business considerations.
- 2004-12/12f **MOTION BY BLATZ, RESOLVED THAT** Students' Council amend Standing Orders to include the following list of strictly confidential documents.

Please see document LA 04-23.07
- 2004-23/14 **INFORMATION ITEMS**
- 2004-23/14h Bill 1 – Access to the Future Act

Please see document LA 04-23.08

04/05 Bar Revitalization Project

Midterm Review

In Depth Look at Pre Bar Revitalization

- Financial

- Revenue
 - Steadily declining revenue for both bars
 - Common trend across all campus bars in Canada
 - Due to a number of possibilities

	98/99	99/00	00/01	01/02	02/03
RATT	\$449 645	\$460 470	\$427 991	\$435 216	\$431 131
Power Plant	\$1 332 867	\$1 244 909	\$1 205 251	\$1 174 374	\$1 101 236
TOTALS	\$1 782 512	\$1 705 379	\$1 633 242	\$1 609 590	\$1 532 367

In Depth Look at Pre Bar Revitalization

- Financial

- Gross Margin
 - Variable, but on a downward trend
 - Data is available in my office upon request

In Depth Look at Pre Bar Revitalization

- Financial

- Expense
 - Increasing steadily, to the point where expenses exceeded gross profit
 - Note: Remember Power Plant also carries an extra \$120k in extra rent per year

Total Expenses Per Dollar of Gross Profit

	98/99	99/00	00/01	01/02	02/03
RATT	\$ 0.656	\$ 0.685	\$ 0.765	\$ 0.798	\$ 0.856
Power Plant	\$ 0.852	\$ 0.882	\$ 0.935	\$ 1.012	\$ 1.031
TOTALS	\$ 0.800	\$ 0.830	\$ 0.891	\$ 0.951	\$ 0.982

In Depth Look at Pre Bar Revitalization

- Financial

- Net Profit
 - Steady downward trend to the point of loosing \$65 715

	98/99	99/00	00/01	01/02	02/03	03/04
RATT	\$ 99 220	\$ 95 631	\$ 64 836	\$ 58 486	\$ 38 822	\$ (20 478)
Power Plant	\$ 131 616	\$ 98 223	\$ 50 872	\$ (8 612)	\$ (21 659)	\$ (46 237)
TOTALS	\$ 230 836	\$ 193 854	\$ 115 708	\$ 49 874	\$ 17 163	\$ (66 715)

What is Bar Revitalization?

- Financial

- Controls
 - Controls on cash at bar, office, transit, inventory and staff
- Performance Monitoring and Management
 - Close detailed P&L monitoring
 - Variance Reports
 - Action Directives
 - In depth analysis and monitoring of key operational variables

What is Bar Revitalization?

- Market Research
 - Research on many variables regarding use of bars
 - Location
 - Awareness
 - Propensity to visit bars
 - Frequency
 - Timing of visits
 - Year of study
 - Faculty
 - Spending

What is Bar Revitalization?

- Market Research
 - As well as promotions and events and programming
 - Effective communication medium
 - Importance of specific events
 - Musical preferences for each bar

What is Bar Revitalization?

- Market Research
 - And the product, customer service
 - Menu variety
 - Menu prices
 - Music
 - Amenities
 - Atmosphere
 - Times for various serving stages
 - Attitude of staff
 - Accuracy

What is Bar Revitalization?

- Market Research
 - Physical
 - Found that major and structural physical renovations were not appropriate before we address the operational aspects
 - Various minor improvements would assist in our change of operational aspects

What is Bar Revitalization?

- Safety, Security and Legal Compliance
 - The Liquor License
 - Risk
 - Liability
 - CSS Relationship & Support
 - AGLC
 - Server Intervention
 - Door Controls
 - ID Verification
 - Incident Reports

What is Bar Revitalization?

- Other Key Operational Considerations
 - Supplier Relations
 - Staffing & Structure
 - Admission Criteria
 - Opening & Closing Hours
 - Cover Charges
 - Kitchen
 - Philosophy, Focus & Identity
 - Consistent Programming Schedule

What is Bar Revitalization?

- Programming

It Happens

Bar Revitalization is unrolled in
late August / September 2004

Results of Bar Revitalization

- Although we suffered a very bad summer financially, we are seeing positive growth
- Downward trend has been reversed
- Able to finely adjust operations now that we have significant controls and monitoring is very stringent

Results of Bar Revitalization

Financial Performance in RATT

Revenues	Summer	Fall	Winter
2000	\$5,749	\$228,063	\$226,658
2001	\$3,789	\$229,556	\$194,642
2002	\$3,841	\$215,073	\$216,304
2003	\$2,724	\$219,756	\$208,651
2004	\$2,139	\$189,644	\$190,124
2005	\$638	\$202,095	N/A

Expenditures	Summer	Fall	Winter
2000	\$17,200	\$174,088	\$173,550
2001	\$26,398	\$176,484	\$160,271
2002	\$24,603	\$179,733	\$172,395
2003	\$24,333	\$177,851	\$190,128
2004	\$37,477	\$177,851	\$187,057
2005	\$26,341	\$182,356	N/A

Net	Summer	Fall	Winter
2000	(\$11,451)	\$53,975	\$53,108
2001	(\$22,609)	\$53,072	\$34,371
2002	(\$20,762)	\$35,340	\$43,909
2003	(\$21,609)	\$41,905	\$18,523
2004	(\$35,338)	\$11,793	\$3,067
2005	(\$21,498)	\$19,739	N/A

Results of Bar Revitalization

Financial Performance in Power Plant

Revenues	Summer	Fall	Winter
2000	\$167,613	\$565,122	\$512,174
2001	\$172,388	\$543,278	\$499,592
2002	\$188,897	\$535,515	\$449,963
2003	\$177,632	\$490,955	\$432,650
2004	\$189,449	\$452,275	\$467,039
2005	\$172,183	\$534,578	N/A

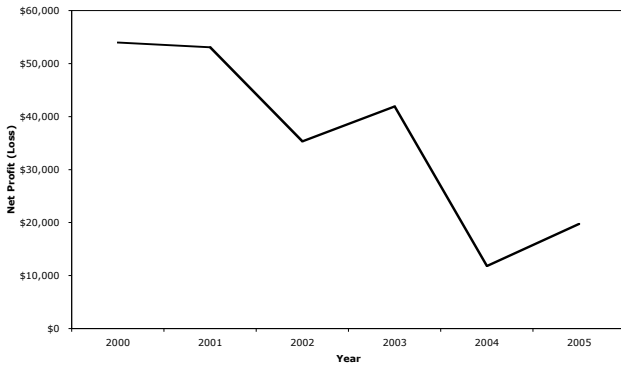
Expenditures	Summer	Fall	Winter
2000	\$277,503	\$442,153	\$427,028
2001	\$258,263	\$456,283	\$439,837
2002	\$260,986	\$477,154	\$444,847
2003	\$251,302	\$450,632	\$420,960
2004	\$263,448	\$443,389	\$444,003
2005	\$260,802	\$513,734	N/A

Net	Summer	Fall	Winter
2000	(\$109,890)	\$122,969	\$85,146
2001	(\$85,875)	\$86,995	\$49,745
2002	(\$72,089)	\$58,361	\$5,116
2003	(\$73,670)	\$40,323	\$11,690
2004	(\$73,999)	\$8,886	\$23,036
2005	(\$88,619)	\$20,844	N/A

