



30 SEPTEMBER 2015 – 4th MEETING OF COUNCIL
University Community Centre Room 315 – Council Chambers – 7:00pm

30 September 2015

Senior Operations Standing Committee

1. **Call to Order**
2. **O Canada**
3. **Western Song**
4. **Roll Call**
5. **Approval of the Agenda**
6. **Approval of Minutes**
 - i. From 19 July 2015 (see separate document.)
7. **Comments from the Chair**
8. **Presentations**
 - i. OUSA Presentation – Spencer Nestico-Semianiw, OUSA President (30 mins)
9. **For Action**
 - i. Senior Operations
 - a. January Legislative Calendar Changes ([Motion 1](#), [Annex 1](#), Appendix 1 [separate document])
 - b. Voting Members Attendance Policy ([Motion 2](#), Appendix 2 [separate document])
 - c. Council Meeting Location Change ([Motion 3](#), [Annex 2](#),)
 - ii. Council Business
 - a. OUSA General Assembly Delegates Election ([Annex 3](#))
 - b. Appeals and Board Nominating Committee Selection (Appendix 3 [separate document])
 - c. Emergency Budget Taskforce Selection (Appendix 4 [separate document])
10. **For Information**
 - i. Executive Reports
 - ii. Report of the Chair of the Board of Directions (10 mins)
 - iii. Western Student Senators (WSS) Report (5 mins)
 - iv. Standing Committee Reports
 - a. Local and Campus Affairs
 - b. Long Term Planning and Budget
 - c. Portfolio Service Level and Program Review
 - d. Provincial and Federal Affairs
 - e. Student Outreach and Communication
 - f. Senior Operations ([Annex 4](#), Appendix 5 [separate document])
 - i. Mature and Transfer Students' Caucus
 - ii. Caucus Framework
11. **For Discussion**
12. **Termination**



Summer Meeting

Sunday July 19th, 2015

10:30 a.m.

Introduction: Legal Briefing pertaining to Bylaw 2 and 6

- Jonathan introduced Matthew Wilson.
 - He has been recognized for the 'Top 40 under 40 Award' and is on the Board of Governors on London; he is very astute when it comes to governance and organization.
- **Presentation** – *Matthew Wilson: Lawyer at Learners LLP in London, and Western Student Council Alumni*
 - There was some confusion surrounding bylaw 2 and 6, and he was brought in to look at this on a volunteer basis.
 - Practices have been squeezed into a bylaw that no longer suits the needs of Council (as the bylaw has been in place since he was on council), therefore he is here to make recommendations.
 - He is available to receive any comments or feedback after today, either through direct contact or through Council.
 - Council is a corporation, and like any corporation it includes legislation.
 - Bylaw 2 currently acts as a:
 1. selection mechanism for members of the corporation
 2. coordination tool for director elections for the Board of Directors
 3. mechanism to hire employees

*All these things need to be considered in a legal context.
 - Section 7.03 (of bylaw 2) discusses the removal of the executive, and this clause has not been updated to account for the fact that it now applies to employees, not just officers of the company.
 - Bylaw 6 pertains to the Appeals Board. It is set up as an arbitration body (which means the Arbitration Act applies) but this is not reflected in bylaw 6.
 - This means that issues pertaining to the Arbitration Act could legally be taken to court, despite what the bylaw stipulates.
 - The intent and spirit of the bylaw is correct, but right now it could present legal ramifications that are not suited to the needs of Council.
 - He will be creating a report with recommendations.
 - Encouraged dialogue and feedback. Reminded everyone to keep in mind that risks cannot be eliminated, but we need to strategically choose which ones to take.
 - Q: What is the Arbitration Act?

- It is legislation in the province of Ontario that lays out the rules for conducting arbitration (when a report is submitted to a third party that is not a court in order to resolve a dispute).
- The court is worried that people will be forced into unfair agreements, so they put guidelines in place.

1. Call to Order

- The meeting was called to order at 10:52 a.m.

Announcements

- Johnathon requested that Council respond to the Election Committee survey, in which the link can be found throughout the agenda for this meeting. The feedback is intended to be compiled and circulated to Council and the community.
- Johnathon clarified that parking will be covered by Council's travel policy (up to a reasonable amount).
- The Speaker reminded Council that clickers are their official vote and that they are not to give them to anyone or leave the room with them.
- **Note on Robert's Rules:** Mr. Speaker reminded Council not to worry if they had not mastered them; never allow fear of procedure to get in the way of your voice.
- Being the *mover* of a motion implies that you would like to see that motion carried, but being a *seconder* just means that you agree to have the motion discussed by Council.
- A *conflict of interest*, in the context of this committee, would involve:
 1. Receiving financial benefit in lieu of a decision voted on by Council.
 2. Having ties or obligations to a third party that would prevent an impartial decision.

2. O Canada

3. Western Song

4. Roll Call

- ABBOT, Liam
- BENAC, Alex
- CARMAN, Jake
- CATTON, Ali
- CHEESEMAN, Caitie
- DIAZ, Mauricio
- DiGIUSEPE, Giulia
- D'SOUZA, Shari
- EVERITT, Haley (proxy: Andy)
- FARFAN, Mark
- GRAINGER, Tom
- HAMADACHE, Samir
- HARDY, Courtney
- HELPARD, Sophie

- HORETH, Rebecca
- HURREN, Kevin
- KITELEY, Sheila
- LITTLE, Nate
- LUCAS, Graydon
- MANUEL, Olinda
- OLIVER, Taylor
- PATRON, Deniselé
- PERKINS, Lindsee
- PETERSON, Melissa
- SADDY, Julian
- SCRIPNICK, Taryn
- WHELAN, Jack

5. Approval of Minutes

i. From September 2014, to April 2015.

- This is the first time the USC has ratified a year's worth of minutes at once. The Speaker clarified that verifying the minutes means that the content of the minutes actually occurred.
- Moving forward, minutes will be ratified monthly.
- A motion to ratify minutes as posted was carried by Catton and seconded by Diaz.
- **DECISION:** minutes are ratified.

6. Approval of Agenda

- **RECOMMENDATION:** ratify the new executive.
- **RECOMMENDATION:** add OWL and Council Meeting time and location to be discussed.
- The Council agreed to allow the executive to carry and second motions for this meeting.
- The motion was moved and seconded.
- **DECISION:** the motion carried and items 7.1, 8.1 and 8.2 were added to the Agenda.

7. For Action

i. Ratification of the Executive

- Motion to ratify council executive was moved by Lucas and seconded by Whelan.
- **DECISION:** Motion carried; council executive members have been ratified.

ii. Access Copyright and Experiential Learning

- Presented by Sophie Helpard.
- Mover: Farfan; Secunder: Cheeseman
 - This was presented by Matt towards the end of his term last year.
 - Every time Western over-collects for a student fee the money is available to be released back to students.
 - This motion gives Western the permission to release the money to the USC.

- They will be directly invested into an endowment fund that provides experiential learning opportunities to students.

Questions and Discussion:

- Mover: It's a great way to give back to students, could not think of a better initiative to give back to students.
- Q: Is the consultation period Matt implemented not happening anymore?
- A: Sophie was not aware of the entire consultation process, but said she would be open for consultation about any concerns.
- Q: Once we pass this motion can we make adjustments?
- A: the grant will be given out in 500 dollar increments, but technically we can adjust those amounts as new information comes to light.
- Q: Who will be reviewing applications, what is considered experiential learning, and what are the parameters of acceptable opportunities?
- A: The University will apply their parameters they have already set for distributing funds. Council is able to put forth any recommendations. Western will be administering it and have already set out guidelines as to what constitutes experiential learning.
- This will be used for extra-curricular opportunities.
- Q: Who actually oversees this?
- A: it's an endowment, and the university reviews millions of them, so they will be tasked with it and have staffing to cover it.
- **DECISION:** Motion 2 is carried unanimously.

iii. Senior Operations Terms of Reference

- Presented by Alana Kiteley.
- Mover: Kiteley; Seconder: Hamadache
 - New Senior Operations Committee that we need to outline terms of reference for.
 - One specific that is important is that there are no proxies to the committee, which is necessary judging by the nature of the committee.

Questions and Discussion:

- Q: Will there be any revisions or will it stay this way?
- A: We are looking towards a review at the end of November.
- Q: Why are a lack of proxies important?
- A: Because we are representing our committees in addition to Council, and what we discuss ultimately goes to Council. Proxies are part of council but Miss Kiteley feels that the Committee should take on that responsibility.
- Jonathan English: proxies are difficult because it places the responsibility on due process instead of an elected individual.
- Proxies are generally used for scheduling purposes. For a leadership team of council, it would be good to see if a no-proxy system works.

