**Minutes of the Special |Meeting of Council Meeting of the 2015\2016 University Students’ Council of the University of Western Ontario held on April 16th, 2015 in Mustang Lounge, University Community Centre**

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| **Note:** This meeting can be viewed in full or in part via streaming video at <http://www.usc.uwo.ca/government/council/meetings/index.asp>. |

**1. CALL TO ORDER**

The Speaker called the meeting to order at 7:13 p.m.

**2. O CANADA**

The Speakerled Council in the singing of O Canada.

**3. WESTERN SCHOOL SONG**

The singing of the Western School Song was omitted as requested by the Speaker of Council, in order for Council to move directly into Council business. No objections to this omission were noted.

**4. ATTENDANCE**

###### The Speaker confirmed the quorum was met.

###### Absent With Regrets/ Proxy

DIAZ, Mauricio – WIHLIDAL, Jacob
BASSI, Radhika – REDONDO, Laura

DIGIUSEPPE, Giulia – WOLFE, Nick

FALLER, Adam – SHARMA, Shivani

###### Non-Voting Members and Observers

Cathy Clarke
Scott Courtice
Nick Soave
Carrie Passi

Kevin Hurren, Communications Officer

Jonathan English, Secretary Treasurer

Taryn Scripnick, Vice-President Student Events

**Speaker:** Andrew Lalka **Deputy Speaker:** N/A

**Recording Secretary**: Elizabeth da Ponte

 **5. ADOPTION OF THE AGENDA**

The Speaker moved to adopt the Agenda. Mr. Lalka enquired of Council whether there were any amendments to the Agenda.

Mr. Helfand addressed Council in order to make an amendment to the Agenda, in order to add a brief announcement to the Agenda. The Speaker directed the new Agenda item to follow New Business.

**GRAINGER/Cheesemen/Carried.**

The Speaker further enquired of Council whether there were any amendments to the Agenda.

Mr. Palin addressed Council in order to move an item of New Business. The motion in question, Motion to Call a Council-Initiated Plebiscite of Confidence and Call for Electoral Review, was noted to have been distributed to Council earlier in the day. Mr. Palin noted that the motion was constructed after consultations with various parties, further noting that Ms. Helpard was included in these consultations. Mr. Palin commented that this motion was meant to be a compromise to the current situation.

Mr. Sussman was asked to speak as the seconder to the proposed motion. Mr. Sussman addressed Council, informing Council that the motion had been extensively consulted upon for the week prior.

The Speaker informed Council, that as an item of new business, this motion would require a two-thirds majority vote from all present voting members, in order to be admissible onto the Agenda.
**PALIN/Sussman/Carried.**

No other amendments were noted. A motion to adopt the amended Agenda was called.
 **SUSSMAN/Farfan/Carried.**

**6. SPEAKER’S ANNOUNCEMENTS**

Andrew Lalka addressed Council in order to note that Councillors should wait to speak until a runner is able to hand them a microphone, in the interest of the microphone audio picking up questions. The formal rules of Council decorum would be enforced. He further informed the group that these rules prohibit clapping, cheering, booing or any other outbursts, and that all members in attendance would be subject to these rules. Violations of the Standing Rules of Council by anyone present would result in the person being asked to leave.

**7. COUNCIL BUSINESS**

Mr. Palin deferred his speaking rights to Mr. Sussman, who would speak with respect to Motion 1.

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| **Motion 1 (Agenda Item 7.1)** **Remove the 2015/2016 Slate, Review By-law #2, and Call a By-election Whereas,** Team Litchfield received the greatest number of votes during the PVP Election, but exceeded the maximum allowable demerit points as per the Appeals Board decision, resulting in their disqualification; **Whereas,** By-Law #2, section 11.12, (7) states: “If a winning candidate in any election is disqualified, the candidate who received the greatest amount of votes and who has not been disqualified shall be deemed the winner.” **Whereas,** students have expressed concern with this procedure, calling into question the legitimacy of the incoming Executive; **Whereas,** we believe the best remedy to address this situation is to invalidate the PVP election result and order a By-Election to fill the PVP positions; **Be it resolved that,** the results of the PVP 2015 winter election be invalidated having the effect of removing the 2015-16 PVP slate from office; **Be it further resolved that,** a By-Election be held at the earliest convenience, not later than September 25th, 2015; **Be it further resolved that,** a comprehensive review of By-Law #2 be undertaken by an arms-length resource, brought to Council by its September meeting; **Be it further resolved that,** a Council meeting be scheduled during the week of April 20th for the purpose of appointing an interim president.**PALIN/Sussman**  |

Mr. Sussman spoke that the motion, but prefaced by saying that the New Business motion in Section 9.1 is meant to be a substitute to this motion. Mr. Sussman informed Council that Motion 1 seeks to remove the recently announced Slate (H. Helpard, L. Perkins, A. Benac), an extensive overhaul of the Elections By-law and By-law 1, the appointment of an interim President until September, until a new election process can occur and a new Slate elected.

Mr. Sussman noted that the motion came after some initial concerns that a number of Councilors had (Mr. Sussman noted that the process of the Appeals Board was not in question) with respect to the democratic mandate of the Slate elect. Mr. Sussman further noted that this motion was introduced, specifically, because this motion was deemed to be the most severe solution that could be found. Mr. Sussman noted that constituents had concerns, and in bringing such a severe motion to Council to address these concerns, the hope was to promote as much debate and discussion as possible. Mr. Sussman further noted that due to time constraints, in order to call a Special Meeting of Council, the motion was put forward in its most severe form.

Mr. Sussman informed Council that after consultation with other Councillors and stakeholders, there were a number of practical questions that remained with respect to this motion; he further noted that these practical issues remained the reason why this motion was not the best solution for the resolution of the concerns relating to the Slate elect.

Mr. Sussman made it known to Council that in the debate period, it was his and Mr. Palin’s intention to postpone this motion indefinitely in or to discuss the New Business motion as a substitute to Motion 1, as a compromise that can please all interested parties.

Speaker opened the floor to motions or discussions.

Mr. Palin motioned to indefinitely postpone item Motion 1 (Agenda Item 7.1): Remove the 2015/2016 Slate, Review By-law #2, and Call a By-election, given that the item of New Business is intended to replace this motion. **PALIN/Sussman**

Speaker informed Council that the motion to postpone is a subsidiary motion, and as the first of the subsidiary motions it therefore yields to all subsidiary motions and takes precedence over only the main motion of order. The motion to postpone is a non-privileged motion, which means that it would require only fifty percent of the votes in order to carry by the members present. It would have the effect of taking the motion and removing it from consideration, until a motion to reconsider Motion 1 is brought forward by this assembly.

The Speaker opened the floor to questions. No questions were noted. The floor was opened to discussion.

The speaker called the question.

**PALIN/Sussman/Carried.**

**8. QUESTION PERIOD**

No questions were noted.

 **9. NEW BUSINESS

Motion 2 (Agenda Item 9.1)**

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| **Call a Council-Initiated Plebiscite of Confidence and Call for Electoral Review****Whereas,** in light of Team Sophie being declared the 2015-16 USC Executive, some concerns have arisen regarding their democratic mandate from students at-large;**Whereas,** By-Law #2 section 23.01 states that:“Council may initiate a plebiscite on any issue through a motion of Council, duly passed by a simple majority of those present and voting.”**Be it resolved that,** the USC hold a Council-initiated plebiscite no later than September 25th 2015 in accordance with section 22.00 of USC By-Law #2 with the following question:“Do you have confidence in ‘Team Sophie’ (Sophie Helpard: President, Alex Benac: Vice-President Internal, and Lindsee Perkins: Vice-President External) as the 2015-16 USC Executive?”**Be it further resolved that,** until the plebiscite is held the President provide bimonthly reports (twice monthly during the first and third weeks of each month) on the activity of the Executive to Council through the Senior Operations Committee;**Be it further resolved that,** the USC Executive commission an arms-length review of the USC electoral practices and procedures, including By-Law #2 to report back to Council by their October Meeting.**PALIN/Sussman** |

The Speaker asked the mover, Mr. Palin to speak on behalf of the motion.

Mr. Palin thanked the council for their feedback and input thought this process. Mr. Palin noted that this was not a matter than had been pursued lightly, and that believed that this discussion was necessary. He stated that it was clear that from the reactions online and those received personally, that there is an obvious discomfort with the situation. He noted that the situation was unlike any other elections prior, and was paramount that Council handle the situation properly. Mr. Palin stated that this was not a matter of Team Litchfield versus Team Sophie, and that the motion is not intended to go against the ruling of the Appeals Board to disqualify Team Litchfield, but question the process under which Team Sophie came into their roles; noting that this motion was directed towards the principle and an opportunity to set a precedent for future Councils, but ensuring the democratic process is upheld.

Mr. Palin addressed question as to why the motion had been changes. He noted that due to the unique circumstances, it would be easier to reduce sanction than to make them stronger. Mr. Palin informed Council that this new motion came out of consultation from the outgoing President, Mr. Helfand, and the incoming President, Ms. Helpard. Mr. Palin noted that it was his belief that this was the best way to address the concerns of students.

Mr. Sussman spoke to the crux of the concern being that there were issues with respects to the democratic process and principle. He noted that it was his belief that in going through this process, the Slate would gain the democratic mandate from students, and silence the concerns brought forward.

The Speaker opened the floor to discussion.

Ms. Catton: *the motion read by-monthly, when it ought to read by-weekly, in the second “be it resolved” statement.*

**CATTON/Cheesemen/Carried.**

Speaker opened the floor to further discussion.

Ms. Helpard addressed Council by, firstly, thanking those involved, specifically Mr. Palin and Mr. Sussman, for bringing this important conversation to light. She noted that she was aware of concerns with respect to the process under which she, Mr. Benac and Ms. Perkins were awarded the Slate elect positions. She expressed her agreement with the merits of these concerns and the opportunity to discuss these concerns at Council. Ms. Helpard noted that the two goals of this motion were to return the voice to students on this issue, but also to ensure that the USC continues to sever students.

Ms. Helpard stated that in September she is willing and confident to give students their voice back and allow them to pledge their confidence or on-confidence in the Slate elect. She further mentioned that in keeping with the other parts of the motion, including regular reporting to Council and that she would like to ensure that the Senior Operations Committee are very involved in the executive decision-making in the coming year. Ms. Helpard noted that they initiate a thorough review of the By-laws, to ensure that they actually speak to what students want by an objective third party, a review of the USC’s governance structure, and how the USC conducts elections. She further noted that as was seen in the current election period, there have been problems with all of these areas.

Ms., Helpard spoke to the negative impact of the elections process on the USC and the implication pertaining to the legitimacy of the organization that stemmed thereafter. She noted that this was an opportunity to change this perception and saw Motion 2 as the compromise that would allow Council to remain to serve students going forward.

The Speaker opened the floor to further discussion.

Cheeseman: *(***point of information***) When will the plebiscite be?*

Mr. Sussman noted that the motion did not specify when the plebiscite would take place, and that this matter is up for debate, as the motion only defines when the plebiscite ought to be completed by. The motion notes that the “*USC hold a Council-initiated plebiscite no later than September 25th 2015*”. Mr. Sussman noted that there was a general understanding that the plebiscite would take place in September, but that many of his constituents had enquired as to whether the plebiscite could be held as soon as possible. Mr. Sussman stated that a debate with respect to the date of the plebiscite would be encouraged.

Mr. Grainger spoke in favour of the motion, noting that when he received the motion, he put out a survey to his Engineering constituents, half responded in favour of removal the other half thought this was a terrible idea. Mr. Grainger focused on the reasoning of the fifty percent of participants who were in favour of removal, noting that their concerns stemmed from concerns surrounding the democratic nature under which the Slate has been elected. Mr. Grainger then acknowledges that the mandate of the USC was not to be the purest form of democracy, but to provide undergraduate students with the best possible educational experience.

Mr. Nick Wolfe (proxy for Ms. Giulia DiGiuseppe). Mr. Wolfe, as a point of information, asked to the implications of the plebiscite and whether after the plebiscite if the mandate from students is a vote of non-confidence, will Council revisit Motion 1.

Mr. Sussman addressed the concern brought forward by Mr. Wolfe, explaining that Motion 1 need not be revisited at all. Mr. .Sussman made particular note that the plebiscite was non-binding, and that if the plebiscite is in favour of the Slate, then Council will hold a vote of confidence. If the plebiscite is not in favour of the Slate, Mr. Sussman noted that Council may be compelled to move forward with the removal of the Slate.

Ms. Cheeseman addressed Council, speaking in favour of this motion. Ms. Cheeseman noted that it may be prudent to move the plebiscite forward, in that it would allow current Western students who voted in the election period to be a part of this process.
Mr. Pillon, as a point of information, asked if this plebiscite takes place in the next academic term, whether first year students will be voting in this plebiscite and whether graduating students be able to vote again or will their votes no longer be accounted for.

Mr. Palin spoke to the concerns raised by Mr. Pillon. He stated that, if the plebiscite takes place in September, then first year students would be allowed to vote. Mr. Palin believe that this is a way to get first years students involved with the USC. Graduating students would not have the opportunity to vote in the plebiscite if it is held in September.

Mr. Pratt, as a point of information, asked when the first possible date would be for holding the plebiscite, as he would like to have the issue resolved. Noting that to have the plebiscite as soon as possible would remove this issue from remaining any longer than it needs to.

Mr. Pratt: *When is the soonest possible date that we could have* this [plebiscite]?

Mr. Helfand spoke to the question, noting that the earliest a plebiscite could be held would be Monday (April 20th, 2015).

Mr. Little (Proxy): Against the amendment of this motion to have an earlier plebiscite, in order to allow students to evaluate Team Sophie on work she has done.

Mr. Grainger seeking to clarify the reference to his collection of data from Engineering students, and speaking in favour of the motion, he noted that the data collected showed that for students to get the greatest value out of the Slate, they would need to be in place over the summer. A vote of confidence now would not fulfill the mandate set out by students but would the mandate of Council. He notes that to have a USC Slate in place over the summer and have a quality O-week, would allow first year students to vote with some perspective. He stated that to ask students now for a plebiscite would only server to further all into question the legitimacy of the USC. Mr. Grainger noted that there was value in the Slate being trained by the outgoing Slate, and allows students to make a decision on the Slate once there is work to judge them against.

The Speaker asked whether there were any students wishing to speak against the Motion, present any amendments, or put forward any other motions that take precedence over the original motion.

Mr. Farfan: *Would propose an amendment to the date…*

The Speaker informed Mr., Farfan that this would constitute a substantive change and would require a mover and seconder.

Mr. Farfan wished to expand the discussion relating to the date of the plebiscite; noting that he would like further debate of the merits of changing the date.

The Speaker informed Mr. Farfan that to enter an informal debate or a caucus of the whole, or go forward with a motion to amend.

Mr. Lucas proposed to add an amendment to add the words “the USC hold a Council initiated plebiscite as soon as logistically possible,”

**LUCAS/Farfan/**

The Speaker opened the floor to discussion on the amendment.

Mr. Grainger noted that, soon as logistically possible would be Monday. Given the current exam period, he raised concerns relating to the abbreviated timeline and the onus this placed on students to respond to this in so short a timeframe. Mr. Grainger spoke to irresponsibility on the part of Council to ask students to make an informed decision during an exam period, as well as noting that many students had already taken final exams and left campus.

Ms. Peterson spoke against the motion, noting that it was counter intuitive to hold a Monday plebiscite over the exam period. She stated that if Council was concerned about moving on quickly, then they revert to the original motion (Motion1). She stated that students had not been able to keep up with the activities of Council.

Mr. Farfan, speaking in favour of the motion, stated that having this hover over council for an entire summer does not make sense. Get it over with as soon as possible.

Mr. Helfand, speaking against the motion, he noted two main objections with the motion. Firstly, if the plebiscite was to be held as early as logistically possible, namely Monday, that Team Sophie would not be in office yet. The new executive is sworn in at the end of May. This would therefore become a vote of confidence in an executive team that would not be able to elicit the confidence of the students, for a job they do not hold. The second consideration would be that Council would be burdening students during an exam period. This plebiscite would require a full Get Out and Vote strategy from the USC, and will require the USC to bother students over an exam period, unduly distracting students from their exams.

Call the question. Motion to move the plebiscite to as soon as logistically possible.

**LUCAS/Farfan/ Not carried.**

Mr. Farfan, speaking against the motion as it stands. Mr. Farfan noted that there appeared that the motion serves no purpose. He noted that if we are not giving the people who voted in the election the opportunity to vote on the matter, then Council ought to have faith in the current executive elect. There would be no need for a vote of confidence if the vote is not immediate.

Mr. Palin addressed the concern, noting a compromise would be possible, of it would be logistically possible to hold two plebiscites, and to allow fourth year students could voice their concerns and another in September.

Mr. Helfand addressed the question posed by Mr. Palin, informing Council that logistically it is possible to have the plebiscite, the question would be whether this would contravened the motion that was stood down is the question that the Committee should ask.

Ms. Cheeseman speaking in favour of the motion as it stands, noting to Council that in affiliate student governance a vote of confidence is held for their positions. Ms. Cheeseman further stated the importance of having the student voice with respect to the highest governing body within USC. Ms. Cheesemen supported the idea that the Slate has the opportunity to prove the vote of confidence given how close the outcome of the election was, noting that the sooner the vote, student may be more influenced by the candidates rather than the idea of confidence.

Ms. Peterson informed Council that only 23% of the student population voted; this would not be truly representative of the student population. Holding off would allow more students to vote.

Mr. Sussman clarified that the motion does not explicitly state that the plebiscite will be held prior to September 2015, noting that in voting for the motion as it stands would be implicitly consenting to the plebiscite being held in September.

Ms. Hardy spoke for the motion, noting one concern. Namely, that the ultimate decision would be up to Council, she spoke to a desire to see the outcome of this issue to be decided by the students. Ms. Hardy believed that the solution should be totally student focussed and the vote of confidence be binding.

The Speaker ruled the amendment as a substantive change. Requesting that the change be submitted as a second motion, noting that this would require a referendum, not a plebiscite.

Mr. Sussman addressed Council with a point of information, asking whether Council could hold a referendum to remove the slate, if this is binding; further asking whether this option would be legal.

The Speaker informed Mr. Sussman that the By-law includes very specific language about the removal of an executive which does not include a referendum.

Mr. Helfand addressed the question, noting that there is no mechanism available in order to remove an executive via a referendum. Mr. Helfand spoke to the importance of following the By-laws with respect to removing an executive.

The Speaker called the question on item 9.1. The Speaker informed Council that due to the item being a New Business motion, the item requires a 2/3 majority to pass.

**PALIN/Sussman/Carries.** (76% in favour/ 22% Against/ 2% Abstain)

 **9.2 President’s Announcements**

Mr. Helfand deferred his speaking rights to the President elect, Ms. Helpard.

Ms. Helpard addressed Council with news of the completion the new executive for the upcoming year. She re-welcomed Ms. Scripnick to Council, having been voted in as the Vice-President Student Events, by Council at the AGM. She further welcomed Mr. Hurren as the incoming Communications Officer and Mr. English as the new Secretary Treasurer.  **10. ADJOURNMENT**

Motion to adjourn.

# PALIN/Pillon/Carried.

The meeting adjourned at 8:03 p.m.

**President**

 Approved on:

## **Recording Secretary**

###### Sign In/Sign Out

| **Name** | **Time In** | **Time Out** |
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