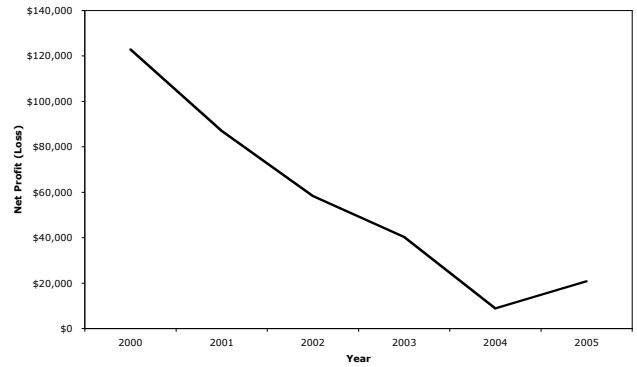
Results of Bar Revitalization

- Financial Performance
 - It must be noted that Summer Performance (May-August) is not impacted by Bar Revitalization
 - We see Fall Term (September-December) growth of:
 - \$ 7 946 in RATT
 - \$ 11 958 in Power Plant

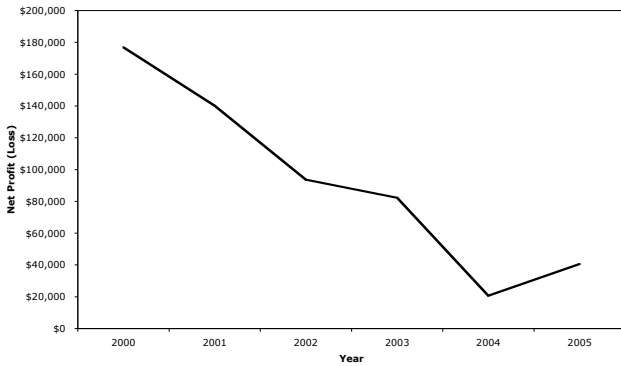
Department 832-RATT Yearly Fall Net Performance



Department 838-PowerPlant Yearly Fall Net Performance



Bar Total Yearly Fall Net Performance



Results of Bar Revitalization

- Performed very in-depth analysis of results
 - Analyzed changes from pre & post bar revitalization
 - In general:
 - Food/beverage revenues are up
 - 'Other' revenue is down
 - Costs are coming under tight control
 - **Net Revenue is up**

NEVER PREVIOUSLY HAD THE ABILITY TO ANALYZE AT THIS LEVEL

Results of Bar Revitalization

- Performed very in-depth analysis of results
 - We now have data to support the impact of various factors!
 - How many staff we can afford to keep on shift at various times given current sales volume, when to add staff to enable higher sales, etc.
 - What times of day of each day in week are unprofitable, what times of day have potential, etc.
 - ie: Breakfast - 8-10am (Shown high potential if marketed)
 - If we assume we have 5 part-time staff but only need 1 to keep up with breakfast demand and only have enough sales volume for one person's work. Assume \$10/hour pay.
 - (5-1 staff) x \$10/hour x 2 hours x 5 days/week x 30 weeks = \$12 000 difference!
 - But we should NOT automatically shut down for breakfast. Has potential to serve students, other avenues such as proper advertising must be given a chance FIRST

Results of Bar Revitalization

Changes in Key Performance Areas

Sept-Dec 04/05 Vs Sept-Dec 03/04

Key Area	Change in RATT	Change in Power Plant	Total Change in Bars
Gross Revenue - Food	26.4%	19.6%	21.8%
Gross Revenue - Beverage	1.1%	19.6%	14.3%
Gross Revenue - Other	-45.2%	-2.5%	-14.0%
Overall Gross Revenue	10.9%	19.4%	16.9%
Overall Gross Profit			
Staff Cost	-3.7%	17.9%	10.9%
Staff Cost as Percentage of Gross Profit	-8.1%	-0.7%	-2.9%
Supplies Cost	0.1%	6.6%	4.3%
Supplies Cost as Percentage of Gross Profit	-0.5%	-0.4%	-0.5%
Total Costs	4.7%	15.8%	12.7%
Total Costs as Percentage of Gross Profit	-5.0%	-3.0%	-3.4%
Net Revenue	67.4%	134.6%	96.3%
Net Revenue as Percentage of Gross Revenue	3.5%	1.9%	2.3%

Next Steps

Note that Bar Revitalization is a HUGE project. It is a continuing multi-year initiative. We have only come near to completing phase one.

Next Steps

- **Initial Stage is Well Underway**(but still ongoing)
 - Operational deficiencies and internal issues have been addressed
 - Reversed downward trend in bar Net Profit
 - Potential critical 'close the bars' line has been averted
 - Built solid foundation of monitoring, focus, and direction to grow
 - Critical relationships have been started and built upon
 - Philosophy and identity have been nailed down, now focus on the huge challenge of increasing student appeal

Next Steps

- **Next Phase Will Be Planned**
 - Up to incoming Exec/Council to adapt, support and implement
 - Continuing to operate on guidelines set out this year
 - Continual monitoring of results!
 - Have proven now and in the past RATT renovation (Summer 1992) that periodic changes to our bars are a necessity for their survival

Questions?

Report for Students' Council
Jordan Blatz
President
March 8, 2005

Good evening Council,

The following is a list of things that I have been working on since last meeting:

1. **Premier's address** – On the evening of our last meeting, the Premier announced that the government would be paying students' tuition increase for 2005/2006. This was a positive announcement for students. However, the big sign of whether or not the government is serious about improving the affordability of our PSE system will come in the new tuition policy for 2006. The Students' Union received a tremendous amount of media coverage following this announcement, including live interviews on the A-Channel's 'Big Breakfast' and on nationally on CBC Newsworld.
2. **Meeting with Elections candidates** – I had the opportunity to meet with quite a few election candidates prior to the nomination deadline. I would like to wish all of the candidates the best of luck in what is a difficult but rewarding process.
3. **Liberal open house** – On Wednesday, the Advocacy Director, EPIO and I attended the Alberta Liberal Party open house. I had a chance to talk with Kevin Taft as well as meet most of the new MLAs, including Advance Education critic, Dave Taylor. The Students' Union is looking forward to continuing to work closely with the Liberals in this new legislative session, as we are with all of the parties.
4. **Augustana Transition** – I have had numerous meetings with our ATC and the President of the Augustana Students' Association as we continue to work through the Augustana transition process and finalize our plans for September. As of now, we are planning on offering five of our current services in some capacity at Augustana. They include Ombudservice, SFAIC, AGC, Infoserve, and Student Groups. We are now in the process of costing out implementation. Please ask questions if you would like a more in depth update.
5. **Throne Speech/Bill 1 (copy of Bill 1 attached)** – On Wednesday, March 2nd I attended the first legislative session where the Throne Speech was given and where Bill 1 was announced. The highlights of Bill 1 include: a) a \$3 Billion endowment from the Heritage Savings Trust Fund for 'the Access to the Future Fund', b) a \$1 Billion increase to the Alberta Heritage Scholarship Fund, and c) a \$500 Million increase to the Ingenuity fund. All three major announcements are very positive for our post-secondary education system. However, there is still more work to be done. The government has not yet addressed any additional funding for the PSE system, which is absolutely vital to improving the PSE system in Alberta. The government has also not yet addressed any reforms to the student loan program, namely the average monthly living allowance and the parental contribution requirement. CAUS and the U of A SU will continue to lobby the government on these issues over the

next few weeks. After Bill 1 was announced the SU had the opportunity to comment to a lot of media outlets from television, print, and radio.

