



**COUNCIL MEETING #1 2016/2017
MARCH**

30 March 2016

Community Room, UCC Room 269C,
7.30pm

1. **Call to Order**
2. **O Canada**
3. **Western Song**
4. **Roll Call**
5. **Approval of the Agenda**
6. **Approval of Minutes**
7. **Comments from the Chair**
8. **Presentations**
 - a. 2015/2016 Advocacy Papers – Experiential Learning, Open Education Resources, Teaching Stream Trained Faculty
– Alexander Benac, Vice-President Internal; Lindsee Perks, Vice-President External; Danny Chang, Science Councillor (15 mins)
9. **For Action**
 - a. Advocacy Papers Policy ([Motion 1](#), Appendix 1)
 - b. Advocacy Papers ([Motion 2](#), Appendix 2, 3 & 4)
 - c. Executive Officer Accountability and Discipline Policy ([Motion 3](#), [Annex 1](#))
 - d. Fees and Financial Statements Policy ([Motion 4](#), [Annex 2](#))
 - e. Standing Orders of Council ([Motion 5](#), [Annex 3](#))
 - f. Ally Western Mandate Amendment ([Motion 6](#), Appendix 5)
 - g. Legislative Calendar 2016/2017 ([Motion 7](#), Appendix 6)
 - h. Election of Standing Committee Chairs
- Each candidate will receive 3 minutes for a speech, and 2 questions from Council
 - i. Speaker Elections
- Each candidate will receive 3 minutes for a speech, and there will be a 30 minute Q&A period for the panel of candidates
10. **For Information**
 - i. Executive Reports (30 mins)
 - i. Report of the Chair of the Board of Directors (10 mins)
 - ii. Western Student Senators (WSS) Report (5 mins)
11. **For Discussion**
12. **Motion to Move In-Camera**
13. **Termination**



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #1 – Advocacy Papers Policy

Whereas, the Advocacy Papers Policy has not been updated to reflect the actual process undertaken;

Whereas, the Advocacy Papers Policy was not clear on aspects of the process, renewal, and who was responsible for the paper-creation

Be it resolved, Council the new Advocacy Papers policy.

MOVER/Secunder



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #2 – Advocacy Papers

Whereas, the 2015/2016 Council approved the topics of Open Resources Education, Teaching Streamed Faculty, and Experiential Learning;

Whereas, the Vice-President Internal and External drafted the papers, with significant contributions from students-at-large;

Be it resolved, Council approve the three advocacy papers, to become new standing policies of the organization.

MOVER/Seconder



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #3 – Executive Officer Accountability and Discipline Policy

Whereas, Council tasked the Executive in 2014/2015 to create a more effective process for keeping Executives accountability;

Whereas, this year's Executive worked in collaboration with McKenzie-Lake, the USC's legal counsel, to draft a new policy that protects the individual but allows for more transparency and mechanisms to keep Executive accountable;

Be it resolved, Council approve the new Executive Officer Accountability and Discipline Policy.

MOVER/Seconder



Annex 1

EXECUTIVE OFFICER ACCOUNTABILITY AND DISCIPLINE POLICY

1 April 2016

USC Council

1. Objective

To strengthen and ensure transparency and accountability of all members of the USC Executive.

2. Policy Statement

The Terms of Reference for each Executive Officer is set out in the **Executive Officers Terms of Reference** and within each **Executive Officer Job Description**. The operation of the organization is greatly affected by the performance of its Executive Officers. The purpose of this policy is to set out the performance expectations for the Executive Officers and to outline measures to be taken in the event an Executive Officer fails to meet with the expectations outlined herein.

Discipline is not intended to be punitive in nature, but rather is intended to correct and improve performance. The USC wishes to ensure all members of the Executive perform their duties in compliance with by-laws, rules, regulations, instructions, procedures and best practice, and where such performance falls short, reasonable opportunity for performance improvement is available.

