SUMMER COUNCIL MEETING 2015/2016

19 July 2015
Senior Operations Standing Committee

1. Call to Order
2. O Canada
3. Western Song
4. Roll Call
5. Approval of Minutes
   i. From September 2014, to April 2015.
6. Approval of Agenda
7. For Action
   i. Access Copyright and Experiential Learning (Motion 1, Annex 1)
   ii. Senior Operations Terms of Reference (Motion 2, Annex 2)
   iii. Council Summer Authority Policy (Motion 3, Annex 3)
   iv. Gazette Budget Reallocation (Motion 4)
   v. Operation Overhaul!
      1. International Students’ Caucus (Motion 5, Annex 4)
      2. By-law 3 -> External Strategies and Relationships Policy and Ontario Undergraduate Student Alliance Policy and Procedure (Motion 6, Annex 5)
   vi. PSLPR List of Services/Programs for Review in 2015/2016 (Motion 7)
   vii. Recommendation of the Board (Motion 8, Annex 6)
8. For Information
   i. Executive Reports
9. For Discussion
10. Termination
Motion 1 – Experiential Learning Fund

Whereas, the termination of the agreement between the University of Western Ontario and Access Copyright has made approximately $120,000.00 available for collaborative use by Western and the USC,

Be it resolved that the Council authorize the USC President to commit the funds on behalf of Western undergraduate students for the establishment of the USC Experiential Learning Bursary in accordance with the provisions of the Donor Agreement between the University Students’ Council and the University of Western Ontario (April 2015),

Be it further resolved that any remaining funds, beyond the $120,000.00, also be committed to the fund to provide bursaries in the first year of the endowment’s operation.

FARFAN/Seconder
Annex 1

REPORT TO THE SENIOR OPERATIONS COMMITTEE

Meeting Date: July 13th 2015

<table>
<thead>
<tr>
<th>Item</th>
<th>Experiential Learning Endowment Report</th>
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<tbody>
<tr>
<td>Author</td>
<td>Sophie Helpard, USC President</td>
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<tr>
<td>Purpose of Report</td>
<td>For Information and Recommendation to Committee</td>
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<tr>
<td>Item #</td>
<td>TBD</td>
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**Recommendation:**
That the Senior Operations Committee of Council receives this report for information and include the attached report and motion on the Council Agenda for consideration and approval. Further recommends that the Senior Operations Committee recommend the motion associated with this report to Council.

**Background:**
The right to reproduce any portion of expressive works that are deemed to be owned intellectual property is governed in Canada by the Copyright Act (C-42)¹ and administered by the Copyright Board of Canada.² On March 31, 2010, Access Copyright, a not-for profit collective representing creators and publishers in Canada³, applied to the Copyright Board to certify a tariff that would govern the relationship between the organization and the members of the Association of Universities and Colleges of Canada.⁴ Previously, the relationship had been governed by a series of license agreements between the organizations which had been periodically renewed.⁵ Under the agreement signed by Western

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¹ Canadian Copyright Act, 1985 [http://laws-lois.justice.gc.ca/eng/acts/C-42/page-1.html#h-1](http://laws-lois.justice.gc.ca/eng/acts/C-42/page-1.html#h-1)
² Copyright Board of Canada [http://www.cb-cda.gc.ca/about-apropos/mandate-mandat-e.html](http://www.cb-cda.gc.ca/about-apropos/mandate-mandat-e.html)
³ Access Copyright ‘About us’ webpage [http://www.accesscopyright.ca/about-us/](http://www.accesscopyright.ca/about-us/)
⁵ Objections to the Proposed Access Copyright Post-Secondary Tariff and its Progeny Licenses: A Working Paper [http://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1026&context=fimspub&sei-redir=1&referer=http%3A%2F%2Fwww.bing.com%2Fsearch%3Fq%3Dwestern%2Bsigns%2Bagreement%2Bwith%2Baccess%2Bcopyright%26src%3DIE-TopResult%26conversationid%3D%26first%3D9%26FORM%3DPORE#search=%22western%20signs%20agreement%20access%20copyright%22](http://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1026&context=fimspub&sei-redir=1&referer=http%3A%2F%2Fwww.bing.com%2Fsearch%3Fq%3Dwestern%2Bsigns%2Bagreement%2Bwith%2Baccess%2Bcopyright%26src%3DIE-TopResult%26conversationid%3D%26first%3D9%26FORM%3DPORE#search=%22western%20signs%20agreement%20access%20copyright%22)
University, full time equivalent students paid $27.50 for access to copyright materials via Access Copyright’s copyright license for use in the course of their studies.\(^6\)