6. **Minister of Advanced Education reception** – After the leg sitting, I attended a reception held by the Minister at the Provincial museum. I had the opportunity to talk with a lot of MLAs, City Councillors, government bureaucrats, and influential conservative party members. This was a great opportunity to do some social lobbying prior to the budget and the new tuition policy in 2006. I especially enjoyed having good discussions with the Assistant to the Deputy Minister of Advanced Education and the Minister’s Communications Officer.
7. **Tuition Tetrathalon** – We had scheduled to hold a ‘tuition tetrathalon’ on Thursday, March 3rd. However, due to a lack of interested participants, the Advocacy department decided to postpone the event indefinitely. The event would have involved students competing in a friendly competition through 4 obstacles. Each obstacle would have represented barriers to getting a post-secondary education. We were also going to incorporate past advocacy materials from the SU to show the media that students have been advocating for the reforms we are seeing for the past 14 years.
8. **Other projects/issues** – I have spent a lot of time working on a few last projects as well as deal with some significant issues that have come up. One of the more pressing issues we will discuss tonight in presentations and I hope to present on the other issue at next meeting. Some of the projects I have been working on include setting up a streaming website that will be played in ‘smart’ classrooms across campus as a way of keeping students informed about the SU and other campus organizations/events. I have also been looking into a way to expand the SU’s business portfolio (more on this to come at a later date). I also met with the Provost to obtain permission to send out the election email that the SU sent out this past weekend.
9. **Budget** – I have been doing some planning for my preliminary budget due on March 15th.
10. **Transition** – I have started to prepare for transitioning my successor as well as looking over the schedule and information from last year’s transition retreat. I look forward to finding out who my successor will be on Thursday night.
11. **Upcoming** –
 - Exec/Service Director lunch
 - Memorial for the four fallen RCMP Officers
 - 2 hours of work with Orientation as a result of the Exec auction at our Christmas Party
 - Elections night!!!
 - Budget Advisory Committee
 - Meeting with government with the Presidents, Provosts, and SU Presidents from Alberta’s Universities (March 14th)
 - BoG Dinner
 - BoG meeting (March 18th)
 - Alumni Council (March 21st)

Report to Students' Council, March 8, 2005
Lisa McLaughlin, Vice-President (Academic)
For period February 9 - March 7, 2005

❖ **PROJECTS:**

Academic Survey - After some initial problems recruiting students to participate in the focus groups, which were originally scheduled for Midterm Week, we changed the incentives we were offering students (from just food to food and a \$10 gift certificate for Fiore's) and we re-scheduled the focus groups for the week following Reading Week. As a result, we had a great response rate and were able to have focus groups of 5-12 people. We have completed all focus groups now and will be scrambling to develop our survey, which needs to get approved by ethics. Things are behind schedule by quite a bit, but they are progressing well now.

24/7 Study Space in SUB Pilot Project - Turnout during Midterm Week was great! One night there were 250 students in SUB at midnight.

SU Survey - ATL has done all the data analyses and met with Dan, Duncan, and I last week to review the results briefly. We now need to go through the results in detail and decide how to present them in a report, which we are aiming to finish by the end of March. Stay tuned!

Awards Night - Winners of the SU Involvement Awards, the Coca Cola Student Achievement Awards, and the Gold Key Society Recognition Awards have been selected and the final details are coming together.

Spring/Summer Add/Drop Deadline - I presented a proposal to extend the Spring/Summer Add/Drop deadline at the Academic Standards Committee Subcommittee on Standards (ASC SOS) meeting on February 10. The proposal will proceed to the full ASC at its March 17 meeting this month.

❖ **VPA COMMITTEES:**

- **Feb 10 - AAB** - Started analysis of the Working Group on Teaching and Research final report. We are developing a position paper on the report.
- **Feb 18 & 19 - Awards Committee** - The Committee spent about 13 hours over two days picking winners of the SU Involvement Awards, the Students' Union Award of Excellence, and the SALUTE awards. Because Samantha has been otherwise occupied over the past couple of weeks, I chaired the Committee during this process.
- **Feb 28 - COFA** - Discussed ideas for a COFA transition and talked about ways to improve COFA for next year.
- **Feb 28 - GFC Student Caucus**

❖ **UNIVERSITY COMMITTEES:**

- **Feb 15 - GFC CLE subcommittee on the Student Experience** - The committee has been struggling to determine its mandate, but seems to be coming much closer now.
- **Feb 17 - GFC ASC**
- **Feb 23 - Faculty-Based Information and Communications Technology Steering Committee**

- **Feb 28 - GFC** - Students received answers to questions about study space, eligibility requirements for scholarships for disabled students, the AIS PeopleSoft contract review, etc.
- **March 1 - GFC CLE** - I had to miss this meeting due to Coca Cola awards selection
- **March 2 - AIS Process Review Committee** - As a result of the AIS contract review that took place late in 2004, this committee has been struck to review the structure of the AIS Steering Committee and the AIS Executive Committee and to discuss how to improve the process of approving and overseeing development projects on campus.
- **March 3 - AISSC**
- **March 4 - GFC CLRC**
- **March 7 - GFC Exec** - Happy Birthday Carl! Nothing much to report from this meeting. The potential emerging themes for the Academic Plan are looking good.

❖ **OTHER MEETINGS:**

- **Feb 10/Feb 18/Mar 3 - E-Learning Plan Development Committee**
- **Feb 14** - Met with Marika Bourque and Kevin Moodie from CNS to discuss the situation with the U of A modem pool. During our discussions in September, CNS indicated that about 1000 students would need to sign up for cost-recovery access to the modem pool for the period January 1 - August 30, 2005. However, the number of students who did sign up (~175) didn't even come close, although CNS did e-mail all the students who have used the modem pool a number of times to let them know that they needed to sign up to continue to have access to the modem pool. As such, CNS will be discontinuing the modem pool as of September 1, 2005.
- **March 1 - Coca Cola award selection**

❖ **OTHER NEWS:**

- I was part of the hiring committee for the Ad Sales Rep, who is responsible for selling ads for the SU Handbook. We conducted interviews on February 11 and hired someone early the following week. Welcome to Angie Miehe!

❖ **EVENTS:**

- **Feb 21 - 22 - McGraw-Hill Ryerson Conference Series: Assessing Teaching in Higher Education: Practice, Problems, and Progress**, University of Guelph, Guelph, ON
 - Conference report coming in my report for the March 22 Council meeting.
- **March 3 - SUB Stage Elections Forum #1** - I went and watched. It's an interesting experience being on this side of things...
- **March 7 - Myer Horowitz Elections Forum** - Also went and watched. Wow. Quite interesting

❖ **MEDIA:**

- **Feb 9** - Interview with the Gateway regarding textbook pricing practices.

❖ UPCOMING:

- **March 10** - University Teaching Services Panel on Student Learning - Samantha, two members of AAB, and I are presenting to over 70 academics (including 55 grad students) on the things that instructors can do to facilitate student learning.
- **March 10** - GFC ASC SOS
- **March 10** - E-Learning Future Directions Workshop
- **March 10** - Elections Night @ the Plant!
- **March 11** - E-Learning Plan Development Committee
- **March 11** - AIS Process Review Committee
- **March 14** - GFC student replenishment meeting
- **March 17** - GFC ASC
- **March 17** - E-Learning Plan Development Committee
- **March 18** - AIS Process Review Committee
- **March 18** - Shortlisting for AVPA and UPIO
- **March 19** - Charity Gala and Art Exhibition
- **March 21** - GFC
- **March 21** - COFA

Duncan Taylor – Vice President Student Life
Council Report March 8th

The Health Plan: Had a few meetings with Bill to talk about the UHS fee and how it would change if the plan were implemented, and a number of other problems surrounding the fee.

Wellness Week Is again stealing my time. Went over a budget and add plan, met with design to approve posters and banners. Event planning is coming along quite well, and I hope to see some of you out at the events next week. I am the 5th beetle. Posters should go up immediately after the campaign and banners likely tomorrow.

UAB: went to it

RHA Went to that too. RHA is looking for ways to increase ties with the SU.

HPAC: Presentation about creating healthy workplaces, lots of which can translate for creating healthy student environment.

Gateway: Interview about PAC

CFB Board meeting: Almost come to a decision regarding how to deal with the budget next year. They will be making a presentation to exec soon, which will likely get passed on to budget com.