3. Application

This policy applies to all Executive Officers of the Corporation.

4. Administration

This policy is administered by the Board of Directors.

5. Executive Officer Responsibilities

1. Each Executive Officer is expected to be aware of and adhered to the following:
 - i. Corporate and, applicable, University by-laws, codes, policies and procedures;
 - ii. Applicable federal, provincial and municipal legislation and regulations;
 - iii. Strict of any type of act that has, or might reasonably be seen to have an adverse effect on the reputation or the proper functioning of the Corporation, or on the health, safety or rights of other persons or groups;
 - iv. Competent portfolio management including expectations set out in the **Executive Officers Terms of Reference** and job descriptions; and,
 - v. Any other guidelines, rules, regulations or policies as set out by the Board or Council. Any such guidelines should be communicated in writing to each Executive Officer by the President, in consultation with the Senior Manager, Human Resources. Where any material changes are made to any such document applicable to one or more of the Executive Officers such changes will



be communicated to all of the Executive Officers in writing.

2. In relation to Executive Officer accountability, the President shall be responsible for the following:
 - i. Address and resolve any barriers that may get in the way of Executive Officer completing her work duties as assigned;
 - ii. Provide each Executive Officer with adequate training, staff, support and equipment in order to complete his or her assigned duties, in conjunction with the General Manager and the Management team of the Corporation;
 - iii. Notify an Executive Officer immediately when an issue relating to the Executive Officer's performance has been identified.
3. The other Executive Officers are responsible for the following:
 - i. Alert the Chair of the Discipline Committee immediately in the event that misconduct or serious performance issues have been identified with the President.

6. Discipline Process and Procedures

1. Initiation of Disciplinary Process
 - i. Where an Executive Officer fails to meet with his or her duties and responsibilities as set out in this document or the Terms of Reference or Job Description documents a disciplinary process may be initiated.
 - ii. The disciplinary process may be initiated upon a receipt of a written in relation to an Executive Officer's conduct. A complaint should be directed to the Chair of the Discipline Committee.
 - iii. Upon receipt of complaint, the Chair shall prepare a written outline of the complaint setting out particulars of the Executive Officer's conduct.
 - iv. The written particulars shall be provided to the Executive Officer for response.
 - v. The Board shall thereafter determine whether the disciplinary process will be initiated, having regard to the nature and seriousness of the allegation(s) of misconduct, the Executive Officer's response and the need for further investigation. The Board may direct that a Discipline Committee be established to consider the complaint setting out particulars of the Executive Officer's conduct.
2. Constitution of Discipline Committee
 - i. The Discipline Committee shall be comprised of two (2) members of Council, two (2) Directors, and the President. In the event a member of the Discipline Committee has a conflict of interest, the remaining four (4) members shall name a replacement from Council, the Board, or the Executive Council.
 - a. Quorum of the Discipline Committee shall be four (4) members.
 - b. A decision or order of the Committee shall be made way of majority vote.



ii. The Discipline Committee shall elect from amongst itself its Chair, who shall not be either the Chair of the Board or the President.

3. Discipline Committee's Mandate

- i. Upon receipt of a particulars of a complaint, the Disciplinary Committee shall:
 - a. Determine whether further investigation is required.
 - b. Initiate an investigation to determine whether the matter warrants any form of discipline.
 - c. Recommend an informal form of response as may be appropriate.
 - d. Discuss the matter if no further investigation or discipline is warranted.
 - e. Receive and consider the result of the investigation and determine if discipline is warranted.
- ii. The Discipline Committee shall be permitted to engage an external investigator where required, to conduct a fact-finding investigation in relation to the alleged misconduct.

4. Conduct of Investigation

- i. Once a decision has been made to initiate an investigation, the Disciplinary Committee shall promptly notify the Executive Officer whose conduct is in question.
- ii. The Executive Officer shall be entitled to respond to the allegation in writing or orally.
- iii. The Human Resources Senior Manager may act as a resource to the Executive Officer or any parties involved in the investigation.