In 2012 the Canadian Federal Government passed the Copyright Modernization Act and the Supreme Court of Canada issued rulings that altered the legal landscape pertaining to the academic use of copyright materials. This change resulted in Western withdrawing from its agreement with Access Copyright and receiving a refund for services rendered while they were not used.\(^7\) Students were informed that they would be eligible for refunds from the University. Following the refund period, cheques that were not picked up by students were voided and the funds were returned to an internally restricted account overseen by the Western Administration. Outstanding money collected from undergraduate students has yet to be allocated and remains in the stewardship of the Western Administration. It is estimated that the fund is approximately $120,000.00 however these funds do not accrue interest under their present stewardship arrangement.

Between 2012 and 2015 several meetings were held between USC Executives and senior members of the Western Administration to resolve the use of the funds. The funds must be used in a manner that satisfies Western’s obligation to exercise reasonable stewardship of money collected through mandatory student fees outlined in the 1994 provincial Ancillary Fees Protocol. It was determined that the endorsement of the USC’s President and Council would be a necessary component to the appropriate use of the funds.

**Report:**

Work has been underway for some time to establish an endowment fund for experiential learning opportunities on campus for students who could demonstrate financial need. Experiential learning and extra-curricular opportunities are regarded as an essential component of the Western student experience and such a fund would mitigate some of the financial barriers of participation. The endowment would fund 10 bursaries at a value of $500 each in perpetuity. (For an explanation on how endowments work please see Appendix 3) If the principle amount of the endowment can be increased the number of bursaries can also increase in the future.

These funds have the potential to serve a dual purpose. First and foremost the bursary will enable students to participate in experiential learning opportunities regardless of any financial constraints. This serves to remove financial barriers to participation and success, support the Western community, and enhance the educational experience of undergraduate students. The fund also provides additional opportunities and avenues for advancement and fundraising activities by providing a target for potential donors who would like to contribute specifically to experiential learning opportunities. Donations such as those could increase the number of bursaries awarded over time on an annual basis and would contribute directly to the student experience.

Should Council authorize the USC President to enter an agreement authorizing Western to release the funds as articulated above, the outstanding Access Copyright Refund funds will be submitted to the University Senate and Board of Governors to be used to establish the bursary in time to support students in the 2015/16 academic year.

\(^6\) Access Copyright Contract [http://www.lib.uwo.ca/files/copyright/accesscopyright-agreement.pdf](http://www.lib.uwo.ca/files/copyright/accesscopyright-agreement.pdf)

\(^7\)Western Press Release on the termination of Access Copyright contract [http://news.westernu.ca/2013/12/western-statement-on-access-copyright-negotiations/](http://news.westernu.ca/2013/12/western-statement-on-access-copyright-negotiations/)
Appendix 1: How Endowments Work

University endowments represent money or other financial assets that are donated to a university. The money originally donated is referred to as the “starting principle.” Endowments often have specific purposes, usually providing ongoing funding for a project, initiative, and academic chair in perpetuity.

The donated funds are invested in accordance with the Administrator’s investment policies by a Fund Manager. The earnings and interest protect the principle from inflation and generate the funds necessary to pay for the program. Typically funds can expect a long-term return of approximately 5% on the starting principle of which the majority is used to fund the intended project depending on the terms of the Donor’s agreement and Endowment Policies. The Fund Manager is overseen by a Board of Trustees which in Ontario is a duty usually held by a University’s Board of Governors. The Board of Trustees or Governors exercise legal stewardship over the funds and set the policies related to its management.

Funds are also governed by Donor’s agreements which often include provisions to modify the amount, purpose, and management of the fund often requiring the consent of the original donor and the Trustees.
Motion 2 – Senior Operations Interim Terms of Reference

Whereas, the new implementation of the Senior Operations Committee requires a guiding document to carry out their responsibilities,

Be it resolved, the Senior Operations Committee adopts an interim Terms of Reference. The Terms of Reference will be amended when the Executive Officer Accountability and Disciplinary Process policy has been reworked and rewritten.