From Backpack to...: Meetings about ZYR substitution event. Will be running a luncheon w/ keynote speaker, seminar about post-U life and a concert at the Powerplant. Shaping up to be a good time.

SLB: SLB talked about smoking policy wrt to SUB area (ie around doors) and will continue after the election. Brought up parking issues for the “task force” document we will be producing as a gift to the incoming VPSL.

RSS: Spoke with Christine and Dan about the revolutionary speakers series. Am currently writing a document about how it should be run next year, and things it needs to progress to “fit” within the organization’s framework.

Security Advisory Committee: Went. Just some updates on incidents that occurred over the past while and some programs being run by campus 5-0 to keep the people on this campus safe.

MUG interviews: Interviewed for MUG coordinator.

AntiFreeze post mortem: Meeting with Tyler and Steve D. to talk about ways to improve AntiFreeze for next year. Overall, I think this year went quite well.

Health Plan Info Session: Was sparsely attended.

DIE Board: Went to DIE board for reference on hosting info material on the SU website during the election.

RAC: Talked about the Physical Activity Centre, why it was shot down by council, and how things have to progress next year.

Survey: Went over some of the cross tabs for the survey w/ Lisa and Dan. ATL will be (hopefully) sending info to us soon. Hopefully I will get cced on the email this time.

Coming Up!

COSA

Budgets

Transition

Wellness Week.

Find Job for next year

The silicone chip inside her head gets switched to overload

Mr. Speaker,

I apologize to Councilor Samuel and the rest of Students' Council that I was not able to produce a written report in time for the main agenda for the March 8 meeting of Students' Council. Although I did attempt to start a report mid-week, I was not able to finish it in time for the main agenda due to the need to attend to significantly more urgent matters, although I do not intend to imply that it is not important to give Councilors an opportunity to read in advance what we have been up to.

As Councilor Samuel is aware, last week was Reading Week and I was away for the entire duration of the week and therefore, did not have an opportunity to write a report. Even if I did, it would have been too early since there was still the week of Feb 28 - March 4 to report on. Last week was also incredibly busy as it usually is after a period of time away, although moreso. I had to prepare for GFC and COFA on Monday and for Coca Cola Awards Selection on Monday night and Tuesday morning. In addition, I was working to prepare materials for a proposal for GFC ASC SOS that needed to be submitted to the Secretariat ASAP and have been using most of my time to prepare for and attend five focus groups that started on Wednesday of last week as part of the Academic Experiences Project. As well, I have class all afternoon on Thursdays and had reading to finish for that, which I was also not able to finish due to being away and having everything else to deal with. This has all been on top of the regular duties that consume a significant portion of my days. I had already been attempting to function on 3-5 hours of sleep every night last week, and there comes a point when one has to choose sanity and self-preservation over getting my Council report in on time. Given that there was still an opportunity to get a Council report in by writing it over the weekend, I figured that would be a better choice than failing to do some of the things I absolutely needed to do last week that would have resulted in much more detrimental consequences had I failed to do them. As well, my Council report is lengthy given that there has been a month since the last meeting, as Councilor Samuel recognizes, and I would rather give Council a better quality report than I could had I whipped up at the last minute. If Council has any questions about my report, they are free to ask me at the March 22 meeting as well.

I hope Councilor Samuel and others sharing his concern can understand the circumstances I have outlined and find my response to be satisfactory.

Cheers,

Lisa

Ruling of the Discipline, Interpretation, and Enforcement Board

Re: Universal Bus Pass Referendum (U-Pass #2)

Date Heard:

January 18, 2005

Members of the D.I.E. Board Present:

Alex Ragan, Chairman
Jeevan Nallainayagam
Catherine Lepine

Appearing For the Referring Party:

Mustafa Hirji

Other Parties Present:

Alison Lennie, Director, Environmental Coordination Office of Students, University of Alberta Students' Union

Questions Posed:

1. Considering the Students' Union must have a universal bus pass established by April 30, 2006, does this mean that if the universal bus pass cannot be purchased from Edmonton Transit Systems (and/or other transit providers) for \$60 per term and the Students' Union does not find external supplemental funding that the SU must supplement with internal funding?
2. Can the Students' Union establish a universal bus pass on terms other than those outlined in the referendum question with the understanding that such an establishment of a universal bus pass would be in a completely separate activity from the universal bus pass specified in the referendum of March 2004?
3. Can the universal bus pass referendum's terms be amended without a referendum on the amendment?

Question 1:

A referendum must be interpreted in light of what a reasonable student would expect the referendum to mean (*Universal Bus Pass Reference #1*). This has been interpreted by the Board to mean that the Students' Union must take all reasonable measures to implement a universal bus pass according to the criteria enumerated in the Bus Pass Referendum (*Universal Bus Pass Reference #1*).

The nature of a referendum is that it is legally binding (s.2(e) Bylaw 2400). Moreover, referenda are of a special status that makes them unassailable by the simple acts or resolutions of representative bodies including Students' Council. The justification for this elevated status relates to both democratic process and a purposive interpretation of the referendum provisions enshrined in Bylaw 2400. Democracy entails the governance of a

D.I.E. Board Ruling #4

population by its own free will. A referendum is the purest form of the expression of this will and therefore merits an elevated status above the decisions of elected representatives. Moreover, the presence of a mechanism for referenda found in Bylaw 2400 presupposes that the decisions of the student body are protected from the interference of Students' Council. Otherwise, what purpose could a referendum serve?

Given the nature of a referendum and the interpretive principle of the "reasonable student", the Board believes that a reasonable student would expect the Students' Union to commit a proportion of its budget towards this project. The question then becomes what amount is the Students' Union expected to contribute. Given the information presented, the Board finds itself unable to establish at this time a "bright line" level of funding that the Students' Union is bound to provide to the Bus Pass project. However, the Board feels confident that at least *some* amount of funding would be required. On the other hand, an amount that would cripple the Students' Union would be unreasonable. To establish the exact level of funding the Students' Union would be liable for, the Board would require: (a) information requesting the exact, undisputed amount of the bus pass, (b) what third party contributions are forthcoming and, (c) the tangible effect such an expenditure would have on the Students' Union.

Explicitly, with respect to Question 1, the D.I.E. Board finds that in the event the cost of the Universal Bus Pass exceeds \$60, the Students' Union would be required to fund the excess cost of the bus pass to an extent that would be reasonable.

Questions 2 & 3:

Respecting Question 2, the Students' Union *can* establish a universal bus pass under terms different than those enumerated in the March 2004 Referendum. However, this would not discharge the Students' Unions' duties specified in the aforementioned referendum by virtue of their binding nature as discussed under Question 1.

Respecting Question 3, it is not within the power of Students' Council to amend the provisions of the referendum as adopted by the student body. This result follows from the elevated status of a referendum approved by the student body as discussed under Question 1. Accordingly, the only amendments that can be made must be effected through a second referendum.

The Discipline, Interpretation and Enforcement (D.I.E.) Board functions as the judicial branch of the Students' Union, and is responsible for interpreting and enforcing all Students' Union legislation. For any questions please contact dieboard@su.ualberta.ca.

DECISION OF THE DISCIPLINE, INTERPRETATION,
AND ENFORCEMENT BOARD

IN THE MATTER OF

Re: Referendum on Proposed Health Care Plan & Publication of Information

DATE HEARD: February 16th, 2004

D.I.E. BOARD MEMBERS PRESENT:

Jaimie Gruman, Associate Chair
Mike Solowan
Justyna Herman

DETAILS:

Applicant: SU VP Duncan Taylor

SUMMARY, REFERENCE QUESTIONS & DECISION:

The Discipline Interpretation & Enforcement (D.I.E.) Board convened on February 16th, 2005 to hear two reference questions brought forward by SU VP Duncan Taylor. Specifically, the questions placed before D.I.E. Board were as follows:

1. What information can third parties unaffiliated with the Yes or No campaigns disseminate before and during a referendum?
2. In particular, can the Students' Union make the following documents available online before and during the referendum campaign on a centralized Health Plan Information website: Health Plan Contract, Frequently Asked Questions (FAQ) document, Final Report of the Student Life Board and the results of the Health Plan Survey?