5. Notice to Member and Member's Right to Hearing

- i. If, after an investigation, the Discipline Committee concludes that a form of discipline may be warranted, it shall promptly notify the Executive Officer.
 - a. The notice shall be in writing and shall be sent to the Executive Officer's email address on file with the USC. If the Executive Officer is on leave at the time, the notice shall be sent by courier to the last mailing address on file with the Corporation.
 - b. The notice shall inform the Executive Officer that he or she may respond to the allegations by making written submissions, or by asking for a hearing before the Discipline Committee.
 - c. The Executive Officer's response to the notice may be received by the Discipline Committee within thirty (30) days of delivery of notice.

6. Hearing



- i. If the Executive Officer elects to respond to the notice by way of written submissions, the Discipline Committee shall render a decision on the basis of the investigation report and such submissions.
- ii. If the Executive Officer elects to have a hearing, the Discipline Committee shall hold a hearing as soon as practicable.
- iii. The Discipline Committee shall have the power to determine procedures of the hearings as appropriate. Notwithstanding this power, the Executive Officer shall be entitled to call witnesses and make oral submissions before the Committee.
- iv. Upon receiving all the investigation reports and hearing the submissions of the Executive Officer, the Discipline Committee shall determine where the member committed any misconduct, the Executive Officer will have the opportunity to make submissions as to the nature and extent of the disciplinary action to be taken against him or her.
- v. The Discipline Committee may then order the member undergo such discipline as it considers just. Such discipline may include:
 - a. A reprimand;
 - b. A suspension (with or without pay);
 - c. For the Secretary-Treasurer or Communications Officer, dismissal for cause.
- vi. Where the Discipline Committee finds removal from office is the proper discipline for misconduct for the President, Vice-President, or Student Programs Officer, the Discipline Committee shall communicate such recommendation to Council.
 - a. Council shall have the authority to dismiss the President, Vice-President or Student Programs Officer by a two thirds ($\frac{2}{3}$) vote upon receiving a recommendation for removal from the Discipline Committee.

7. Informal Response

- i. If the Discipline Committee considers that disciplinary action is not warranted it may nevertheless recommend a form of workplace counselling, or a discussion take place between the Executive Officer and an appropriate superior.
- ii. In any workplace counselling session or discussion, the Executive Officer should be clearly informed as to the expectations he or she is to meet.
- iii. The Executive Officer may be given a period of time within which his or her conduct is expected to improve and should be advised of the consequences of any failure to adhere to such expectations, which may include referral back to the Discipline Committee.

7. Discipline Committee Considerations

1. Upon receiving a complaint, an investigation should investigate the conduct of the member involved and such investigation should include:
 - i. Determining relevant witnesses;
 - ii. Meeting with relevant witnesses;
 - iii. Meeting with the Executive Officer whose conduct is complained of;
2. Considerations when determining appropriate level of discipline:



- i. Previous record of Executive Officer;
 - ii. Whether or not the incident is isolated;
 - iii. Was the member provoked;
 - iv. Seriousness of the offense;
 - v. Other mitigating factors (age, disability, illness, etc.)
 3. Other considerations:
 - i. To the extent possible all investigations shall be kept confidential.
 - ii. The Discipline Committee may consult with a lawyer in the process. It is particularly recommended if allegations are serious.

8. Context and Enactment

1. Documents Repealed – Executive Officer Accountabilities and Discipline Process
2. Supporting/Related Documents – **By-law #1: Corporate By-law, Executive Officers Terms of Reference, Definitions Policy.**
3. Date Passed –
4. All previous Amendments -



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #4 – Fees and Financial Statements Policy

Whereas, the policy has not been updated since 2013 (i.e., it includes the CASA fee);

Whereas, this policy should be updated annually;

Be it resolved, Council approve the new policy that reflects the fees actually being paid, and the new review timelines.

