



Judgment of the USC Appeals Board in the matter of:

Armenian Students' Association v Clubs Governance Committee, 2016:5 Clubs De-Ratification Appeal

Date: April 6, 2016

Panel: Brandt Chu (Chair), Laura Lepine (Deputy Chair), Jenny Ryu

Reasons for Judgment: Chu

1. What is at issue on this appeal is whether the Clubs Governance Committee (hereafter the "CGC") came to a reasonable decision when deciding to de-ratify the Armenian Students' Association (hereafter the "ASA").
2. I find it instructive to review this Board's past decisions, particularly *Filmmakers and Performance Club*; *Hip Hop Heads*; *Net Impact*; *United Way Student Association of Western University v. USC Clubs Governance Committee, 2015:3 Club Ratification Appeals Part I*. In particular, I turn to paragraph 1 where, writing on behalf of the Board, I wrote:

Whether any of the proposed clubs **deserve** ratification is an all-together different matter outside the scope of these appeals. The role of the Appeals Board is to ensure the presence of fairness in USC decision-making and adherence to stated policies and by-laws. The discretionary power to determine whether a proposed club should or should not become a part of the USC community is ultimately within the purview of elected USC officials. To hold otherwise would be to ignore the democratic mandate of elected members on committees such as the CGC.

3. The situation of the ASA is sympathetic. The ASA brings together members of the Armenian community at Western University and throughout the London-area more broadly; the events of the ASA help to build and "join together a tightly-knit community."¹ It has played an important and active role in the broader Council of Ontario Armenian Students' Association and has contributed to the preservation of Armenian culture in Southwestern Ontario. De-ratified, members of the club

¹ Written Arguments of the Complainant.

fear that Armenians will “have difficulty connecting with Armenians in Western's undergraduate programs as well as the larger Armenian community in London.”²

4. Nonetheless, despite its sympathetic circumstances, no legal basis has been pleaded for overturning the decision of the CGC. It is uncontested that the ASA, at least in part due to the small size of the Armenian community at Western University, has been unable to fulfill s. 3.01 of the *Clubs Executive Term of Reference*, to maintain a membership of at least twenty-five (25) members, not including the Club’s executive.
5. The CGC, reasonably, informed the ASA of this fact when it came to the CGC’s attention and provided “sufficient time and opportunities” for the ASA to increase its membership base over the course of several months.
6. Once again, this Board must distinguish between what a party may **deserve** and what is reasonable and fair. Finding that the CGC acted reasonably and fairly in accordance with the relevant policies, the appeal is dismissed.

Disposition Summary

The appeal is dismissed.

² *Ibid.*