In reviewing all relevant bylaws the D.I. E. Board did not find any restrictions applicable to third parties unaffiliated with campaigns. Furthermore, the Board does not see any utility in imposing any such restrictions either before or during the referendum. Providing a centralized website as proposed by the VP of the SU allowing students easy access to the relevant information ensures that this information is available & practically accessible to all students.

In particular, the proposal to make available key documents such as the Health Plan Contract, FAQ, Student Life Boards Final Report and the Health Plan Survey via a centralized website is encouraged by the Board as the referendum question specifically refers to the Contract and the proposed FAQ's form aids as a summary. The Board does recommend that the FAQ's form contain the source of the document.

The Discipline, Interpretation and Enforcement (**D.I.E.**) **Board** functions as the judicial branch of the Students' Union, and is responsible for interpreting and enforcing all Students' Union legislation. If anyone has any questions regarding the **D.I.E. Board**, feel free to contact the Chair, Alex Regan, at dieboard@su.ualberta.ca .

Ruling of the Discipline, Interpretation, and Enforcement Board

Re Bylaw 2400

Date Heard:

January 18, 2005

Members of the D.I.E. Board Present:

Alex Ragan, Chairman
Guillaume Laroche
Alan Cliff

Appearing For the Referring Party:

Chris Jones

Other Parties Present:

Steve Smith
Gregory Harlow

Question Posed:

Given that the incorrect version of Students' Union bylaw 2400 has been repeatedly amended and cited as lawful authority for nearly two years, what is the law in effect over the past two years, at present, and in the future?

Facts

In this case, the integrity of bylaw 2400 is called into question. This is the result of a clerical error following an amendment to the bill on April 30th, 2003. At a Students' Council meeting on that day, a bill was proposed that struck the 'old' version of 2400 and replaced it with a 'new' version. This bill passed. Included with Council minutes was the proposed 'new' version. For reasons unknown, these changes were not officially recorded. Rather, a new version of bylaw 2400 was published which incorporated sections of the old and new bylaw 2400. This will be referred to as the "corrupted" version of bylaw 2400. The corrupted bylaw 2400 was subsequently amended on several occasions. Amendments were made on February 3rd, 2004 by Students' Council; August 17, 2004 by the Internal Review Board; and January 11, 2005 by Council (changes effective May 1st, 2005). Around January 11th, 2005, it was recognized by members of Students' Council that the original changes proposed on April 30th, 2003, were not entirely reflected in the current bylaw. Mr. Jones asks the DIE Board to determine which parts or versions of the law were in effect in the past, present, and future.

Response

The facts of this case require the DIE Board to make a difficult decision. On one hand, there are parties who have relied on what is clearly a corrupted version of a bylaw. Declaring that version to have been of no force and effect retroactively would visit injustice on those parties. On the other hand, it is clear that the bylaw, which had been used for nearly two years before the discovery of its corruption, is not valid. To declare it

as being lawful either in the past or present simply by virtue of some parties' reliance on it would set a poor precedent and would have far reaching and undesirable consequences.

The DIE Board feels that there are three possible solutions:

1. Declare the corrupted version of the bylaw as being in effect in the past and present.
2. Declare that the only law in force was the last uncorrupted version of the bylaw passed by Students Council (April 30th, 2003).
3. Declare that a reconstructed version of the bylaw to be in effect both at present and retroactively. A reconstructed version of the bylaw would be made by taking the last uncorrupted version of the bylaw and incorporating the amendments that can reasonably be taken as not being affected by the corruption of the bylaw.

The first option, though attractive because of the reliance of parties, is an inappropriate solution to the present problem. Reasonable reliance, though it should find equitable relief, does not have and should not be given the power of changing statutory law. Allowing reasonable reliance to change the law would throw the law into chaos.

The second option is also appealing. A strong case can be made that once Council started amending something different than what they thought they were amending (the corrupted versus uncorrupted bylaws) the entire amendment process was invalid from the start and void. Unfortunately, this result ignores the fact that Council and IRB have amended sections of the bylaw that were identical in the corrupted and uncorrupted versions and were otherwise unaffected by the corruptions. To ignore Council's will in this respect would not give lawful effect to Council's legitimate intentions, a result the DIE Board is hesitant to accept.

The final option is adopted by the DIE Board. A reconstruction of the bylaw will best represent the will of the Students' Council by using the last uncorrupted version of the bylaw passed by Council and incorporating those amendments that can be taken as not being compromised by the presence of the corrupted bylaw in Council's materials.

The DIE Board has found a sufficient evidentiary basis for adopting the Bylaw 2400 passed by Council on April 30th 2003 along with those changes of August 17th, 2004 of the Internal Review Board (IRB) and the changes of January 11th, 2005 recommended by IRB and passed by Council in Bill 16. The DIE Board has found an *insufficient* evidentiary basis to adopt those changes of February 3rd, 2004. Simply put, there is no documentary evidence in the Students' Council meeting records of the content of changes passed by Council on that date, and the D.I.E. board is loath to accept any potentially unreliable oral testimony of what those changes may have entailed.

The resulting reconstructed bylaw is attached to these decisions. It is the decision of DIE Board that this bylaw is in effect prospectively and was in effect in the past subject to the timeline upon which changes and amendments were made (i.e. the amendments made on January 11th, 2005 are not retroactive to before that date).

It should be noted that this decision *will* prejudice the legitimate interests of those parties who in good faith relied on the corrupted version of the bylaw. The DIE Board welcomes the applications of these parties to the Board so as to grant them relief, where reasonable, in accordance with fundamental fairness.

Recommendations

1. An authoritative master copy of bylaws should be kept by Council – The DIE Board was dismayed to find that there is no authoritative copy of bylaws which can be referred to. Such a simple administrative endeavor is a basic responsibility of any lawful authority. Council, in not requiring such a resource, has been grossly irresponsible.
2. Proper records of Council meetings should be kept in an official record of meetings – The fact that DIE Board had great difficulty in reconstructing a proper version of bylaw 2400 is more a commentary on the lamentable state of some Council records than on the intelligence of the DIE Board panel that heard this reference. The fact that Council records contain *no* evidence of some amendments is alarming. Though it seems members of the Students' Union administrative staff have made great strides in remedying this problem, Council should show more initiative in protecting its own legacy.
3. Students' Council ought to amend its standing orders to assign one of its officers (perhaps a member of the Executive, or the Speaker of Students' Council) the task of verifying the accurate updating of Students' Union Legislation in accordance with motions passed in Council. This officer should report the progress of any clerical modifications to the bylaws at the subsequent meeting of the Students' Council.

The Discipline, Interpretation and Enforcement (D.I.E.) Board functions as the judicial branch of the Students' Union, and is responsible for interpreting and enforcing all Students' Union legislation. For any questions please contact dieboard@su.ualberta.ca.