MOVER/Seconder



Annex 2

FEES AND FINANCIAL STATEMENT POLICY

1 April 2016

USC Council

1. Objective

To establish a policy related to student fees and publication of audited financial statements and a summary of the annual operating budget.

2. Student Fees – General

1. The USC shall not collect fees from students who are sixty (60) years of age or older.
2. The student fee schedule is approved annually by the Council and Board of Directors as part of the budget and process and forwarded to Western's Board of Governors for review by the Property & Finance Committee in March and final approval at the BOG's April Meeting. Western's Board of Governors has the ultimate authority to approve or disapprove the USC's recommended fee schedule.

3. Student Fees – Annual Adjustment

1. A number of student fees are governed by the referendum question that established them. If there is a discrepancy between this policy and the referendum question that established the fee, the terms in the referendum question shall supersede this policy.
2. The USC has established fees to support its internal activities and to broker student services. The following shall increase annually by the rate of inflation, subject to the recommendation of the Secretary-Treasurer and approved by Council.
3. The foundation for the rate of inflation is provided by Statistics Canada, as the national special aggregate of all items excluding energy.
4. The following fees tied to essential activities and services are subject to the rate of inflation provided by the Secretary-Treasurer:
 - i. Base Student Fee;
 - ii. USC Admin Fee;
 - iii. Gazette;
 - iv. Health and Dental Plan;
 - v. Late Night Busing/Mustang Express;
 - vi. University Community Centre Occupancy Fee;
 - vii. Gazette Capital Fee;¹
 - viii. USC Capital/Facility Fee.
 - a. The referendum question allows this fee to be adjusted above inflation every three (3) years, with the next permitted above-inflation increase allowed in 2017/2018, then 2020/2021.

¹ Formerly the Multimedia Capital Fee.



5. Above-inflation increases to the fees listed in 3.4 are permitted if supported by a business case that demonstrates need and clear value to students. Business cases shall be reviewed by the Secretary-Treasurer, and she may recommend above-inflation increases be granted, subject to Council and Board approval.
6. The USC has established fees to support various external organizations and initiatives. The following fees shall be increased as follows:
 - i. **CHRW Radio Western**
Permitted to increase by inflation each year if requested by CHRW and support by a business case that demonstrates need and value to students. Increase subject to recommendation of the Secretary-Treasurer and Council approval.
 - ii. **Community Legal Services**
Permitted to increase by inflation each year if requested by CLS and supported by a business case that demonstrates need and value to students. Increase subject to recommendation of the Secretary-Treasurer and Council approval.
 - iii. **Day Care Fee**
Permitted to increase by inflation each year if requested by CLS and supported by a business case that demonstrates need and value to students. Increase subject to recommendation of the Secretary-Treasurer and Council approval.
 - iv. **Faculty Council Grant**
Upon recommendation of the Secretary-Treasurer, permitted to increase by inflation each year, subject to Council approval.
 - v. **Grants Fee**
Upon recommendation of the Secretary-Treasurer, permitted to increase by inflation each year, subject to Council approval.
 - vi. **Ombudsperson**
Permitted to increase by inflation each year if requested by CLS and supported by a business case that demonstrates need and value to students. Increase subject to recommendation of the Secretary-Treasurer and Council approval.
 - vii. **Ontario Undergraduate Student Alliance (OUSA)**
Must increase by the inflationary increase provided by OUSA as per the USC's membership agreement.
 - viii. **World University Services Canada (WUSC)**
Must be increased to \$0.68 in the 2013/2014 academic year, and to \$0.83 in the 2014/2015 academic year;

Must be reviewed by Council every four years, with the next review to occur 2018/2019; pending a successful review the fee may be continued at \$0.83 for an additional four years by Council; pending an unsuccessful review the fee shall be discontinued by the Council.



Inflationary increases are not permitted for this fee.

7. Excluding the WUSC fee, above-inflation increases to the fees listed in 3.6 are permitted if supported by a business case that demonstrates need and clear value to students. Above-inflation increases shall be recommended by the Secretary-Treasurer and are subject to Council approval.
8. The USC brokers a universal bus pass on behalf of students with the London Transit Commission (LTC). The LTC fee shall be permitted to increase by 5% per annum as per our negotiated contract and the referendum question that established the fee.
 - i. If increases are above 5% are necessary to maintain the universal bus pass program, a referendum must be held to ask students to approve the increase.

3. Audited Financial Statement

1. The USC shall publish in *The Gazette*, at least once per school year, a summary of the audited financial statements of the USC for the previous fiscal year, as well as a summary of the present year's operating budget. At minimum, these documents shall also be made available on the USC website and paper copies shall be made available at the USC Main Office.
2. The publication of the summary of the audited statements shall occur on or prior to November 30th, unless there is a delay in the audit process. If a delay does occur, the Secretary-Treasurer shall explain the situation to the appropriate Standing Committee of Council and provide an estimated publication date.
3. The publication of the summary of the operating budget for the upcoming fiscal year is to be published on or before March 31st.

4. Context and Enactment

1. Documents Repealed – N/A
2. Supporting/Related Documents – N/A
3. Date Passed – 6 March 2012
4. All previous Amendments – 6 March 2012



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #5 – Standing Orders of Council

Whereas, the Standing Orders are referred to in the new By-law #1;

Whereas, the Standing Orders required an update to be relevant and holistic in scope;

Be it resolved, Council approve the amendments to the Standing Orders of Council.

MOVER/Secunder



Annex 3

STANDING ORDERS OF COUNCIL 2016

1 April 2016

Council

Preamble

The USC prides itself on effective and transparent governance procedures. These standing orders have been implemented to engender focused and efficient operations of Council that are reflective of the composition of the USC as a Council. These standing orders supplement the provisions contained in the USC's **By-Law #1: Corporate By-law** that relate to the operations of Council and serve to augment certain sections of Robert's Rules to reflect the unique dynamics of Council.

1. Scope

1. These standing orders governance the operations of Council supplemental to the USC's **By-law #1** and Robert's Rules of Order (RONR).
 - i. Where there is a question of these orders conflicting **By-law #1**, the By-law shall be held authoritative.
 - ii. Where there is a question of these orders conflicting with RONR, these orders shall augment RONR as specified.
2. Council shall, on the advice of the Senior Operations, have the authority to amend these orders insofar as any changes to these orders do not contradict the USC's By-laws, the Act, or the Letters Patent.

2. Meeting Times

1. General Meetings of the USC Council shall take place on Wednesday evenings, with a time and location set by the Speaker and agreed upon by Council. A list of specific dates shall be made available via the **Legislative Calendar**.
 - i. Any change to a time or location of the General Meeting of Council shall be communicated to Members as far as in advance as possible.
2. Times and locations for Special and Annual Meetings shall be set at the discretion of the Speaker based on availability of space.

3. Agenda

1. The Agenda for duly-called meetings of Council may include, but are not limited to, the following sections of business.
 - i. Call to Order;
 - ii. Singing of "O Canada;"
 - iii. Singing of the Western School Song
 - iv. Approval of the Agenda



- v. Approval of Minutes
 - vi. Comments from the Chair
 - vii. Presentations
 - viii. For Action
 - ix. For Information
 - x. For Discussion
 - xi. Termination
2. Items of new business may be added to the sections of For Action, For Information, or For Discussion by Members at the discretion of the Speaker.
 3. Agendas for Special Meetings of Council and Annual General Meetings shall not be required to follow the above format. The format shall be approved by the Senior Operations Standing Committee.