KITELEY/Seconder
Annex 2

SENIOR OPERATIONS COMMITTEE INTERIM TERMS OF REFERENCE

19 July 2015
USC Council

1. Mandate
The Senior Operations Committee of Council shall be a standing committee of Council responsible for informing the strategic and political direction of the organization, assessing existing and potential risks to the organization, serving as a tool for executive review and accountability, and any matters relating to Council operations.

2. Membership
1. Speaker of Council, ex-officio as chairperson.  
2. Council Clerk and/or Deputy Speaker, ex-officio, secretary.  
3. Five (5) Committee Chairs as Elected by Council, voting.  
4. Chair of the Board of Directors, ex-officio, non-voting.  
5. President of the USC, ex-officio, non-voting.  
6. Secretary Treasurer of the USC, ex-officio, non-voting.  
7. Any members of the Western undergraduate student body as observers appointed by the chair at the discretion of the committee, non-voting.  
8. Any Ordinary Member, Executive Officer, Director, and Officer of the corporation may attend any public sessions of the Senior Operations Committee and shall be afforded speaking rights at the discretion of the Chair.

3. Responsibilities
The Senior Operations Committee shall,
1. Be a Standing Committee of the Council.  
2. Receive all items for review before they are presented for information or consideration by Council.  
3. Organize the business of the Council through the preparation of the Agenda and the dissemination to members of the Council of information pertinent to the Agenda.  
4. Supervise the operation of the Council and make any recommendations on rules of order as well as any other matters of internal reform.  
5. Determining the time and location of meetings and the allocation of relevant budget and resources for Council operations as outlined in the USC budget.  
6. Evaluate and recommend any proposed changes to the USC’s governance structure including the number of Directors, the nature of Executive Portfolios, and Committees of Council including the creation or dissolution of Committees as necessary.  
7. Act as the primary consultative body with regards to any changes to the USC By-Laws.  
8. Identify training and development needs of Councilors and oversee the implementation of an effective training and development program.

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8 The Chairperson shall exercise the right to table a motion in the case of a tie.
9 The choice of either Council Clerk and/or Deputy Speaker shall be at the discretion of the Speaker.
9. Oversee the selection process for Directors, Executives, and Members of the Appeals Board through the Nominating Committee and make recommendations to Council on changes to the selection process.
10. Inform Council of relevant business conducted by the Board of Directors.
11. Recommend changes to the Executive Portfolios to meet the needs of Council.
12. Exercise the authorities and perform any duties delegated to it by the Council.

4. Special Rules of Procedure
   1. No voting member of the Senior Operations Committee shall assign a proxy for voting or attendance purposes.
   2. Due to the nature of some of the issues the Senior Operation Committee can preside over, all meetings of the Senior Operations Committee shall be open to the public unless dealing with matters deemed sensitive by any of the following:
      i. The President of the USC.
      ii. The Secretary Treasurer of the USC.
      iii. The Speaker of Council.
      iv. The Chair of the Board of Directors.
      v. A majority of the Directors.
      vi. A majority of Voting Members of the Committee.

5. Context and Enactment
   1. Documents Repealed –
   2. Supporting/Related Documents –
   3. Date Passed –
   4. All previous Amendments –
Motion 3 – Council Summer Authority Policy

Be it resolved, Council adopts the Council Summer Authority Policy as attached below.

HARDY/Seconded
Annex 3

COUNCIL SUMMER AUTHORITY POLICY

19 July 2015 USC Council

1. Preamble
Traditionally the Legislative Calendar has provisions for a Summer Meeting of Council with a reduced quorum to serve as an orientation and training session for new Councillors and to transact any business necessary to the corporation. This policy has been implemented to provide an additional degree of flexibility for the organization during its summer months while respecting the division of power and authority between the Council, Board, and Executive. This policy supplements the provisions contained in the USC’s By-Law #1 that relate to the operations of Council.

2. Purpose
The purpose of this policy is to ensure the continuity of the work of the Board, Executive and Council during the summer months.