Bylaw 2400

A Bylaw Respecting the Plebiscites and Referenda of the Students' Union

1. This bylaw may be referred to as the "Plebiscites and Referenda Bylaw."
2. For the purposes of this bylaw:
 - a. a "member" shall be a member of the Students' Union as defined by Article 1 of the Students' Union Constitution;
 - b. the "C.R.O." shall be the Chief Returning Officer of the Students' Union, as set out in the Chief Returning Officer and Elections Staff Bylaw;
 - c. a "D.R.O." shall be a Deputy Returning Officer of the Students' Union, as set out in the Chief Returning Officer and Elections Staff Bylaw;
 - d. a "plebiscite" shall be a vote, open to all members except the C.R.O., held on a given question but that is not binding;
 - e. a "referendum" shall be a vote, open to all members except the C.R.O., held on a given question and whose result is legally binding upon the Students' Union;
 - f. a "side" shall be any person or group of people who have their registration as a side accepted under this bylaw;
 - g. a "campaign manager" shall be a person registered part of a side who has been selected by those members of a side to serve as campaign manager for the purposes of this bylaw;
 - h. a "campaign activity" shall be any act, planned or organized on behalf of a particular side, that is calculated to convince members to vote in a given way in a referendum or plebiscite;

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

- i. a “volunteer” shall be any person who participates in campaign activities;
 - j. the “D.I.E. Board” shall be the Discipline, Interpretation, and Enforcement Board of the Students’ Union, as set out in Article XV of the Students’ Union Constitution and in the Discipline, Interpretation, and Enforcement Board Bylaw;
 - k. “campaign materials” shall be any physical or electronic media produced or distributed as part of campaign activities;
 - l. a “banner” shall be any campaign material composed of paper, cloth, or similar material, of a total area of greater than four (4) square feet;
 - m. a “poster” shall be any campaign material composed of paper, cloth, or similar material, of a total area of under four (4) square feet that is designed to be posted on a wall or similar plane;
 - n. a “voter” shall be any member who exercises his/her entitlement to vote, as set out in Section 62;
 - o. a “forum” shall be any event planned or organized by any entity other than a side or the Students’ Union at which campaign activities are facilitated;
 - p. the “University” shall be the University of Alberta;
 - q. “working hours” shall be any and all hours occurring between 0900 and 1700 and
 - r. a “general election” shall be the General Election of the Executive Committee and the Undergraduate Board of Governors, as set out in the Campus Wide Election Bylaw, or the General Election of Faculty Councillors, as set out in the Faculty Councillor Election Bylaw.
3. This bylaw shall govern the initiation, organization, and interpretation of any plebiscite or referendum held by the Students’ Union.
 4. Where a member wishes to circulate a petition, that member shall submit to the Bylaw Committee the intent of the question, and the Bylaw Committee shall approve, within seven (7) days, a question which:

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

- a. fully reflects the intent submitted by the member; and
 - b. if carried and acted upon, would not violate any Students' Union law or any federal or provincial statute or regulation.
5. Students' Council shall, at meeting following the drafting of the question by the Bylaw Committee as set out in Section 4, approve a question which meets the criteria set out in Section 4.
 6. Sections 4 and 5 notwithstanding, where it is not possible for the Bylaw Committee or Students' Council to approve a question which meets the criteria set out in Section 4, neither the Bylaw Committee or Students' Council shall approve such a question.
 7. Where a petition bearing the names, signatures, and student identification numbers of at least five percent (5%) of the total membership of the Students' Union as of the following February 1 requesting a plebiscite on a given Students' Council-approved question is submitted to the C.R.O., then a plebiscite shall be held on that question, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
 8. Where a petition bearing the names, signatures, and student identification numbers of at least fifteen percent (15%) of the total membership of the Students' Union as of the following February 1 requesting a referendum on a given Students' Council-approved question is submitted to the C.R.O., then a referendum shall be held on that question, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
 9. Students' Council shall have the authority to call a plebiscite or referendum without a petition.
 10. Where the C.R.O. receives a valid petition or where Students' Council initiates a referendum or plebiscite, then the referendum or plebiscite in question shall be held on the dates of the next general election not occurring within thirty (30) days of receipt of the valid petition or initiation by Students' Council of the referendum or plebiscite in question.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

11. At least twenty-eight (28) days in advance of the plebiscite or referendum, the C.R.O. shall:
 - a. schedule, announce, and advertise in every available edition of the Official Student Newspaper, a meeting for the registration of sides, such meeting to take place not more than twenty-one (21) and not fewer than fourteen (14) days in advance of the plebiscite or referendum; and
 - b. publish in each available edition of the Official Student Newspaper the wording of the question.
12. For each plebiscite or referendum, there shall be:
 - a. a “yes” side; and
 - b. a “no” side.
13. Members wishing to register themselves as part of a side shall attend the meeting for registering sides, as set out in Section 11(a).
14. Where a member attends the meeting for registering sides, where that member announces his/her intention to register for a side, where that member provides the C.R.O. with his/her name, student identification number, and contact information, and where the C.R.O. is satisfied that that member does not aim to falsely represent that side by registering for it, that member’s registration shall be accepted.
15. Section 14 notwithstanding, no member shall register for more than one (1) side for any plebiscite or referendum.
16. Section 12 notwithstanding, where there are no members wishing to register for one (1) side in a given plebiscite or referendum, that side shall not exist.
17. Each side shall select, from among the members registered to it, one (1) campaign manager.
18. At the meeting for the registration of sides, the C.R.O. shall, at minimum:

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

- a. review all relevant bylaws, rules, and regulations, including this bylaw, and respond to questions about same; and
 - b. create a register listing the members registered for each side as well as the campaign manager for each.
19. All campaign managers shall, within twenty-four (24) hours of the nomination deadline, report to the C.R.O. any keys, cards, and other means of access to any building or room on the University of Alberta Campus.
20. The C.R.O. shall confiscate from a campaign manager, until the commencement of voting, any keys, card(s), and other means of access to any building or room on the University of Alberta campus where:
- a. the key, card, or other means of access in question would provide an unfair advantage to the side; and
 - b. the campaign manager is not academically, occupationally, or otherwise required to retain the key, card, or other means of access in question prior to the commencement of voting
21. Where a campaign manager contravenes Section 19, he/she shall be disqualified.
22. No campaign manager or volunteer, between the receipt of the valid petition by the C.R.O. or the initiation of the plebiscite or referendum by Students' Council and the commencement of campaign activities shall engage in any campaign activity.
23. Each campaign manager shall act reasonably and in good faith, and specifically shall:
- a. ensure that each volunteer acting on behalf of his/her side is aware of all bylaws, rules, regulations, and orders;
 - b. ensure that each volunteer acting on behalf of his/her side is in compliance with all bylaws, rules, regulations, and orders; and
 - c. report any contravention of a bylaw, rule, regulation, or order to the C.R.O. immediately.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

24. Neither side shall make use of any resource that is not:
 - a. available to both sides;
 - b. general volunteer labour or expertise; or
 - c. accounted for as part of that side's campaign expenses.
25. No volunteer shall, without the express permission of the C.R.O., engage in any campaign activity:
 - a. in any business or service operated by the Students' Union;
 - b. in a University library;
 - c. in a classroom during a class unless he/she first obtains the permission of the professor responsible for that class;
 - d. in any residence; or
 - e. in any building or on any land not owned or operated by the University or the Students' Union.
26. Neither side shall participate in any forum unless each side in its question has received at least 48 hours notification of the forum and will be afforded an equal chance to speak at it.
27. All campaign materials shall be approved in form, content, and cost by the C.R.O. before they may be used in campaign activities.
28. Sides wishing to have campaign materials approved shall provided the C.R.O. with:
 - a. a written estimate of the cost of the proposed campaign material, including the source of that estimate; and

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details
Jan 11/05 – Implemented May 1/05
Aug 17/04 (IRB)
Feb 3/04
Apr 30/03
June 18/02 (IRB)
May 2/01
Feb 02/99