4. Time Limits

1. To ensure efficiency, the Senior Operations Standing Committee has the right to put a time limit on any Agenda item after which Council must for an extension in order to continue.
2. The following Agenda items shall always be accompanied by a time limit, set by the Senior Operations Standing Committee.
 - i. Presentations to Council;
 - ii. Executive Reports;
 - iii. Western Student Senators Report;
 - iv. Report from the Chair of the Board of Directors.
3. Meetings of Council – General, Special, Annual, or otherwise – shall be recessed or adjourned by the Speaker no later than 12am (midnight).
 - i. Any meeting that is recessed prior to 12am with outstanding business remaining on the Agenda shall be reconvened the following week in line with the Meeting Time provisions for General Meetings contained in Section 2 of this policy.
4. If business remaining on the Agenda at 12am is of a time-sensitive nature the Speaker of Council can choose to do one of the following:
 - i. Continue the meeting and consider only those pieces of business deemed to be time sensitive in nature. All other items of business shall be tabled and discussed upon reconvention of the meeting at a later date; or
 - ii. Recess the meeting and reconvene the meeting at a time other than that specified in Section 2 above.
5. The Speaker shall have the authority to recess the meeting significantly prior to 12am should she determine the next piece of business is of a sufficiently significant nature so as to go past 12am.



5. Proxies

1. All Ordinary Members of Council are entitled to vote at a meeting by means of a proxy, who cannot be a voting member of Council, but must be a student.
2. A proxy form must be signed by the Member and provided to the Speaker of Council and the Coordinator of Council at least twenty-four (24) hours in advance of the start date of the meeting, in order for the proxy to be valid.
3. The proxy is valid only at the meeting for which it is given.
4. A Member may revoke a proxy by informing the Speaker of Council in writing twenty-four (24) hours in advance of the start date of the meeting.
5. A proxyholder has the same rights as the Member who appointed her in the rights to speak and vote at the meeting.

6. Speaker Authority

1. In addition to the regular authority given to the Speaker of Council by virtue of holding the position itself, the Speaker shall also have the authority to do the following without having to ask for a motion from Council.
 - i. The Speaker shall have authority to call for a vote on any given question or amendment should she determine debate or discussion of the question has gone off topic or has become circular in nature. The Speaker may call for a vote at any time, regardless of the number or nature of names remaining on the Speaker's List.
 - ii. The Speaker shall have the authority to recess a meeting at her sole discretion. This includes a short recess for Members to take a break, and a recess until a later date for the purposes of conducting research for the benefit of Council.
 - iii. The Speaker shall have the authority to refer any motion or question back to a Standing Committee or Ad-Hoc Committee of Council should she determine more discussion or research is necessary. The Speaker may refer a question or motion before any discussion or debate has taken at the Council meeting.
 - iv. The Speaker has the authority to enforce the **Voting Member Attendance Policy**.
 - v. The Speaker shall have authority to sanction Members who are in breach of Council decorum (i.e. personal attacks on another Member, causing disruptions, etc.). Sanctions may include, but are not limited to the following:
 - a. A verbal warning;



- b. Removal of a Member for the duration of the question on the floor;
 - c. Removal of a Member for the duration of the meeting;
 - d. Application of a demerit point penalty to the Member no larger than 1.0 points; and
 - e. Recommend the removal of a Member from Council subject to the **Voting Member Attendance Policy**.
2. Council has the right to challenge the Speaker regarding any section of this policy, subject to a two-thirds ($\frac{2}{3}$), provided said challenge does not contravene either the By-laws, or the Act.

7. Context and Enactment

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



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #6 – Ally Western Mandate

Whereas, Ally Western needs to differentiate itself from Pride Western and chart a mandate of its own;

Whereas, the following changes have been unanimously approved and recommended by the Ally Western Steering Committee;

Let it be resolved that, Council approve the recommended changes to the Ally Western Constitution.

DIBRINA/Secorder



2016/2017 University Students' Council

Meeting # 1

March 30th, 2016

Motion #7 – Legislative Calendar 2016/2017

Be it resolved Council approve the new Legislative Calendar for the 2016/2017 school year.

MOVER/Seconder