- Would we like to continue discussing proxies?
- **Amendment Proposal** (Hamadache): Individuals from the Committee have a right to assign a proxy who is also a member of the Committee.
- The amendment is moved and seconded.
- Courtney Hardy – Speaking Against the Amendment:
 - There's only 5 of us so scheduling is not difficult. Not having a proxy holds us accountable. I just don't think it's necessary.
- Melissa Peterson – Speaking Against the Amendment:
 - Council already have a provision that allows the public to attend meetings. If we don't want to offload responsibility onto people who have not gone through due process, then it would be worth testing a no-proxy system.
 - People can give their opinions at any meetings if they are given speaking rights.
- Caitie Cheeseman – Speaking Against the Amendment:
 - It holds people accountable for the meetings and I also feel it would be manageable without
- **Amendment Proposal #2** (Carman): a proxy is specifically allowed to the vice chairs of the Committee, and only the vice chairs.
- The amendment is moved and seconded.
- **DECISION:** The motion carries 14:4. (The amendment has been amended).
- Jonathan English – **clarification:** this proxy can only occur in the matter of attendance.
- **CONSENSUS:** This will be brought back up for discussion in September to be reviewed.
- The amendment has been moved and seconded to be tabled until September.
- Q: Why is this being tabled?
- A: This will allow us to put the proper thought the amendment in lieu of debate.
- The discussion returned to the Terms of Reference more generally.
- Council voted on the amended motion.
- **DECISION:** the motion carries unanimously, and Council now has an interim Terms of Reference.

iv. Council Summer Authority Policy

- Presented by Courtney Hardy
- Mover: Hardy; Seconder: Horeth
 - There is nothing specific to stipulate what Executive and Senior Operations do over the summer.
 - This proposal allows Executive to make small adjustments without referring to Council while limiting Executive from making major changes. These changes are then discussed with Council in a summary and generally allows us to use our time more effectively.

Questions and Discussion:

- Q: Could someone give an example of a time they have needed this power?

- A: It is different from how we have operated historically, so that's tough.
 - This can offload procedural initiatives of the Council to a smaller authority that can rubber stamp things. It is not meant to be equivalent to the Senior Board of Operations; everything still needs to be approved. Executives have no control over bylaws or financial documents. It allows work to get done more quickly, instead of waiting for council meetings in the summer.
- Q: Is the spirit of the motion to avoid council meetings during the summer? If something big came up would we still schedule a meeting?
- A: Council will still meet, this does not take away authority from council. The spirit is to make things more manageable.
- Caitie Cheeseman – Speaking in Favour of the Motion:
 - Brescia has a similar policy and it keeps Council initiatives moving forward.
- **DECISION:** The motion carries 23:1.

v. **Gazette Budget Reallocation**

- Presented by Iain Boekhoff
- Mover: Farfan; Seconder: Saddy
 - Would like to reallocate \$40,000.00 that we have budgeted and cannot use.
 - Most of the money is going to go towards things that are already being budgeted next year, especially Honoraria.
 - Proposing to bring in 6 editors for the summer for Honoraria.
 - Advertising – would like to use \$15,000.00 to create a branding effort across print and online, as well as news-stands.
 - Travel budget has historically been high and the Gazette would like to bring it closer to its former allocation.
 - More city and provincial events (\$1,000 towards public events).
 - Planning on implementing better governance model for the gazette.

Questions and Discussion:

- Q: Can you give Council a recap of the budget discussion we had last year with the Gazette? There was something about a digital transformation?
- A: There are a few reasons why the Gazette's student fee went up: the capital fee went up to replace equipment; operating fee costs increased due to staffing increases; and honoraria went up. We have also put money into a website and an app.
- Q: Is this money a new addition to the budget?
- A: No, this money was already in our budget, we would just like to use it for other things besides salary.
- Q: What about the digital transformation Council was discussing last year?
- A: The digital transition is basically a shift in our internal handling, and costs arise in terms of equipment and new areas to staff related to online initiatives. The app and other online resources are coming along and have been planned for in the budget. I think the digital aspect is accounted for.

- Q: What is Honoraria?
- A: The Gazette has about 23 editors who are paid on Honoraria. Honoraria is not an official salary, it is like a gift. Editors receive an Honoraria of about 100-200 per week.
- Q: Do you have plans to accelerate the digital process with the money allotted to advertising?
- A: One of the Gazette's problems is general awareness, so we are more generally reshaping our branding; technological aspects will definitely fall into that.
- Q: The digital transformation was framed as important, is it still needed?
- A: It is still somewhat needed. An editorial advisor position is something the Gazette could benefit from; someone advocating for the online transition.
- The motion was moved and seconded.
- Q: Speaking in favour – when did you notice you had extra money?
- A: about June
- Q: If Council took it back, would it be a detriment?
- A: If Council does not see value in one of these areas, then by all means they can be removed.
- Q: Was there substantial research put into these costs to avoid future reallocations?
- A: The Gazette did research as to how many editors could return, and in our experience advertising generally costs more than you think.
- Speaking against – none of these are needs, and Council has been trying to save money.
- Jonathan reminded council that the money will not be used if it is not reallocated, and that Council should consider potential uses for it in September or direct the Budget Committee to present in September.
- Q: What's the future of the gazette, in terms of doing something innovative with the funds allotted?
- A: The Gazette has a big change in workflow, and Honoraria allows us to cover more ground in the summer.
- Iain Boekhoff identified the Honoraria budget (\$19,000), and \$5,000 of the advertising budget as time sensitive.
- **Mr. Speaker used his authority provided by the standing orders for Council to split the motion, thereby allowing the reallocation of \$24,000 (as it was time sensitive) and referring the remaining funds to the Budget Committee.**
- Concerns were voiced over dividing the motion, as the issue was partially the principle of the entire allocation.
- **Council took a straw poll on splitting the motion due to mixed opinions.**
- **The poll results were mixed and the speaker therefore opened the issue of the \$24,000 up for debate.**
- Discussion.
- **Amendment Proposal:** move the \$24,000.00 (\$5,000 for advertising and \$19,000 for Honoraria) back into the Budget Committee.
- Moved by Mr. Lucas and Seconded by Mr. Carmen.

- Council agrees to table the discussion pertaining to the \$24,000 until September.
- Concern over tabling this discussion as the amount of money being discussed was identified as time sensitive.
- **Clarification:** The money is being used to assist in the Gazette's digitalization but the money is being used in a different way to achieve a similar result.
- Honoraria was recognized as a valued budget delegation.
- **Council took a 15 minutes recess from 12:45 p.m. to 1:00 p.m.**
- Mr. Speaker recommended the whole budget allocation gets referred to Committee in September.
- A larger narrative pertaining to the budget allocations of the Gazette was recognized.
- Speaking against the recommendation – those 6 students are necessary to get the transition underway, that part of the budget is important and time sensitive.
- **RECOMMENDATION:** call the question on this particular motion (the original).
- **Budget Amendment Proposal:** Council will vote on whether or not to reallocate the \$24,000 identified as time sensitive.
- **DECISION:** The motion does not carry 10:13.
- Mr. Speaker reminded Council that the Budget Reallocation can come back for review, or it will need to come back to Council to receive an amendment in the event that the funds are used for something of a different nature.
- **Request to Reconsider:** Mr. Hamadache requests that the motion be reconsidered, and Mr. Speaker notes that this will be discussed at the end of the meeting.

vi. **Operation Overhaul!**

1. **International Students' Caucus**

- Presented by Sophie Helpard
- Mover: Farfan
 - The caucus system is a level below council but it is a think tank for students to come together and then report back to Council. They are a good generator of ideas, feedback and concerns.
 - Sophie noted that the motion has the blessing of Western International.
- Mr. Speaker called the question.
- **DECISION:** the notion was carried unanimously.
- **Note:** this caucus joins the FYS caucus, and Jonathan is working on policy that can guide this new collection of groups. Everyone will soon see more information of how they can get involved with this new format.

2. **By-law 3**

- Presented by Courtney Hardy
- Mover: Hardy; Seconder: Diaz.
 - Felt this document was inappropriate so they updated it into a policy outlining the relationship.
 - Jonathan: this is an example of something we had in a bylaw that is now being converted to policy.

- Mr. Speaker called the question.
- Mr. Speaker clarified that bylaw 3 would no longer be in existence if the motion passed.
- **DECISION:** the motion was carried unanimously.

vii. PSLPR List of Services/Programs for Review in 2015/2016

- Presented by Courtney Hardy
- Mover: Hardy; Seconder: Oliver
 - "PSLPR" stands for Portfolio Service Level Program Review Committee
 - This list was developed in discussion with last year's chair and VP's (as well as the current VP).
 - The lists consists of programs that need slightly more development or direction.
 - These are the ones drawn from discussions and research that would be most beneficial to review in Miss Hardy's research.