- b. the complete contents of the proposed campaign material, including text, images, and layout.
29. The C.R.O. shall provide in confidence a written approval or refusal of campaign materials within twelve (12) working hours of receiving a request as set out in Section 28.
30. The C.R.O. shall not approve campaign materials that:
 - a. have more than a nominal value when distributed;
 - b. cannot be removed prior to the commencement of voting
 - c. are likely to permanently damage or alter property;
31. Where a side contravenes Section 27, the offending campaign materials shall be destroyed and the C.R.O. may assess an additional penalty to that side, as set out in Section 86.
32. No side shall have more than one (1) banner on display in any given building at any given time.
33. Where a side contravenes Section 32, the offending banners shall be destroyed and the C.R.O. may assess an additional penalty to that side, as set out in Section 86.
34. No side shall have more than ten (10) posters on display in any given building at any given time.
35. No poster shall be displayed in such a way as to obscure other election campaign materials.
36. Where a side contravenes Section 34 or Section 35, the offending posters shall be destroyed, and the C.R.O. may assess an additional penalty to that side, as set out in Section 86.
37. No volunteer shall damage or destroy another side's campaign materials unless specifically authorized to do so by the campaign manager for that side or the C.R.O.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

38. All campaign materials shall be removed by 21h00 on the day before the commencement of voting.
39. All printed campaign materials shall be purchased at official list price costs from one (1) or more of the printing companies designated by the C.R.O.
40. The C.R.O. shall designate at least five (5) printing companies from which sides may purchase materials to be in compliance with Section 39.
41. Where a side demonstrates that a desired campaign material could not be produced by any of the five (5) or more printers designated by the C.R.O. as set out in Section 40, the C.R.O. may grant a limited exemption from Section 40 to that side.
42. Where campaign materials can be produced by any Students' Union operated business, sides shall purchase those campaign materials from that business.
43. Where a side contravenes Section 39 or Section 42, the offending campaign materials shall be destroyed, and the C.R.O. may assess an additional penalty to that side, as set out in Section 86.
44. No side shall accrue more than one thousand dollars (\$1000.00) in campaign expenses, all of which shall be paid by the Students' Union.
45. Where a side chooses to print campaign materials on recycled paper containing one hundred percent (100%) post consumer content, and where that side demonstrates, to the satisfaction of the C.R.O., that this choice resulted in an increased cost being incurred to it, then the amount of this increased cost shall not count against the limit set out in Section 44.
46. Each side shall keep an up to date and accurate account of all campaign expenses it incurs, and its campaign manager shall be responsible to the C.R.O. for all such campaign expenses.
47. Each side's campaign manager shall submit to the C.R.O. the record, as set out in Section 46, prior to sixteen (16) working hour prior to the commencement of voting.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

48. No side shall incur any campaign expense within sixteen (16) working hours of the commencement of voting, except where that campaign expense has been reported in the record submitted to the C.R.O., as set out in Section 47.
49. Where a product or service has been provided to a side for no consideration or for consideration that is less than the official list price of the product or service provider, that side shall be considered to have incurred a campaign expense equal to the fair market value of the product or service, as determined by the C.R.O.
50. Where a side receives a product or service for consideration that is greater than the fair market value of that product or service, then that side shall be considered to have incurred a campaign expense equal to the actual consideration.
51. For the purposes of Section 50, general labour and any expertise held by a significant portion of the population, including, but not limited to, poster design and web page design and programming, shall be considered to have a fair market value of zero.
52. The fair market value shall be determined by the C.R.O. using the price that any other side would pay for a comparable product or service as a guideline.
53. Sides shall have the right, but not the obligation, to receive an assessment of a product or service's fair market value in advance.
54. A side wishing to receive a fair market value assessment in advance shall make a written request to the C.R.O., which shall include:
 - a. a full and accurate description of the product or service;
 - b. the supplier of the product or service, along with contact information for same; and
 - c. the side's estimate of the product or service's fair market value, and a rationale for the same.
55. Where a complete request, as set out in Section 55, has been submitted to the C.R.O., the C.R.O. shall respond with a decision within twelve (12) working hours.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

56. The C.R.O. shall review all campaign expense records, and shall post summaries of same more than twelve (12) working hours prior to the commencement of voting.
57. Where the C.R.O. determines that a side has exceeded or falsified its campaign expense limit:
 - a. the campaign manager for that side shall be disqualified.
 - b. that side shall be prohibited from engaging in any further campaign activities;
 - c. he/she may recommend to the D.I.E. Board that further action be taken against that side's campaign manager, members, and/or volunteers; and
 - d. all of the above shall be communicated to that side's campaign manager.
58. The D.I.E. Board shall convene a meeting less than twelve (12) working hours prior to the commencement of voting for the purposes of hearing and ruling on all appeals of the C.R.O.'s rulings.
59. All appeals of the C.R.O.'s rulings, with the exception of those arising out of voting and results, shall be heard and ruled upon by the D.I.E. Board prior to the commencement of voting.
60. The D.I.E. Board shall, at the meeting set out in Section 58, either:
 - a. rule on all appeals; or
 - b. order a delay to the referendum or plebiscite.
61. Each member shall be entitled to cast one (1) ballot, except the C.R.O. who shall be entitled to cast a ballot only in the event of a tie, as set out in Section 66.
62. Where a member is found to have cast more than one (1) ballot, all of that member's ballots shall be considered spoiled.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details
Jan 11/05 – Implemented May 1/05
Aug 17/04 (IRB)
Feb 3/04
Apr 30/03
June 18/02 (IRB)
May 2/01
Feb 02/99

63. Ballots shall list each side “yes” followed by “no” for each referendum or plebiscite question.
64. Where a voter’s intention is clear, that voter’s ballot shall be counted.
65. The side that receives the greater number of votes shall be declared victorious.
66. Where both sides receive an equal number of votes, the C.R.O. shall cast a ballot.
67. Voting shall be conducted at times determined and advertised by the C.R.O.
68. No voting, other than a maximum of one (1) advance poll, shall be conducted prior to the D.I.E. Board ruling on all appeals covered by Section 60.
69. At each physical polling station, there shall be at least two (2) poll clerks, hired by the Students’ Union for that purpose, at all times.
70. Where there are fewer than two (2) poll clerks at any given polling station at any given time, polling at that polling station shall cease until such time as there are at least two (2) poll clerks at that polling station.
71. At each polling station, there shall be a notice to voters that shall explain the balloting procedures.
72. The C.R.O. shall provide for the secure handling of ballots, and shall ensure that at all times ballots are either under the direct supervision of the C.R.O. or a D.R.O. or are in a locked room or container.
73. During voting, campaign managers, members of sides, and volunteers shall not engage in campaign activities.
74. Each side shall be permitted to have one (1) agent, designated in writing by the campaign manager, acting as scrutineer and being present at the counting of the ballots.
75. The C.R.O. or at least one (1) D.R.O. shall:

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

- a. supervise the counting of ballots;
 - b. post final referendum or plebiscite results within twenty-four (24) working hours of all complaints and appeals being resolved;
 - c. notify the Speaker of Students' Council and the President of the Students' Union, in writing, of the final results;
 - d. post unofficial referendum or plebiscite results at any time, including during counting;
 - e. advertise final referendum or plebiscite results in the first available edition of the Official Student Newspaper after the posting of the final results as set out in Section 76 (b); and
 - f. store the ballots in a locked room or container for at least two (2) weeks after the last recount has been completed.
76. A request for a recount shall be granted by the C.R.O. where:
- a. the request is in writing and signed by a member;
 - b. the request is submitted to the C.R.O. within forty-eight (48) hours of the posting of referendum or plebiscite results as set out in Section 75 (b); and
 - c. the difference between the number of votes obtained by each side is less than two percent (2%) of the total votes cast in that referendum or plebiscite.
77. The C.R.O. may initiate a recount independently for any reason.
78. The C.R.O. shall post the results of any recount within twenty-four (24) working hours of the recount being completed.
79. The C.R.O. shall be empowered to investigate and rule upon every contravention of this bylaw or any other bylaw, rule, or regulation of any bylaw related to the referendum or plebiscite.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details
 Jan 11/05 – Implemented May 1/05
 Aug 17/04 (IRB)
 Feb 3/04
 Apr 30/03
 June 18/02 (IRB)
 May 2/01
 Feb 02/99