3. Definitions
- “Summer Business” means any decisions taken under authority of this policy.
- “Summer Months” means from the day after AGM II to the day of the regular September Council Meeting.

4. Responsibilities
It is the policy of the University Students’ Council that,

1. With the consent of the President, Chair of the Board of Directors, Secretary-Treasurer, and Speaker of Council, the Senior Operations Committee is authorized to exercise the authority of the Council and take whatever action is necessary to carry out the work of the institution for the summer months.

2. The Council and the Board of Directors shall be informed of any action(s) taken in writing within one week of the Committee’s approval.

3. Any action taken shall only be valid until the next meeting of Council where it shall be submitted to be confirmed, rejected, or amended.

4. Any action taken by the Senior Operations Committee that is not submitted to the Council at their next meeting ceases to have effect on the day of the meeting.

5. The Senior Operations Committee shall not amend or suspend the By-Laws of the Corporation.

6. The Senior Operations Committee shall not amend the budget or take any actions that would have substantial financial implications as defined in By-Law 1.

7. The Senior Operations Committee shall not be empowered to reconsider or take any action expressly contrary to any measures taken or directives made by Council on or after AGM I of the previous year.

8. This authority does not supersede the Summer Meeting of Council or, if necessary, the calling of a special meeting Council and/or the Board which may be called by the appropriate procedures.
9. The Senior Operations Committee shall exercise reasonable discretion in the application of their delegated authority over the summer months.

5. **Context and Enactment**
   5. Documents Repealed –
   6. Supporting/Related Documents – *By-law 1, Standing Orders of Council, Senior Operations Committee Interim Terms of Reference*
   7. Date Passed –
   8. All previous Amendments -
Motion 4 – Gazette Budget Reallocation

Be it resolved, the Gazette budget structure changes, as per below, to accommodate changing circumstance and realignment of priorities.

MOVER/Seconder

<table>
<thead>
<tr>
<th>Item</th>
<th>Gazette Budget Reallocation</th>
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<tbody>
<tr>
<td>Purpose of Report</td>
<td>For Action</td>
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<tr>
<td>Item #</td>
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The Gazette has $40,000 budgeted this year for a digital transformation manager. This position was intended to oversee the transition to a greater digital focus and remain in place for three years. Due to a change in circumstances (we hired an additional composer and the editor-in-chief was re-elected), we have not hired anyone for this position and are not planning to for this year. Because this money was allocated for three years, we will re-evaluate our goals and costs for the upcoming budget and the intended additional fee increase this year.

The Gazette would like to request a reallocation of the $40,000 collected for this year in the following four areas: honoraria, advertising, travel and public events. The majority of the reallocated money this year is included in next year’s (2016-17) budget, so this is not allocating money to any new areas or to any areas that will need additional funding next year. The details and projected costs are included in the table below.

<table>
<thead>
<tr>
<th>Expense</th>
<th>Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Editor Honoraria</td>
<td>6 student editors hired full-time for the month of August to assist in planning and organization of The Gazette @ minimum wage. We are budgeting for this next year and would just start this year. Compare to Fanshawe’s Interrobang hiring 7 for the entire summer. Also, bring yearly honoraria budget up to $85,000, from $77,000</td>
<td>$19,000</td>
</tr>
<tr>
<td>Advertising</td>
<td>Rebranding; new signage for stands, residences and buildings on campus; branded Gazette materials (i.e. shirts, sweaters, pens, stickers, etc.)</td>
<td>$15,000</td>
</tr>
<tr>
<td>Public Events</td>
<td>Hosting open-house events, community editorial board events</td>
<td>$1,000</td>
</tr>
<tr>
<td>Travel</td>
<td>Sending editors to events of significance outside of London, such as away games (similar to CHRW budget, which is $6,600)</td>
<td>$5,000</td>
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<tr>
<td>------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
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<tr>
<td>Total</td>
<td></td>
<td>$40,000</td>
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Motion 5 – International Students’ Caucus

**Be it resolved,** the creation of the International Students’ Caucus (ICS) as a part of the new Caucus system to improved student involvement, engagement, and dialogue with unique student communities on campus. See Annex 4 below.

FARFAN/Seconder
Annex 4 – International Students’ Caucus

1. Objective
The International Students’ Caucus (ICS) is a formalized group dedicated to acting as a forum and think-tank for the concerns and opinions of international students on campus, as well as an opportunity for collaboration, event-planning, and advocacy.

2. Mandate
The International Students’ Caucus shall,
1. Act as a voice and forum for discussion of issues unique to international students at Western University.
2. Serve as a think tank, to aid in the development and creation of recommendations to be presented to the USC.
3. Garner feedback from various members of the Western community, in order to address issues of relevance to international students.
4. Present recommendations to Council which are not binding upon Council or the Corporation.
5. Present to the Vice-President Internal of the University Students’ Council concerns related to issues affecting international students and shall encourage resolution of these concerns.

3. Composition
1. The ICS shall be an arm’s-length body composed of non-members of Council.
2. This caucus shall be created or dissolved, or their terms of reference changed by a majority vote of the members of the caucus which is subsequently affirmed by a resolution of Council.
3. The membership shall be as follows:
   i. Ten (10) international students,
   ii. The USC Ethnocultural Support Service (ESS) Coordinator, vice-chair, ex-officio,
   iii. The USC Vice-President Internal, ex-officio.
4. Membership selection shall be conducted by the following method:
   i. Applications for membership of the ISC shall be received by the USC’s Volunteer Resources Department.
   ii. Applications for membership of the ISC shall be received no later than September 30th of the academic year.
   iii. Applications for membership shall be reviewed by the Local Campus and Affairs Standing Committee.
      1. During the process wherein applications for participation are being screened, due consideration shall be given by the reviewers to balancing representation of on-campus experience and regional origin.

4. Duties of Members
1. All members shall attend all duly-called meetings of the ISC, and one (1) Council meeting per academic term.
   i. The time commitment for a regular member would be approximately two (2) hours a week, with more time allotted during weeks when meetings are held.
2. All members shall assist the Chair in both the development of the yearly report of the ISC and regular agendas.
3. All members shall be responsible for bringing forth relevant ideas and concerns facing Western’s international students. In addition, all members shall discuss strategies to implement new initiatives, or overcome previous hindrances.

5. Duties of Officers and Selection of Officers
   1. There shall be two (2) officers of the ISC: the Chair, and Vice-Chair.
   2. The members of the ISC shall elect amongst themselves the Chair via preferential secret ballot.
      i. The election of the Chair shall occur no later than the second duly-called meeting of the ISC.
      ii. Only the membership (excluding the ESS Coordinator and Vice-President Internal) are eligible to serve as Chair.
      iii. The Chief Returning Officer, with the assistance of the Secretary-Treasurer, shall serve as the administrator for the ISC elections.
      iv. Candidates running for Chair shall be given a maximum of two (2) minutes to address the membership of the ISC prior to voting, at the discretion of the Secretary-Treasurer.
      v. The ESS Coordinator and Vice-President Internal shall not vote in the election of Chair.
   3. The duties of the Chair of the ISC shall be:
      i. To call all meetings of the ISC.
      ii. In consultation with ISC members, set the agenda for meetings of the ISC.
      iii. Be responsible for the enforcement of this terms of reference.
      iv. Provide an oral report of ISC business at the beginning of each ISC meeting.
      v. Be responsible for the coordination of the membership.
      vi. Provide an annual report to Council before the Annual General Meeting.
      vii. Provide bimonthly updates to Council on the agenda and initiatives of the ISC.
      viii. Submit copies of all ISC minutes and other documentation to be filed at the USC office.
   4. The duties of the Vice-Chair of the ISC shall be:
      i. Chair meetings of the ISC in the absence of the Chair.
      ii. Assist the Chair as required and assume all other duties assigned by the Chair.
      iii. Be responsible for recording the minutes of the ISC meetings.
      iv. Be responsible for maintaining records of all ISC correspondence in conjunction with the Chair.
      v. Maintain a record of attendance at ISC meetings.

6. Meetings and Report Mechanisms
   1. There shall be at least three meetings each semester, to be held in the months between October and April.
   2. The first meeting shall be held no later than October 31st of each academic year.
   3. The ISC shall make written recommendations throughout the year to the USC via the Local Campus and Affairs Standing Committee of Council.
   4. The ISC shall generate a final summative report presented to Council by the Chair composed of its written recommendation, before the Annual General Meeting. This report will address issues of importance to international students decided upon by the ISC.
7. Finances and Budget
   1. Funding for the ISC shall be provided by the USC, under the portfolio of the Vice-President Internal, to a maximum of five-hundred (500) dollars per year.
      i. This funding shall be used to organize feedback, consultations, surveys, and forums to assist the ISC in their agenda.
   2. All requests for additional financial support shall be made to the Vice-President Internal.

8. Context and Enactment
   1. Documents Repealed – Caucus Terms of Reference.
   2. Supporting/Related Documents – First Year Students’ Caucus.
   3. Date Passed –
   4. All previous Amendments –
Motion 6 – Creation of New External Policy Tree

Whereas, By-law 3’s existence primarily centered on the USC’s relationships with CASA and OUSA. We are no longer a part of CASA as of the spring of 2015. Additionally, a by-law is not the appropriate document to house the USC’s relationship with external partners – having our external relationships outlined is better practice for the governance of the organization.

Whereas, in efforts of increased transparency, clarity and cohesion, By-law 3 has been reworked and removed.

Be it resolved, instead of By-law 3, there be a clearer policy hierarchy, involving the creation of the External Relationships and Strategies Policy and Ontario Undergraduate Student Alliance Policy and Procedure.

HARDY/Seconder
EXTERNAL RELATIONSHIPS AND STRATEGIES POLICY

EFFECTIVE DATE

USC Council

1. Objective
The USC has the opportunity to work with multiple groups and organizations. This policy establishes the values necessary to the USC’s external relationships, as well as how the relationship with other organizations can manifest.

2. Principles and Values
The USC believes that external organizations should share some of the following principles, focused on ensuring a better quality of life for students:
- Fairness, objectivity and equality.
- Social responsibility.
- Good governance.
- Transparency and accountability.
- Expanding experiential learning experiences.
- Increasing student accessibility and transportation needs.
- Improving student wellness.
- Providing safe and secure space and services to students.

3. Relationships and Partnerships
Relationships with external organizations will be formalized, and can take a variety of forms, including the follow:
1. Memorandum of Understanding (MoU): an agreement involving two or more parties, expressing a shared will and understanding, and outlines a degree of procedure, protocol or line of action to address the key audience.
2. Membership Agreement: a mutually beneficial agreement that assists in the USC and the external organizations in the delivery of a service, or improving the educational experience.

4. Context and Enactment
1. Documents Repealed – By-law 3: External Political Representation
2. Supporting/Related Documents – Ontario Undergraduate Student Alliance Policy and Procedure
3. [Date Passed]
4. [All previous Amendments]
ONTARIO UNDERGRADUATE STUDENT ALLIANCE POLICY AND PROCEDURE

EFFECTIVE DATE

USC Council

1. Objective
The University Students’ Council’s mission statement aligns with provincial political representation in order to advocate for the needs of Western University’s undergraduate students. The USC being a member of Ontario Undergraduate Student Alliance (OUSA) provides provincial advocacy to further the quality of life for undergraduate students.

2. Membership and Representation
1. The USC is a member of OUSA.
2. The USC’s main representation to OUSA is the Vice-President External, who holds a position on OUSA’s Steering Committee.
3. The Vice-President External can also run for a leadership position in OUSA; bound by the protocol detailed in the Executive Terms of Reference.
4. OUSA has two (2) General Assemblies a year, at which point the USC can elect ten (10) representatives to attend, plus the Vice-President External.
   i. Conventionally, the USC sends the President, Vice-President Internal and eight (8) student representatives.
   ii. The number of attendees is dictated by: (Western’s total student population)/3000.
   iii. The eight (8) student representatives are elected within Council via preferential secret ballot. They must be eligible undergraduate students at Western University.

3. Fees
1. The USC will collect and pay membership fees to OUSA in the amount defined by OUSA.
2. The USC must be notified of any necessary increases to the fee before January 31st of the year preceding the increase.
3. The fees must conform to the standards set by the Student Services Committee.

4. Relationship and Removal
1. Every two years the relationship with OUSA will be reviewed by Council, via the Provincial and Federal Affairs Committee. The review will reflect on the values of both the USC and OUSA, and to ensure that principles and strategies align.
2. The USC can remove itself from OUSA if they believe there is just cause, however:
   i. The removal process must take two years.
   ii. The first year, at Council’s Annual General Meeting, there will be a motion to begin the removal process and conduct further investigation into the relationship and goals of the USC and OUSA.
   iii. The second year, at Council’s Annual General Meeting, there will be a motion to completely remove the USC from OUSA membership.
3. In the instance where there is illegal activity conducted by OUSA, the USC can immediately sever its ties from OUSA.

SUMMER COUNCIL MEETING AGENDA
4. The USC retains its right to maintain its autonomy in the relationship, and the USC’s representatives should always act in the best interest of the USC.

5. Context and Enactment

1. Documents Repealed – *By-law 3: External Political Representation*
2. Supporting/Related Documents – *External Relationships and Strategies Policy*
3. [Date Passed]
4. [All previous Amendments]
Motion 7 – PSLPR List of Programs/Services for Review in 2015/2016

Be it resolved that, the Portfolio Service Level and Program Review Committee 2015-2016 conduct a formal review of the following programs:
   - Ally Western (report due September 25)
   - First Year Involvement (report due October 25)
   - Public Arts (report due November 25)
   - Ethnocultural Support Services (report due January 25)
   - Charity Ball (report due February 25)

MOVER/Seconder
Motion 8 – Recommendation of the Board regarding the Plebiscite

Whereas, the chair of the board prepared a report on the plebiscite passed at the April 16th meeting of council, found in Annex 6.

Whereas, the Board recommends that council not move forward with the plebiscite passed on April 16th on the matter of confidence in Team Sophie.

Whereas, the Board presents their concerns over the legal and operational risk surrounding the plebiscite.

Whereas, Council will receive a presentation from McKenzie-Lake Lawyers during their summer Council Weekend summarizing their legal opinion.

Be it resolved, Council will not conduct the plebiscite passed during the April 16th meeting of Council.

See Annex 6.

MOVER/Seconder
### AGENDA REPORT - COUNCIL

<table>
<thead>
<tr>
<th>Item:</th>
<th>Board Recommendation: Council Plebiscite</th>
</tr>
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<tbody>
<tr>
<td>Author:</td>
<td>Isaac Jacobi, Board Chair</td>
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<tr>
<td>Purpose of Report:</td>
<td>For Decision</td>
</tr>
</tbody>
</table>

The USC Board of Directors is responsible for ensuring the financial and legal security of the organization and to inform Council of any risk facing this security. After consultations with legal counsel, the Board has identified conducting a plebiscite as one such risk. As such, the Board recommends that Council not proceed with their plebiscite as it would expose the corporation to both legal and operational risks.

Directors received legal advice from our legal firm McKenzie-Lake warning of severe legal risks associated with the slate removal motion going to Council on April 16th.

**April 14th 2015**

A special meeting of the Board was held to discuss the advice received. The Board decided that if there was likelihood of the motion to be enacted, intervention would take place.

**April 16th 2015**

Such intervention did not take place as this motion was indefinitely postponed and replaced with a plebiscite of student confidence in Team Sophie. This new motion was introduced in new business, meaning the Board was not able to receive new plebiscite-specific advice or speak to the matter at the time.

**June 10th 2015**

The Board received legal opinion regarding the fall plebiscite. This advice spoke to a number of very real legal risks that would face the corporation should this plebiscite continue.

**Report:**

On April 13th the Board was informed that despite the removal clause included in Article 7.03 of By-Law #1, the removal of Team Sophie would be open to legal challenge. This challenge is made possible by administrative law and the rulings of similar cases that have gone to court. The Board’s legal
consultation has extended this opinion, adding that any action stemming from the fall plebiscite would not only be contrary to case law and subject to legal challenge but also be in bad faith. The Board recommends that Council avoid this risk and not move forward with a fall plebiscite. More details on the specific legal risks will be presented by McKenzie-Lake representation at the summer Council Weekend. Also at the weekend, Council will determine the best course of alternative action to ensure the spirit of accountability stays enact.