Questions and Discussion:

- Q: Is it too late to give input pertaining to this report?
- A: These dates are slightly tentative, and time can be spent to make adjustments where it is needed, therefore some things (such as Chairty Ball) can still be changed.
- Q: Will there be a formal review of the CHRW program as it is excluded from the list?
- A: That actually cannot be review by this Committee as it is not in the VP's portfolio.
- Oliver seconded the motion.
- Mr. Speaker called the question.
- **DECISION:** the motion was carried unanimously.

viii. Recommendation of the Board - Plebiscite

- Mover: Grainger; Seconder: Lucas
- Presented by Isaac (Chair of the Board)
 - **Background:** April 13th the board received a notice from Mackenzie Lake stating that removing an executive from council would be against the law because the executive are employees of a corporation (that corporation being the USC). This is a product of an outdated bylaw, which was outlined earlier.
 - The removal motion was therefore postponed indefinitely and this plebiscite was brought forward in new business.
 - On June 10th Council received a second legal opinion stating that the plebiscite can be viewed as a tool for the removal of the Executive.
 - Council would retain liability if this motion is not carried, as the motion has been recommended by the Board of Directors.
 - Warned against pushing the motion back to September as the law will not change and it will limit our time.

Questions and Discussion

- Sophie declared a conflict of interest and stated that neither Alex, Lindsee or herself would be speaking in favour or against the motion.
- The council recognized the importance
- Speaking for the motion: the Plebiscite is not beneficial for students anymore.
- Caitie expressed concern over accountability to student populations as she did not want to create the impression that Council met in the summer to get the decision out of the way. Transparency is important.
- Mr. Lucas shared his regrets about how it was handled.
- Mr. Speaker called the question.
- **DECISION:** 21 I favour, 0 against, and 3 abstained; the motion carries.

Gazette Budget Reallocation Reconsidered

- Mover: Hamadache; Seconder: Farfan
 - Mr. Hamadache stated that he felt the \$19,000 is needed for the transition and expressed that Council needed to have faith in the Gazette's opinion. I propose we grant them the \$19,000 and the rest should be referred back to the Budget Committee.

Questions and Discussion:

- Mr. Farfan noted that Council should be looking to set the Gazette up for success, and he felt these funds would do that.
- Tom Grainger – Speaking in favour
 - raised the point that if the original proposal has only included \$19,00 there would not be a debate. He feels it is in a similar spirit to the original intent of the budget.
- **Amendment Proposal:** (Abbott) the Gazette should create a report and submit it to Council.
- Manual seconded the motion.
- Mr. Speaker called the question on whether to consider the motion.
- **DECISION:** motion is carried; the motion is now being reconsidered with a pending amendment on the floor.
- Q: What's the timeline on the report?
- **Amendment Proposal:** (Cheeseman) proposed the report be submitted for the September 30th UCS Council meeting.
- The amendment was seconded by Mr. Carman.
- Mr. Speaker noted that the motion required a majority vote (which was determined to be met with exactly 2/3 of council).
- **DECISION:** the council was exactly 2/3 divided, and the motion was carried.

8. For Information

i. Executive Reports

**PowerPoint Presentation Prepared by Kevin Hurren*

- Presented by Sophie Helpard
 - The Orientation Program is entering a strategic planning stage. Western recently hosted a summit to gather feedback and focus groups will be created in September to go through the results from that feedback.
 - Additionally, Council is pursuing a new Homecoming initiative that involves bringing in performers.
 - Sophie explained that *experiential learning* involves: extra-curricular and co-curricular experiences that broaden a student's learning environment.
 - Sophie explained that Western is moving towards the direction of Waterloo, in which students can garner learning experiences outside of the classroom.
 - Sophie reminded Council that the program needs to be incorporated on the community level, and Western needs all stakeholders to be on board for students to access the resources they require.
- Presented by Alex Benac
 - Goal of the year has been to shifting the focus to the demands of the Peer Support Program instead of the limitation of physical space.
 - Alex updated Council that videos promoting the Peer Support Network and Centre are being created.
 - Alex updated Council that the Centre will be getting ready for a grand re-opening.
 - The Peer Support Centre has also been revamping the library.
 - Have been devising a USC Caucus Framework that empowers students and council to create and develop their own caucus'
 - There is a current initiative to bringing back the involvement compass.
 - Alex updated Council on his dealings with Western Administration through the several committees he sits on.
- Presented by Lindsee Perkins
 - Lindsee noted that the city has been on strike so meeting with key contacts has been difficult.
 - **LTC update** - LTC did a full review of their bus numbers and routes. Extra hours have been delegated to student bus routes and a new bus route has been created for Western Road.
 - 'Get out the Vote Campaign' is a month long initiative that centres on encouraging students to vote.
 - OUSA – highlighted priorities: tuition, experiential learning, online learning, students with disabilities.
 - Lindsee has been elected VPX of OUSA.
- Presented by Taryn Scripnick
 - Taryn has been sitting on the OPC Programming, Training and Approvals Working Groups.

- Taryn notes that OPC are hoping to make training more real-life applicable for Sophs, with an added emphasis on self-care and mental health.
- The OPC has approved and amended all programming schedules and themes after several approval meetings.
- Involvement compass is a big initiative that will be promoted during O-Week and launched during clubs week.
- Clubs Training is being moved to an online module so that it is more easily accessible.
- Taryn updated council on her trip to COCA to discover talent for O-Week (national event collaboration).
- Presented by Kevin Hurren
 - Organisational Communication: Kevin is restructuring the USC website to make key information easier to access as well as easy for students to engage with and understand.
 - USC has had a higher involvement in SAO, and is working to further its branding.
- Presented by Jonathan English:
 - Governance shift has been a priority, but besides that the focus is on education.
 - Have been focusing on fostering orientation modules that promote education.
 - Operation Overhaul – epic saga of re-writing and re-structuring (or just creating new things).
 - Jonathan is looking to create a working group to further Operation Overhaul, and informed Council that if anyone was interested in helping (and getting some policy-writing experience) they could talk with him after the meeting and he would form a list.

Questions and Discussion

- Q: Jonathan: Would council be interested in not having any future meetings in this room. We could instead hold are meetings in the community space, or in Mustang Lounge West. Jonathan noted that having a council meeting where members cannot look into each other’s eyes is not efficient.
- **CONSENSUS:** Council agreed that meeting in another area is best.
- Council will work towards that initiative in the future.
- Q: what needs to happen for this change to occur?
- A: there is policy that pertains to our meeting space, but that is not a huge concern as long as council agrees.
- Jonathan: **Note:** Having late-night meetings is not a good idea, so we have discussed moving council meetings from late Wednesday night to early Friday afternoon. This allows us to have staff present and moves the meeting into a public realm in the daytime.
- Concern over changing the date to Friday as it runs into the weekend.

- There were mixed feelings as to moving council meeting times; general feeling that Wednesday nights are not the best suited to everyone.
- **CONSENSUS:** This conversation will be had through an online forum, potentially OWL.

9. For Discussion

i. OWL

- OWL can be a resource for Council to post and circulate materials. In future, Council will be receiving emails directing them to OWL instead of emails being sent out with multiple attachments.
- No concerns were voiced.

ii. Council Meeting: Time and Location

- Future Council meeting time and locations will be discussed online.

Termination

- The motion to terminate the meeting was seconded and passed at 2:33 p.m.



Motion 1 – January Legislative Calendar Changes

Whereas, the Legislative Calendar is not always the most accommodating to candidates and inflexible to issues arising for the election.

Be it resolved, Council approve of the new Legislative Calendar changes, which includes the following date changes:

- All Candidates Meeting and Nominations close on the 22nd, not the 25th
- Campaigning begins on the 25th, not the 26th
- Campaigning ends on the 7th, not the 8th
- Polling opens on the 8th, not the 9th
- Polling closes on the 9th, not the 10th
- Results are delivered at 8pm on the 10th, 11th or 12th, not solely the 10th

(See also attached Annex 1, and separate Appendix 1.)

HARDY/Kiteley



Annex 1



January/February Legislative Calendar Changes

Item:	Council Report on Election Date Changes
Author:	Jonathan English, Secretary-Treasurer
Purpose of Report:	For Action

Background

The Legislative Calendar for the 2015/2016 year are approved at the 1st Meeting of Council. This typically occurs at a March or April meeting of the prior school year. In this year’s case, the Legislative Calendar was approved before the selection of the Secretary-Treasurer or the Chief Returning Officer. Thus, the Legislative Calendar does not always account for the next year’s election needs and expectations.

The New Calendar and Rationale

The new proposed Legislative Calendar changes and reasoning are provided below:

- Moving Closing of Nominations and All Candidates Meetings from January 25th to January 22nd -
 - To allow for more time candidates to prepare for the beginning of campaigning, and to create a more coherent campaign period.
- Moving the Beginning of Campaigning from January 26th to January 25th–
 - Starting on a Monday, instead of a Tuesday, creates a cleaner break and should be easier for candidates and the Elections Committee to navigate.
- Moving the End of Campaigning from February 8th to February 7th -
 - This is a key change to allow for polling to open on the 8th (Monday), explained more below.
- Moving the polling days from the 9th/10th to 8th/9th and releasing results at the discretion of the Chief Returning Officer on either the 10th, 11th, or 13th
 - This is the most significant change because it allows for three “grace days” to be implemented before Reading Week.
 - Elections are an event with many moving parts. By allowing more flexible and fluid dates for Elections Committee, the USC’s IT department, and other groups, can ensure that even *if* issues occur we have a period for resolution, and time to still announce the results before Reading Week.

Goals and Objectives

There are three goals to legislative calendar changes:

1. To create a simpler progression of events to make it easier on candidates.
2. To give more discretion and flexibility to the Chief Returning Officer, Elections Committee, USC’s IT Department, and others, to solve problems as they arise.
3. To ensure the Election Results are still announced before Reading Week, to ensure all other selection timelines (Executive, AVPs, Coordinators and otherwise) occur in a timely manner.

January 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
	USC Spring Elections - Nominations open (all positions)					
10	11	12	13	14	15	16
17	18	19	20	21	22	23
					1. Nominations close 2. All cdts meeting (USC Chambers)	
24	25	26	27	28	29	30
	Campaigning begins @ 12:01 a.m.					
31		Notes:				

February 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
Campaigning ends at 11:59 p.m.	Polls open 8 a.m.	Polls close 8 p.m.	Results at 8 p.m.(if 24hr cooling off)	Results at 8 p.m. (if 48 hr cooling off)		
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

Notes:



Motion 2 – Voting Member Attendance Policy

Whereas, the Voting Member Attendance Policy of Council remains outdated and last ratified in October 2011.

Be it resolved, with the recommendation of Senior Operations Standing Committee, Council consider and select one of the following updates to the policy.

- Standing Committee demerit points have different assigned value:
 - Missed Meeting, with no Regrets or with Decline Regrets: 0.75 (currently 1.5)
 - Missed Meeting, with approved Regrets: 0.25 (currently 0.5)

OR

- The Voting Member Attendance Policy of Council does not change.

(See also Appendix 2.)

SUSSMAN/Farfan

Appendix 2



REPORT TO THE SENIOR OPERATIONS COMMITTEE

Meeting Date: Wednesday September 23rd 2015

Item	Voting Members Attendance Policy Review
Author	Andrew Lalka, Speaker of Council
Purpose of Report	For Action
Item #	

Recommendations:

Option 1:

That the Senior Operations Committee of Council withdraw the motion from consideration

Option 2:

That the Senior Operations Committee of Council recommend that Council take no further action regarding the Voting Members Attendance Policy 2009 (appendix 2)

Option 3:

That the Senior Operations Committee of Council recommend the highlighted amendments to the Voting Members Attendance Policy 2009 (appendix 1) and,

That the Senior Operations Committee of Council further recommends that Members' demerit points be retroactively (beginning April 1st 2015) amended as per the changes in the policy (appendix 2)

Option 4:

That the Senior Operations Committee of Council recommend that Council repeal the Voting Members Attendance Policy 2009 (appendix 3) and enact the Voting Members Records Policy 2015 (appendix 3).

Option 5:

That the Senior Operations Committee of Council recommend that Council repeal the Voting Members Attendance Policy 2009 (appendix 2)

Background:

In August the Secretary Treasurer requested that the Senior Operations Committee suspend sections of the Standing Orders of Council 2013 and the Members and Council Policy 2010 relating to meeting time and location as well as the Voting Members Attendance Policy 2009 in its entirety. The Committee rejected both proposals and requested a report detailing potential options to address the issues brought forward.

Voting Member participation in meetings is monitored via the Voting Member Attendance Policy 2009. The spirit of the policy, as articulated in the preamble, is to ensure that Voting Members are fulfilling their responsibility to represent their various constituencies at Council and Standing Committee meetings and to remove delinquent members. The administration of the policy is under the jurisdiction of the Speaker of Council.

The Policy currently awards demerit points as follows:

	No Regrets	Regrets	Notes
Absent	1.5	0.5	
Leaving Early	0.75	0.25	*points are only awarded if quorum is lost
Arriving Late	0	0	*see note below ¹

Sanctions are awarded based on demerit points accumulated as follows:

Points Accumulated	Sanction	Notes
3.0	First Warning	Received in writing from Speaker
5.0	Second Warning	Received in writing from Speaker, cc President of Member's Constituency Council
6.0	Removal	Motion to Council as per By-Law 1

In 2014 the Governance Office began tracking the Votes of Council Members by electronic means in an effort to increase accuracy, transparency, and accountability.

Report:

¹ The Policy was amended in February of 2015 to extend the definition of "Absent" to include "or at the Speaker's discretion" in an effort to address awarding points for Members Arriving late (LEUNG/Mackin C14/15.7.1)

The Voting Member's Attendance Policy is essentially a system of records and demerits with a mechanism to remove Members who have poor attendance. The current policy is updated and monitored regularly.

The administration of the Voting Member's Attendance Policy has brought a lack of language surrounding the special circumstances of the Summer Meeting of Council to light. While the policy can be amended to make provisions for the summer meeting, given its age it merits a more thorough review from its fundamental principles and approach.

Option 1: Withdraw the Motion to review

This would result in maintaining the status quo. The policy would be applied as currently written (including for absences for the Summer Meeting of Council). The item would not be reviewed again during the 2014/15 Legislative Calendar unless it is brought forward by a Member to consider business through the regular channels.

Option 2: Recommend no further action

This would also result in maintaining the status quo. Similarly, the policy would be applied as currently written (including for absences for the Summer Meeting of Council). The item would not be reviewed again during the 2014/15 Legislative Calendar unless it is brought forward by a Member to consider business through the regular channels as a substantially different question or as a motion to *rescind*, *reconsider*, or *renew*. These motions are subject to various restrictions under Roberts' Rules of Order (outlined in sections 35, 37, and 38 respectively) under the principle that an assembly cannot be asked the same, or a substantially similar question, twice during the same session.

Option 3: Amend and Retroactively Apply

This option consists of two separate actions, the first of which is independent of the second which itself is dependent on the first (ie the first can be enacted on its own, the second can only be enacted if the first is enacted). Essentially neither need be applied, the first can be applied on its own, or the first and the second can be applied together.

The amendments include provisions for the Summer Meeting of Council which would reduce points assigned for the Summer Meeting with valid regrets to 0 and assigns points for arriving late to meetings. Points for arriving late would be applied in a similar fashion to points for leaving early.

Retroactively applying the policy would serve to reduce the number of points currently assigned to members who were not able to attend the Summer Meeting of Council and submitted regrets.

Option 4: Repeal the current policy and enact a new one

The Draft Voting Members Records Policy takes a new approach to promoting accountability and transparency. Instead of applying demerit points and removing members who frequently fail to attend it makes information regarding Voting Members' participation through their attendance and voting

records on public votes publically available. This would imply an amendment to USC’s By-Law 1, s 5.06 where “member attendance shall be regulated in accordance with the USC Voting Member Attendance Policy which shall be under the jurisdiction of the Committee of Council Operations and Agenda.”

Option 5: Repeal the current policy

This option would abolish the demerit point system entirely. Attendance and voting records would still be recorded in meeting minutes. This would imply redacting USC’s By-Law 1, s 5.06

Sign-Offs:

<i>Council Review</i>	<i>Andrew Lalka, Speaker of Council</i>	
<i>Executive Review</i>	<i>Sophie Helpard, President</i>	
<i>USC General Manager Review</i>	<i>Cathy Clarke, General Manager</i>	
<i>USC Human Resources Review</i>	<i>Karla Pacheco, Sr. Manager Human Resources</i>	
<i>Financial Review</i>	<i>Carrie Passi, Managing Director Finance and Administration</i>	

<i>Legislative Review</i>	<i>Scott Courtice, Managing Director Government Services</i>	



Motion 3 – Meeting Location Change

Whereas, a straw poll was conducted at the 19 July 2015 Summer Meeting of Council, and the majority in attendance believed Council Chambers was not the most effective meeting space.

Whereas, Senior Operations at their 26 August 2015 meeting deferred the decision of moving the meeting time to Council.

Be it resolved, all mentions of “Council Chambers” be struck from the Standing Orders of Council policy.

Be it further resolved, all subsequent meetings of Council be held in the Community Room on the 2nd floor of the UCC, unless due notice is given to Council of alternative meeting space (i.e., potentially hosting AGM in the Wave, etc.).

(See also attached Annex 2.)

MOVER/Secunder



Annex 2



January Legislative Calendar Changes

Item:	Senior Operations
Author:	Jonathan English, Secretary-Treasurer
Purpose of Report:	For Action

Background:

Council Chambers has been the space for USC General Meetings for many years, but the noted amphitheatre-style of the space has not always been found conducive to running an effective meeting. Councillors, the Executive, Gazette reporters, and the public, have all expressed the inefficiencies of Council Chambers. Following the success of the 16 April 2015 meeting in Mustang Lounge West, the inadequacies of the current meeting space are more apparent.

Action:

Instead of the having USC holding their General Meetings in Council Chambers, the meetings space would instead be held in the Community Room, on the second floor of the University Community Centre. (See below for the proposed layout.) The proposed change will have the following impacts:

- The space is better suited for a meeting environment, by having a more “round table” format.
- Council members will be able to maintain eye contact with one another, and make debate feel less like an awkward lecture hall, but more suited to governmental proceedings.
- From a perspective of best practice in governance, the Community Room is better suited to facilitate discussion and debate, whereas the current Council Chambers stifles both.
- Audio/visual, livestream, and recording capacities of Council meetings will remain. In fact, the quality may improve for these services.

Council Chamber Consequences:

Currently, the USC Council uses Council Chambers a fractional amount, in comparison to its total usage (current numbers approximate between 1-5% of its usage is by USC Council). The Secretary-Treasurer, in collaboration with Event Services, is having ongoing discussions about the feasibility of potential change to occur this year. Because Council Chambers is booked majority by outside groups, the potential to go on under space change is currently undetermined.

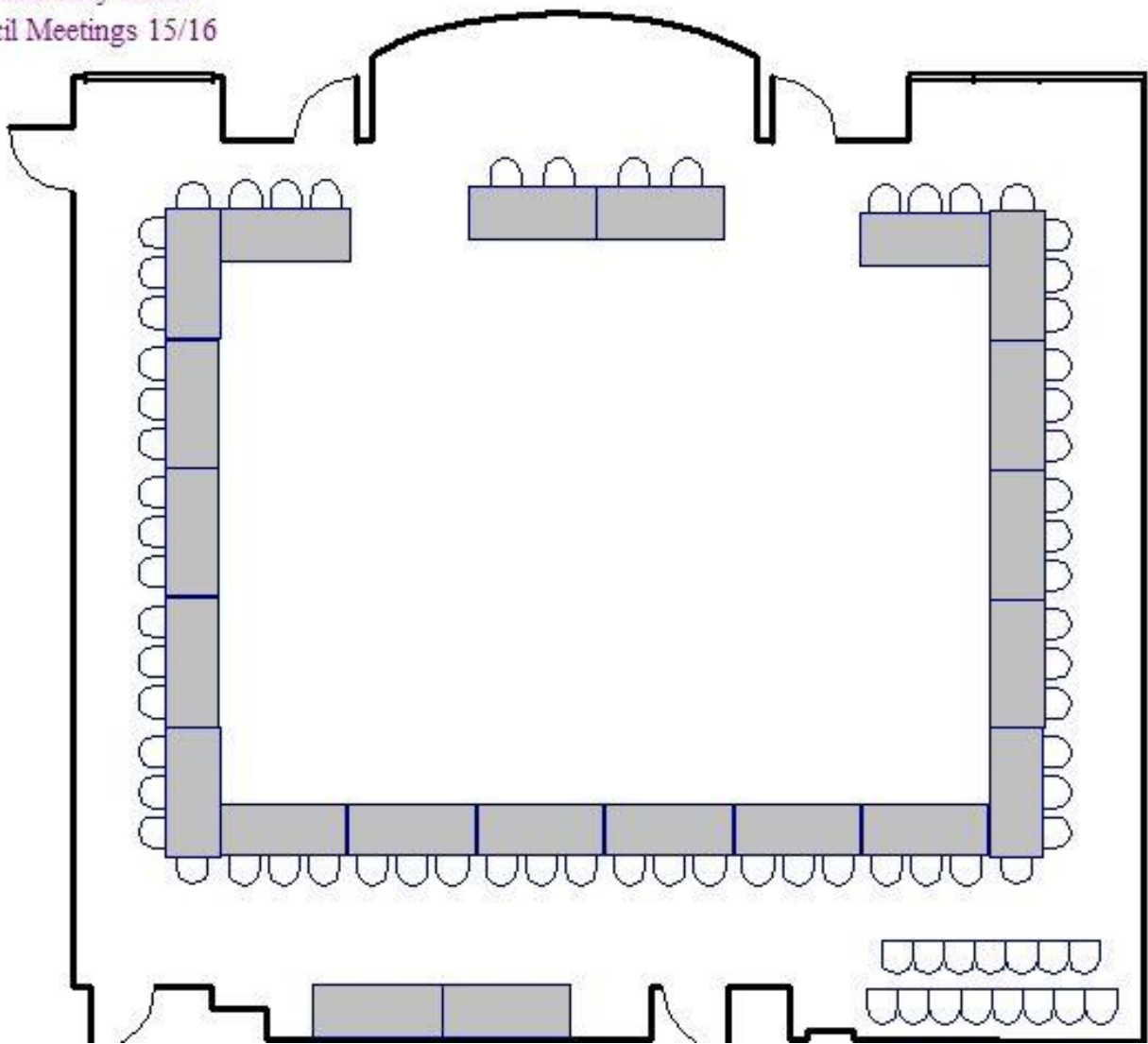
Currently, Council Chambers is less expensive than the Community Room to operate for meetings. The Community Room will incur expenses to ensure its tech requirements are at par, and the costs from Event Services will be higher. However, the investment for equipment will be multi-purpose for all users of the Community Room.

Policy Changes:

In the “Standing Orders of Council” policy, all references to “Council Chambers” would be removed.



COMMUNITY ROOM
Council Meetings 15/16





Appeals Board and Nominating Committee Selection

BY-LAW #6

of

**UNIVERSITY STUDENTS' COUNCIL
OF THE
UNIVERSITY OF WESTERN ONTARIO**

APPEALS BOARD

**Last Amended
September 24, 2014**

**Supersedes
n/a**

1.00 DEFINITIONS

- 1.01 **“Affiliate”** includes King’s University College, Huron University College and Brescia University College;
- 1.02 **“Appeal”** includes any proceeding to set aside or vary any Judgment of the decision making body appealed from;
- 1.03 **“Appeals Board”** means the Appeals Board of the University Students’ Council as established by this By-Law;
- 1.04 **“Appeals Board Term”** means the annual term of the Appeals Board starting and ending on May 1st and April 30th respectively;
- 1.05 **“Appeals Board Chair”** is the member of the Appeals Board elected by the Board to serve in this role. The responsibilities of the Appeals Board Chair, in addition to her duties as a regular Appeals Board Member, include administrative duties, coordinating the other Appeals Board Members and making rulings on procedural issues. The Appeals Board Chair’s vote on a Judgment is of equal weight to the votes of all other Appeals Board Members;
- 1.06 **“Appeals Board Member”** or **“ABM”** means a voting member of the Appeals Board and includes the Appeals Board Chair;
- 1.07 **“Case”** means any Appeal or any other proceeding before the Appeals Board. A Case shall be referred to by its style of cause, which includes the names of the Petitioner, Respondent, year, case number and subject matter;
- (1) For example where the USC is the Petitioner, John Smith is the Respondent, the year is 2014, it is the third decision in that calendar year and it is regarding elections:
- i. *University Students’ Council v John Smith, 2014:3 Election;*
- 1.08 **“Confidential Information”** includes that which is referred to in By-Law #1;
- 1.09 **“Intervening Third-Party”** means a third party who is not a Petitioner or a Respondent. For an Intervening Third-Party to be considered to have standing to make submissions by a Panel they must demonstrate that they or their office would be materially affected by the outcome of the Case and therefore ought to be heard as part of the hearing;
- 1.10 **“Judgment”** when used in reference to the decision making body appealed from, includes any judgment, rule, order, decision, decree or sentence thereof, and when used with reference to the Appeals Board, includes any judgment or order from the Appeals Board;
- 1.11 **“Panel”** means the group of Appeals Board Members brought together for the purposes of adjudicating a Case. Panels shall consist of an odd number of ABMs;

- 1.12 **“Panel Chair”** means the Appeals Board Member in charge of a Panel. It is the Appeals Board Chair if she sits on the panel; otherwise each Panel shall elect from amongst themselves a Chair. The Chair ensures that rules and procedures are followed and deals with administrative issues that may arise during the Case;
- 1.13 **“Party”** means the Petitioner or Respondent;
- 1.14 **“Petitioner”** means the person or group who initiated the matter before the Appeals Board;
- 1.15 **“Respondent”** means the person or group whom the complaint was filed against in the matter before the Appeals Board;
- 1.16 **“Student”** means any individual undergraduate student of the University or an Affiliate, regardless of full, part time, or special status;
- 1.17 **“University”** means Western University;
- 1.18 **“Witness”** means an individual brought forth by a Party in order to testify in front of the Appeals Board.

2.00 GENERAL

- 2.01 The Appeals Board is the dispute resolution body of the USC empowered to hear Cases and try facts in accordance with its jurisdiction.
- 2.02 The Appeals Board follows the principles of natural justice, including fairness and good conscience.
- 2.03 Only Students, not paid for their services by the Party, shall act as advocates for Parties involved in actions before the Appeals Board. Parties are free to represent themselves.
- 2.04 All electronic submissions to the Appeals Board Chair referred to in this By-Law should be addressed to appeals@westernusc.ca.
- 2.05 Any and all questions pertaining to the Appeals Board and its procedures are to be addressed directly to the Appeals Board Chair at the above-mentioned email address or delivered to the USC Offices located at:

340 UCC Building
University of Western Ontario
London, Ontario
N6A 3K7

- 2.06 All forms mentioned in this By-Law are available on the USC’s website.

3.00 COMPOSITION

- 3.01 The Appeals Board shall be composed of nine (9) Students;
- (1) At least three (3) of the Students shall be enrolled in the Faculty of Law but no more than 6;

(2) The remaining Students may be enrolled in any faculty.

3.02 Members of the Appeals Board shall not be voting members of Council, Directors, or members of any Committee from which, according to their By-Laws, policies, or procedures, Appeals are adjudicated by the Appeals Board. Members of the Appeals board shall not hold an executive position in a USC Ratified Club.

3.03 Hearings before the Appeals Board should typically occur before a Panel of three (3) Appeals Board Members. However the Appeals Board Chair, at her discretion, may decide to increase the amount of Appeals Board Members sitting on a Panel to a maximum of nine (9), so long as the number of Appeals Board Members sitting on each Panel is not even.

4.00 ELECTION OF APPEALS BOARD MEMBERS

4.01 The Board & Appeals Nominating Committee, a committee of Council, shall oversee the process of recommending candidates to fill vacancies on the Appeals Board. It shall nominate a slate of Appeals Board Members to the University Students' Council on an annual basis and shall nominate candidates to fill any vacancies that occur during the Appeals Board Term.

4.02 The Board and Appeals Nominating Committee shall be composed of:

- (1) the Chair of the Board;
- (2) two (2) additional Directors elected by the Board, and;
- (3) three (3) Ordinary Members elected by the Council.

4.03 The Board and Appeals Nominating Committee shall conduct its business as per its Terms of Reference.

5.00 APPEALS BOARD CHAIR

5.01 The Appeals Board Chair shall be elected by the members of the Appeals Board at the first meeting, which shall occur as soon as possible after the start of the Appeals Board Term.

5.02 Should the Appeals Board Chair resign her position, the Appeals Board shall meet as soon as possible to elect a new Appeals Board Chair.

5.03 The Appeals Board Chair shall appoint a Deputy Appeals Board Chair:

- (1) The Deputy Appeals Board Chair shall take on the responsibilities of the Appeals Board Chair if there is a vacancy in the office of Appeals Board Chair or if the Appeals Board Chair is unavailable.

6.00 TERMS OF OFFICE

6.01 Members of the Appeals Board shall serve a term of either one (1) or two (2) years.

(1) No more than three (3) members of the Appeals Board shall be appointed for a two (2) year term in any given year.

6.02 If a member seeks re-election to the Appeals Board following their initial term they may do so by the regular election process outlined in this By-Law.

7.00 REMOVAL

7.01 A member of the Appeals Board may be removed from office for impropriety, violation of the provisions of the USC's By-Laws, delinquency of duties or misappropriation of USC's funds, by way of a motion adopted at a meeting of Council, by a two-thirds (2/3) vote of the members of Council present.

7.02 The Board of Directors may, upon resolution passed by two-thirds (2/3) of the Board of Directors, present a member of the Appeals Board for removal before Council in accordance with the previous provision. Immediately upon the Board of Directors' recommendation of the removal of the Appeals Board Member, said Appeals Board Member shall be suspended from hearing any cases or rendering any decisions until such time as Council is able to meet and decide on the proposed removal of said Appeals Board Member.

7.03 The member of the Appeals Board against whom a request for removal from office is directed shall be notified of the place, the date, and the time of the meeting of Council called to remove her within the same time frame as that provided by By-Law #1 for the calling of such meeting. Such member of the Appeals Board shall have the right to attend and to speak at the meeting or, in a written statement and read by the Speaker, to put forth the reasons why such member of the Appeals Board opposes the proposed removal from office.

8.00 QUORUM

8.01 Quorum of the Appeals Board is met with three (3), five (5), seven (7) or nine (9):

(1) The Appeals Board shall decide which Appeals Board Members shall sit on the Panel once a Case application has been accepted for hearing by the Appeals Board;

i. At least one (1) of the Appeals Board Members on the Panel shall be enrolled in the Faculty of Law;

a. If no Appeals Board Member enrolled in the Faculty of Law is available to sit on a Panel either in person or as otherwise provided for in this By-Law, this requirement may be waived by the Appeals Board;

ii. Those Appeals Board Members who have conflicts of interest in regards to the Case shall not be selected for the Panel nor shall they decide on whether the application is to be accepted by the Appeals Board;

iii. The Appeals Board Chair may assign Appeals Board Members to sit on a Panel if the Appeals Board is unable to meet in time to decide or are unable to reach a consensus;

- (2) Appeals Board Members sitting on the Panel shall be present throughout the entire oral hearing;
- (3) The absence of any of the Appeals Board Members during a significant part of oral proceedings shall render the absent Appeals Board Member unable to vote on the Judgment;
- (4) In the event that an Appeals Board Member must depart the hearing after the commencement but before the end of an oral hearing, the remaining Appeals Board Members, in consultation with the Parties, may decide that:
 - i. The hearing be recessed until all Parties and Appeals Board Members are able to re-convene; or
 - ii. If time is of the essence, the hearing continue and if the remaining Appeals Board Members are split on their decision, the decision of the decision making body from which the Case was appealed shall be upheld.

8.02 If Quorum is not reached on the date of an oral hearing, additional Appeals Board Members may be added by Panel, unless an objection is made by either petitioner or respondent, before the commencement of oral arguments by means of video or telephone conference in order to meet Quorum.

8.03 In extraordinary circumstances requiring expediency as decided by the Appeals Board Members who are present (or if no Appeals Board Members are present, by the Appeals Board Chair) and where a Quorum would otherwise be unattainable, additional Appeals Board Members may be added to the Panel prior to the commencement of oral arguments by way of video or telephone conference.

9.00 RECORDS

9.01 The Panel shall make available written, reasoned Judgments within a reasonable amount of time after the hearing.

9.02 A record of all written Judgments by the Appeals Board shall be kept by the USC and be made available to the public.

10.00 CONFIDENTIALITY

10.01 If a Party or Witness to a case wishes to remain anonymous, they may apply to the Panel Chair adjudicating their Case with reasons for such status before the commencement of the oral hearing.

10.02 The Panel Chair may grant anonymous status if she decides the Party or Witness applying for said status requires protection from slander, libel or personal attack, or to prevent the public disclosure of medical information or extenuating personal circumstances.

10.03 In Cases where anonymity to a Party or Witness has been granted, the oral hearing shall be closed to the public and press and the Party or Witness shall only be referred to by their initials in the written Judgment.

(1) The written judgment shall still be published publically but with the private information redacted.

10.04 In cases where Confidential Information of the USC is required, the hearing shall be held *in camera* and the Judgment shall not be made publically available if the information cannot be redacted.

(1) The Judgment shall remain available to current and future Appeals Board members for consultation.

11.00 JURISDICTION

11.01 The Appeals Board has the authority to adjudicate all matters referred to the Board by Council or the By-Laws;

(1) In deciding on sanctions or awards for either Party in a Case on Appeal, the Appeals Board shall be limited to any such sanctions or awards that were available to the initial decision making body regardless of whether the initial decision making body decided to enact such sanctions or awards.

11.02 By filing a petition, the Petitioner agrees to submit the dispute to the sole jurisdiction of the Appeals Board and agrees to be bound by its Judgment.

11.03 The Appeals Board shall decide, within forty-eight (48) hours after receiving the Petitioner's application whether it has jurisdiction to hear an action brought before it.

(1) The Appeals Board shall not entertain petitions which are frivolous, vexatious, of inconsequential merit, or otherwise outside its jurisdiction.

11.04 All Judgments of the Appeals Board are final, binding and conclusive and are not open to question or appeal in a court on any grounds.

(1) Excepting in the case of Senate or Board of Governors elections, which may be appealed to the University Secretariat as per their policies.

12.00 PROCEDURE

12.01 Commencing Proceedings:

(1) Proceedings shall be initiated when the appropriate appeal form is filed to the Appeals Board Chair by the Petitioner;

i. Petitions on behalf of the USC as a whole may be brought by the member of the USC Executive initiating a matter in conjunction with the President of the USC, or by a majority vote of council;

(2) The Appeals Board shall decide within forty-eight (48) hours after receiving the Petitioner's application whether it has jurisdiction to hear an action brought before it;

(3) The Appeals Board shall then either:

- i. Inform the Petitioner of the failure of the application; or
- ii. Inform the Petitioner of the success of the application, inform the Respondent of the existence of a pending Case against them and the basis of the Case and consult both Parties on available dates for an oral hearing, keeping in mind the time it takes for written submissions to be drafted and submitted prior to the oral hearing.

12.02 Submissions of Parties

- (1) Both the Petitioner and Respondent shall be granted the opportunity to submit their written submissions prior to the oral hearing;
- (2) Written submissions shall be drafted according to a template which shall be made available to the Parties.

12.03 Intervenors

- (1) The Appeals Board Chair shall inform the President of the USC and the Chairman of the Board of Directors of the impending Case upon deciding to grant a Petitioner's application, both of whom may apply to intervene by completing an application for Intervention within three (3) days of receiving such notice;
- (2) Following the acceptance of the Case by the Appeals Board, an invitation may be extended by the Appeals Board through the USC website to anyone wishing to intervene in the dispute by duly completing an application for intervention and submitting an electronic copy to the Appeals Board Chair no more than three (3) days following the final publication of the notice; The Appeals Board may, at their discretion, recognize intervening parties where those parties may be necessary for a fair and complete resolution of the Case. Intervenors shall be notified by the Appeals Board Chair if they have been accepted as Intervenors within a reasonable amount of time;
- (3) Intervenors may elect to make oral submissions at the hearing, written submissions in advance, or both. In the case of written submissions, they must be submitted to the Appeals Board Chair no later than three (3) days before the hearing.

12.04 Preliminary Conference

- (1) The Parties to the dispute and members of the Panel may, time permitting, then meet in a preliminary conference and discuss a number of issues informally, including but not limited to:
 - i. agreement on non-contentious facts of the dispute;
 - ii. explanation of hearing procedures, and;
 - iii. setting a date for the hearing.

12.05 Independent Arbitrator

- (1) Where, at any point, the Appeals Board comes to the conclusion that the case at hand would be better be served by the appointment of an independent arbitrator, it may do so by a vote of the Appeals Board.
 - i. The Appeals Board Chair shall be responsible for finding persons capable of acting as an arbitrator, and should be prepared to do so on short notice.
 - ii. The Board of Directors, on the recommendation of the Appeals Board Chair, shall hire an independent arbitrator agreed upon by the parties to the appeal or, if the parties are unable to agree, as selected by the Appeals Board Chair.
 - iii. The arbitrator shall provide directions for the conduct and determination of the appeal according to his/her discretion, including the submission of written materials and the convening of an oral hearing, if deemed necessary, and shall establish the applicable time limits for such steps. The arbitrator's decision shall be released to the interested parties, the Committee and the Executive, where possible, within 15 days of the arbitrator's appointment.

13.00 HEARING RIGHTS AND PROCEDURES

- 13.01 Hearings shall be open to the public, limited only by space restrictions in the designated hearing room or the discretion of the Appeals Board;
- 13.02 At the discretion of the Panel, oral submissions may be dispensed with where they are not possible or are clearly unnecessary.
- 13.03 The Panel may remove anyone from a hearing if the Panel decides that they are being disruptive, threatening or offensive.
- 13.04 No audio-visual recordings shall be taken during the hearing, although Parties may take notes as necessary.
- 13.05 Each Panel that does not include the Appeals Board Chair of the Appeals Board shall elect amongst themselves a Panel Chair to preside over the Case;
 - (1) If the Appeals Board Chair is a member of the Panel she shall be considered the Panel Chair unless she chooses to have the Panel elect a Panel Chair.
- 13.06 The Panel may, at their discretion, modify the general oral hearing procedure as they see fit.
 - (1) A copy of the procedures shall be provided to the participants no less than three (3) days prior to the hearing.
 - (2) A sample procedure for the oral hearing shall be found in Appendix 1.

14.00 DISPOSITION

- 14.01 At the end of an oral hearing the Panel may recess the proceedings to determine if they shall render an oral decision immediately.

- 14.02 Judgments by the Appeals Board may be rendered orally at the end of a hearing or may be reserved.
- 14.03 All Judgments, even if rendered orally, shall be accompanied by written reasons which are to be made available to the Parties and public within a reasonable amount of time after the oral hearing.
- 14.04 If Judgment is reserved, the Panel shall make its decision available within a reasonable amount of time;
- (1) Written reasoned Judgments should be provided to the parties and the public within two (2) weeks of the oral hearing.

15.00 EMERGENCY PROCEEDINGS

- 15.01 At the discretion of the Appeals Board Members assigned to the Case, the timing and notice requirements in this By-Law may be waived in order to expedite the adjudicative process so long as doing so shall not materially disadvantage a Party.
- 15.02 If time is of the essence, Appeals Board Members shall communicate a Judgment to the Parties as soon as they reach a decision after the hearing and should deliberate in private until they have come to such decision.

16.00 ABSENCE

- 16.01 If at any time the Appeals Board lacks enough Appeals Board Members to meet the Quorum requirements, but the By-Laws or Council call upon the Appeals Board to adjudicate a Case, the Board of Directors (or at least three (3) Directors) shall sit as a Panel and adjudicate the dispute in a manner otherwise consistent with this By-Law.

17.00 ELECTIONS DISPUTES

- 17.01 During the Election Period, Appeals Board Members shall be on notice that Appeals of Elections Committee Judgments may require rapid adjudication;
- (1) Applications for a hearing of Elections disputes shall be approved or rejected as soon as possible by the Appeals Board so as to not prejudice any candidate;
- i. Due to the short time period of Elections disputes, as soon as an application is received by the Appeals Board, notice shall be given to the Respondent named in the application that there is a pending application against her. Details of the application shall only be released to the Respondent if the application for a hearing is granted;
- (2) Notice of an approval or rejection of an Application shall be given forthwith to the Petitioner.
- 17.02 The Appeals Board should be prepared to hear expedited hearings during the Election Period within fifteen (15) hours of the Application.

APPENDIX 1

Sample Procedures for Oral Hearings

- (1) The Panel Chair shall introduce the members of the Appeals Board sitting on that Panel and shall outline the rules and procedure of the hearing;
- (2) The Petitioner, followed by the Respondent, may make an opening statement to introduce the nature of the application and the facts of the Case for no more than five (5) minutes;
- (3) The Petitioner shall present and question her witnesses and shall tender evidence;
- (4) The Petitioner shall have an additional twenty (20) minutes of time for oral arguments following the examination of their witnesses;
- (5) The Respondent shall then present and question her witnesses and shall tender evidence;
- (6) The Respondent shall have an additional twenty (20) minutes of time for oral arguments following the examination of their witnesses;
- (7) If applicable, the Intervenor(s) shall also present and question their witnesses and shall tender evidence;
- (8) The Respondent/Petitioner may cross-examine the other parties' witnesses immediately following the examination in chief of the witness;
- (9) The Intervenor(s) shall not be allowed to cross-examine witnesses;
- (10) The members of the Panel may, at any time, ask questions of a Party;
- (11) The Petitioner, followed by the Respondent, may make a closing statement for no more than ten (10) minutes. No new evidence may be introduced during the closing statement.



Annex 3



OUSA Delegation Application Form

Item:	OUSA Delegation Application Form Process
Author:	Lindsee Perkins, Vice-President External
Purpose of Report:	For Information

Background:

The Ontario Undergraduate Student Alliance (OUSA) is a coalition of student associations from across Ontario. We have come together to protect the interests of Ontario’s undergraduate students by providing research and ideas to governments on how to improve the affordability, accessibility, accountability and quality of post-secondary education in the province. The organization approaches its goal of advancing the needs of undergraduate students through five means: direct lobbying, public advocacy, issue awareness campaigns, research & policy solutions and building partnerships.

Each year, OUSA holds two general assemblies to discuss and update policy to be lobbied on by the steering committee. Each institution is allowed to bring a certain number of delegates to each assembly. At Western, we chose our delegation from council through a nomination and voting process during one of the council meetings.

New Changes:

To become an OUSA delegate for the 2015/16 year, any undergraduate student can apply. To do so, they must file out an application involving five students’ signatures and an explanation as to why they would like to be a Western delegate. Afterwards, selected candidates will present in front of council and a vote will be cast to determine the delegates for the assembly. This process will take place before each OUSA assembly.

The “why”:

This process has been changed to allow more students to get involved with our provincial lobbying efforts and to inform more students about OUSA as an organization. Opening the application process allows more students to get involved with our provincial lobbying efforts. In the past, we have struggled with engaging students on provincial policy and this new process allows for all students to be directly connected to creating and building policy. To add, having the student body more involved in the process will allow OUSA and the USC to directly engage with not just the delegates but their peers, friends and roommates. A more diverse delegation will increase recognition of OUSA.



Emergency Budget Taskforce



University Students' Council of the University of Western Ontario BUDGET RESOLUTION PROCEEDURE

EFFECTIVE:

SUPERSEDES: Standing Orders of Council

AUTHORITY:

RATIFIED BY:

RELATED DOCUMENTS:

USC BY-LAW #1

PREAMBLE

The University Students' Council (USC) recognizes the duality of its being as both a representative and democratic government and as a not for profit corporation. Should the two disagree in a concern with material budget implications there should be an equitable mechanism in place that balances the interests of both Council as a representative and legitimately elected body, and the Board of Directors (the Board) as the bearer of ultimate accountability and responsibility to the corporation. This process must also take the budget timelines of the USC and the University Board of Governors into account.

1.00 BUDGET CONFLICT RESOLUTION PROCESS

1.1 In the event that the Board disagrees with the annual or multi-year budget proposed by Council at their first Annual General Meeting the Board shall:

(1) Inform the Council of their objection within eight (8) hours;

- a. The Board's written objection shall include their rational for objecting to Councils budget and recommendations that would make it acceptable to the Board;
- b. The Board may use the Secretary-Treasurer or any other appropriate designate(s) as a resource in formulating their objection;

(2) The Chair of the Budget Taskforce shall call a meeting of the Taskforce within eighteen (18) hours of receiving notification from the Board;

- a. The Taskforce shall consider the original budget put forth to Council by the Vice President Finance, amendments made by Council, and the objections and recommendations of the Board;
- b. The Taskforce shall render a binding decision regarding the annual budget for submission to the University Board of Governors;
- c. Only those members present at the time of the meeting shall be entitled to vote.

2.00 TASKFORCE COMPOSITION

2.1 The Budget Taskforce shall be established before the ~~fifth (5th)~~ **fourth (4th)** meeting of Council.

2.2 The composition of the Budget Taskforce shall be as follows:

- (1) The USC President, *ex-officio*, voting (Chair),
- (2) Four (4) ~~ordinary voting members of Council~~ **Councilors** including the LTPB Chair, voting,
- (3) Four (4) members of the Board of Directors, and
- (4) The Secretary-Treasurer, *ex-officio*, non-voting;

3.00 AMENDMENT THRESHOLD

3.01 Council shall require a 2/3 majority vote to modify any section of this procedure.

3.02 The Speaker of Council shall not entertain any amendments to any section of this procedure that have not been previously reviewed by the Governance and Agenda Committee, the Long-Term Plan and Budget Committee, and the USC Board of Directors.



Annex 4 – Senior Operations – Mature and Transfer Students' Caucus and Caucus Framework

MATURE AND TRANSFER STUDENTS' CAUCUS TERMS OF REFERENCE

July 19th 2015

USC Council

1. Objective

The Mature and Transfer Students' Caucus (MTSC) is a formalized group dedicated to acting as a forum and think-tank for the concerns and opinions of mature and transfer students on campus, as well as an opportunity for collaboration, event-planning, and advocacy.

2. Mandate

The Mature and Transfer Students' Caucus shall,

1. Act as a voice and forum for discussion of issues that concern mature and transfer 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 on these issues from various members of the Western community, in order to address issues of relevance to mature and transfer 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 mature and transfer students and shall encourage resolution of these concerns.

3. Composition

1. The MTCS 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 the Council.
3. The membership shall be as follows:
 - i. Ten (10) mature and transfer students-at-large,
 - ii. The Associate Vice-President Campus Affairs, *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 MTSC shall be received by the USC's Volunteer Resources Department.
 - ii. Applications for membership of the MTSC shall be received no later than September 30th of the academic year.
 - iii. ***Applications for membership shall be reviewed by the Local and Campus Affairs Standing Committee.

4. Duties of Members

1. All members shall attend all duly-called meetings of the MTSC, and must attempt to attend one (1) Council meeting per year.
2. All members shall assist the Chair in both the development of the biyearly report of the MTSC and regular agendas.



3. All members shall be responsible for bringing forth relevant ideas and concerns facing Western's mature and transfer 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 MTSC: the Chair, and Vice-Chair.
2. The members of the MTSC shall elect amongst themselves the Chair and Vice-Chair via preferential secret ballot.
 - i. The Election of the Chair shall occur no later than the second duly-called meeting of the MTSC.
 - ii. Only the membership (excluding the AVP Campus Affairs and Vice-President Internal) are eligible to serve as Chair.
 - iii. ***The Chief Returning Officer (CRO) shall serve as the administrator for the MTSC elections.
 - iv. Candidates running for Chair shall be given a maximum of two (2) minutes to address the membership of the MTSC prior to voting, at the discretion of the CRO.
 - v. The AVP Campus Affairs and Vice-President Internal shall not vote in the election of Chair.
3. The duties of the Chair of the MTSC shall be:
 - i. To call all meetings of the MTSC.
 - ii. In consultation with MTSC members, set the agenda for meetings of the MTSC.
 - iii. Be responsible for the enforcement of this terms of reference.
 - iv. Provide an oral report of MTSC business at the beginning of each MTSC meeting.
 - v. Be responsible for the coordination of the membership.
 - vi. Provide an annual report to Council before the Annual General Meeting.
 - vii. Provide updates to Council on the agenda and initiatives of the MTSC once per semester.
 - viii. Submit copies of all MTSC minutes and other documentation to be filed at the USC office.
4. The duties of the Vice-Chair of the MTSC shall be:
 - i. Chair of meetings of the MTSC 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 MTSC meetings.
 - iv. Be responsible for maintaining records of all MTSC correspondence in conjunction with the Chair.
 - v. Maintain a record of attendance at MTSC 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 MTSC shall make written recommendations to the USC through the Local Campus and Affairs Standing Committee of Council.



4. The MTSC shall generate a report presented to Council by the Chair, before the Annual General Meeting. This report will address issue of importance to mature and transfer students decided upon by the MTSC.
5. Through the Chair, the MTSC will provide status updates and agenda initiatives to Council once per semester.

7. Finances and Budget

1. Funding for the MTSC shall be provided by the USC, under the portfolio of the Vice-President Internal, to a maximum of two hundred and fifty dollars per year.
 - i. This funding shall be used to organize feedback, consultations, surveys, and forums to assist the MTSC in their agenda.
2. All requests for additional financial support shall be made to the Vice-President Internal.

[CONTEXT AND ENACTMENT]

1.
[Documents Repealed – if any]
2.
[Supporting/Related Documents]
3.
[Date Passed]
4.
[All previous Amendments]



Framework for the Creation of Undergraduate Student Caucuses

26 August 2015

USC Council

Objective

To ensure responsible creation and governance practices of University Students' Council caucuses.

Scope

1. A caucus is a group of undergraduate students mandated by the University Students' Council to act as a think tank and forum for discussion about issues affecting an on-campus community.
2. A caucus will discuss issues and recommend actions and/or policies that the USC can take. These recommendations will come to Council through the appropriate standing committee.
3. Each caucus shall give a minimum of one formal report to Council. The nature of that formal report will be specific to that caucus' individual terms of reference.
4. As the USC's chief advocacy officer, the Vice-President Internal shall sit as an *ex-officio* non-voting member of each caucus.
5. The Secretary-Treasurer shall provide training, governance, and administrative support.
6. The terms of reference of each caucus shall be created in the spirit of the Caucus Template, embodied in the terms of reference for the First-Year Student Caucus.

Caucus Creation Process

1. On-campus interested party (IP) identifies a need.
2. IP completes USC Caucus Creation Petition (including group name, preferred mandate, and 20 signatures from students-at-large; attached) and delivers the petition to the Vice-President Internal and Secretary-Treasurer.
3. The Vice-President Internal shall meet with the IP in order to discuss the group's objectives.
4. The Vice-President Internal will recommend the most appropriate action to the IP and notify Council.
5. The Vice-President Internal and Secretary Treasurer create a working draft of the new caucus mandate and terms of reference.
6. Mandate and terms of reference undergo a period of consultation with community members, campus stakeholders, members of the Local and Campus Affairs Standing Committee, and other relevant parties.
7. Mandate and terms of reference finalized by Vice-President Internal, Secretary-Treasurer, and IP.
8. Mandate and terms of reference will be forwarded to Council for ratification.

Eligibility of Interested Parties

1. Any group identified to have a special interest not presently addressed by a USC club or service that can be demonstrated to impact the on-campus quality of life for that group.
2. Parties focused primarily on activism and the raising of awareness are ineligible for caucus creation, insofar as the scope of caucuses is to focus on tangible policy development.

Context and Enactment

- 1.



[Documents Repealed – if any]

2.

[Supporting/Related Documents]

3.

[Date Passed]

4.

[All previous Amendments]