80. The C.R.O. shall prepare and provide a complaint form which shall require complainants to indicate:
 - a. their names and student identification numbers;
 - b. the specific bylaw and section, rule, or regulation that is alleged to have been contravened;
 - c. the specific individual or group that is alleged to be in contravention;
 - d. the specific facts that constitute the alleged contravention; and
 - e. the evidence for these facts.
81. Where a complaint is received within twelve (12) working hours of the alleged contravention, and where the original complaint form is provided to the C.R.O., the C.R.O. shall rule on that complaint.
82. The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.
83. Where a complaint is received and is found to be complete as set out in Section 80, the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.
84. The C.R.O. shall post all of his/her rulings, including:
 - a. a summary of the complaint
 - b. a list of parties to the complaint
 - c. where the C.R.O. fails to possess jurisdiction, as set out in Section 80, a summary of reasons for this finding;
 - d. a listing of all bylaws, rules, and regulations that apply;

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details
Jan 11/05 – Implemented May 1/05
Aug 17/04 (IRB)
Feb 3/04
Apr 30/03
June 18/02 (IRB)
May 2/01
Feb 02/99

- e. a finding regarding the facts;
 - f. a ruling regarding the alleged contravention;
 - g. the penalty assigned, if any;
 - h. the time the ruling was posted; and
 - i. the time limit for appeal.
85. Where a campaign manager or volunteer has contravened a bylaw, rule, or regulation, regardless of the cause or the intent of the parties involved, and where that contravention has provided an unfair advantage to a side, the C.R.O. shall assign a penalty that
- a. fully counter-balances any advantage gained;
 - b. where the contravention was intentional, penalizes the side whose campaign manager or volunteer was guilty of the contravention.
86. Penalties available to the C.R.O. shall include:
- a. a fine, to be counted against the side's campaign expenses;
 - b. the confiscation or destruction of campaign materials;
 - c. limits, restrictions, and prohibitions on any type of campaign activities for any period of time up to the commencement of voting; and
 - d. disqualification of campaign manager.
87. Where the advantage gained by the "yes" side of a referendum or plebiscite due to a contravention cannot be fully counterbalanced by the penalties available to the C.R.O. as set out in Section 86, the C.R.O. shall cancel the referendum or plebiscite.
88. Where the advantage gained by the "no" side of a referendum or plebiscite due to a contravention cannot be fully counterbalanced by the penalties available to the C.R.O.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

- as set out in Section 86, the C.R.O. shall counterbalance the advantage to the maximum extent possible, and may recommend to the D.I.E. Board that further disciplinary action be taken against the members guilty of the contravention under the Discipline, Interpretation, and Enforcement Board Bylaw.
89. Where a side's campaign manager is disqualified, that side shall select a new campaign manager.
 90. Any member shall be entitled to appeal a ruling of the C.R.O. to the D.I.E. Board.
 91. No appeal shall be considered by the D.I.E. Board unless it is received within twelve (12) working hours of the C.R.O.'s ruling being posted.
 92. Where a complete appeal is received, the D.I.E. Board shall convene a hearing within twelve (12) working hours of the appeal being submitted.
 93. No appeal shall exist from a ruling of the D.I.E. Board on an appeal of a ruling by the C.R.O.

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details
Jan 11/05 – Implemented May 1/05
Aug 17/04 (IRB)
Feb 3/04
Apr 30/03
June 18/02 (IRB)
May 2/01
Feb 02/99

Single Source Cold Beverage Agreement

Entitled to View: President, Vice-President (Operations & Finance),
General Manager, Manager of Facilities & Operations

File Location:

Special Provisions:

General Manager's Contract and Personnel File

Entitled to View: President, General Manager

File Location: President's Office

Special Provisions:

All Other Personnel Files

Entitled to View: Executive Committee, General Manager, Direct
Supervisor, Personnel Manager

File Location: Personnel Manager's Office

Special Provisions:

Travel CUTS Lawsuit File

Entitled to View: Executive Committee, General Manager

File Location: General Manager's Office

Special Provisions:

Executive In-Camera (Personnel) Minutes – Any material pertaining to Personnel issues

Entitled to View: Executive Committee, General Manager

File Location: Executive Assistant's Office

Special Provisions:

Executive In-Camera (Business) Minutes - Highly sensitive material pertaining to Business issues, including contracts and negotiations, and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager

File Location: Executive Assistant's Office

Special Provisions:

Executive In-Camera (Legal) Minutes - Highly sensitive material pertaining to current or potential legal issues and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager

File Location: Executive Assistant's Office

Special Provisions:

Executive In-Camera (Other) Minutes - Highly sensitive material pertaining to issues not defined as Personnel, Business or Legal, and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager
File Location: Executive Assistant's Office
Special Provisions:

Confidential University Documents – Materials received from the University that have been classified as Confidential by the University

Entitled to View: President, appropriate Vice-President, General Manager
File Location: Office of the President or appropriate Vice-President
Special Provisions: Confidential Board of Governors documents shall be for the eyes of the President only and shall be under the sole care, custody and control of the President.

Grievance Documents – Highly sensitive material pertaining to current or potential Union grievances and designated by Executive Committee as Strictly Confidential

Legal Documents - Highly sensitive material pertaining to current or potential legal issues and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager, other "need to know" managers
File Location: Executive Assistant's Office
Special Provisions:

Single Source Cold Beverage Agreement

Entitled to View: President, Vice-President (Operations & Finance),
General Manager, Manager of Facilities & Operations

File Location:

Special Provisions:

General Manager's Contract and Personnel File

Entitled to View: President, General Manager

File Location: President's Office

Special Provisions:

All Other Personnel Files

Entitled to View: Executive Committee, General Manager, Direct
Supervisor, Personnel Manager

File Location: Personnel Manager's Office

Special Provisions:

Travel CUTS Lawsuit File

Entitled to View: Executive Committee, General Manager

File Location: General Manager's Office

Special Provisions:

Executive In-Camera (Personnel) Minutes – Any material pertaining to Personnel issues

Entitled to View: Executive Committee, General Manager

File Location: Executive Assistant's Office

Special Provisions:

Executive In-Camera (Business) Minutes - Highly sensitive material pertaining to Business issues, including contracts and negotiations, and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager

File Location: Executive Assistant's Office

Special Provisions:

Executive In-Camera (Legal) Minutes - Highly sensitive material pertaining to current or potential legal issues and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager

File Location: Executive Assistant's Office

Special Provisions:

Executive In-Camera (Other) Minutes - Highly sensitive material pertaining to issues not defined as Personnel, Business or Legal, and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager
File Location: Executive Assistant's Office
Special Provisions:

Confidential University Documents – Materials received from the University that have been classified as Confidential by the University

Entitled to View: President, appropriate Vice-President, General Manager
File Location: Office of the President or appropriate Vice-President
Special Provisions: Confidential Board of Governors documents shall be for the eyes of the President only and shall be under the sole care, custody and control of the President.

Grievance Documents – Highly sensitive material pertaining to current or potential Union grievances and designated by Executive Committee as Strictly Confidential

Legal Documents - Highly sensitive material pertaining to current or potential legal issues and designated by Executive Committee as Strictly Confidential

Entitled to View: Executive Committee, General Manager, other "need to know" managers
File Location: Executive Assistant's Office
Special Provisions: