

Minutes of the 5th Meeting of the 2015\2016 University Students' Council of the University of Western Ontario held on Wednesday, November 25th, 2015 in the Community Room, University Community Centre

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

1. CALL TO ORDER

The Speaker called the meeting to order at 7:36 p.m.

2. O CANADA

The Speaker led Council in the singing of O Canada.

3. WESTERN SCHOOL SONG

The Speaker led Council in the singing of the Western School Song.

4. ROLL CALL

Speaker: Andrew Lalka

Deputy Speaker: Alif Karmali

Recording Secretary: Council Clerk

5. APPROVAL OF THE MINUTES

From 30 October 2015, 28 September 2015, 16 April 2015.
CATOON/Little/ Carried.

6. APPROVAL OF THE AGENDA

Mr. Benac requested a moment of silence for students of the Western community that have passed away during the past semester.

Motion to adopt the agenda.

Unanimous/ Carried.

7. PRESENTATIONS

By-law #2 Changes (Jonathan English, 30 minutes)

Mr. English addressed Council with the changes to By-law 2.

Mr. Dodgson sought clarification with respect to the notation in the document submitted to Council.

8. FOR ACTION

Motion #1 – By-law #2 Amendments for Clarity

Whereas, the Executive were tasked with ensuring By-law #2 was reviewed by an arms-length party of the organization;

Whereas, the arms-length review has produced a number of minor, yet necessary, amendments, omissions and introductions to By-law #2 to enhance its clarity and limit its contradictions;

Be it resolved, that Council approve the new changes to By-law #2.

A. SUSSMAN/ Pillon/Carried.

Ms. Catton questioned the interpretation of the By-law amendment.

Mr. English deferred speaking rights to Mr. Chourney, Chief Returning Officer.

Mr. Chourney clarified the interpretation of the section of the By-law.

Called the question.

Motion #2 – Adding a Vote of Confidence

Whereas, the amount of acclaimed positions was a point of concern in the 2014/2015 election;

Whereas, a vote of confidence will ensure candidates must campaign, even if there are no competitors;

Be it resolved, Council approve a new section of By-law #2, being the addition of a Vote of Confidence.

KITELEY/ Farfan/Referred to Committee.

Ms. Cheeseman endorsed the vote of confidence.

Mr. Dodgson sought an amendment.

AMENDMENT

PVP, the position shall be filled at an election of a USC Council meeting, after the vote of confident.

The faculty president shall be elected at the next faculty council meeting.

The divisional candidate would remain the same, namely, vacant until the next bi-election.

Ms. Cheeseman agreed with the amendment.

Mr. Dalek, speaking against the motion and amendment, noting that if there were no candidate on the election, what would make students want to run in the proposed election.

Ms. Cheeseman noted that she did not think that voter apathy is the reason why there would not be candidates for these positions. She noted that in some cases, students are not aware that the positions are available.

Ms. Hardy noted concerns with respect to a vote of non-confidence for a PVP slate, that another election be held in the spring.

Mr. Grainger spoke for the amendment, noting that is there is a vote of non-confidence, then a proper back up would be an internal election, given the resources that would have gone into the original election.

Mr. Dodgson noted that his reasoning for this amendment is to ensure that, while very unlikely, these roles not remain vacant.

Ms. Peterson asked whether faculty council presidents would be elected by their incoming or outgoing councils.

Mr. Dodgson noted that this would depend on the transition of the council.

Mr. Pillon asked whether an internal election would be another vote of non-confidence.

Mr. Dodgson clarified that should a PVP Slate position be vacant, then anyone could at the next meeting of Council submit their name for consideration of the slate positions.

Mr. Pillon noted concerns if only one person submits their name, and fails a vote of non-confidence.

Mr. Dodgson noted that multiple elections would be easier to run at the Council level. She noted that if the election at the Council level fails, then Council would appoint the next executive.

Ms. Amoah (proxy for Mr. Palin), noted concerns for the timeline between the failure of the non-confidence vote and the next election, stating that the new candidates should have the same amount of time to campaign as the previous candidates.

Ms. Peterson: *Did you suggest that the faculty presidents get elected by their faculty Councils? The incoming faculty Councils?*

Mr. Dodgson noted that he had not clarified in his amendment, at there are difficulties with defining incoming Councils, as not all Councils turn over at the same time.

Mr. Pillon: *If we are having an internal election, will there be another vote of non-confidence? Or are candidates coming forward and Council makes final decision?*

Mr. Dodgson noted that it would be an internal election, wherein anyone could come forward and submit themselves as a candidate for the position. A question and answer period would take place, and Council would then vote for the executive at that meeting.

Mr. Pillon: If there is another vote of non-confidence, wouldn't we have to run multiple successive Council meetings?

Mr. Dodgson noted that he did not have a good answer to the questions, but noting that he thought running elections at the Council level would be logistically easier than at the university level.

The Speaker tabled the motion until the amendment could be made available to Council.

Council resumed discussion on the amendment after voting on Motion 3.

AMENDMENT:

In the event a candidate fails to receive a vote of confidence, as outlined in section 19.00 of the By-law:

- i. For a PVP position, the position shall be filled at the next scheduled USC Council meeting.*
- ii. For a faculty president, the position shall be filled by election at the next scheduled faculty council meeting.*
- iii. For the divisional candidate, the position shall remain vacant until the Fall by-election.*

DODGSON/Peterson.

Ms. Peterson: withdrawn

Mr. Pillon: withdrawn

Mr. Farfan: *If a candidate fails to receive a vote of confidence, are we going to allow them to run a second time for the position, and potentially have them elected by a much smaller group of students? Even though, the general body of students as a whole has voted against them.*

Mr. Dodgson noted that he had not included a provision of this kind, but would support the inclusion of a sub-amendment restricting the candidacy of previous candidates.

Ms. Catton noted concerns with respect to an internal election, stating that in cases where there is a smaller group of people, there are more candidates that come forward. She noted that there could be a very large number of candidates to consider in the case of this process.

Ms. Kiteley spoke against the amendment, stating that the amendment remains vague with respect to the process of election the PVP candidates specifically. She questioned whether these

positions would be voted on by outgoing or incoming Council, and concerns for the autonomy of students to vote on these positions.

Ms. Sussman: What is the process currently, for opening up nominations for the PVP slate and no one running? What is the contingency plan in case this happens, in our policies? What is that procedure currently?

Mr. English noted that By-law 2 does not explicitly state what happens if no one runs for the PVP position. Council does have the jurisdiction to have an ad hoc election, with special rules and procedures.

Mr. Sussman: Is it customary practice to appoint an interim president. Would that fall to Council or the Board of Directors?

Mr. English noted that this would depend on the position. In the case of a member of Council, the CRO would be asked to administer an election.

Mr. Sussman noted concerns with the lack of any procedure in the event that there are no applications for the PVP slate. He further noted that the procedure to fill the vacancy, ought to align with the procedure relating to a failed voted of confidence.

Ms. D'Souza speaking against the motion, seeing a need for the vote of confidence, but given the number of objections being raised by Council, she saw a need to review the motion further and then present the motion at a later time.

The Speaker asked whether Ms. D'Souza would like to put through a motion to refer the motion to committee review.

Mr. Farfan but forward a motion to refer the motion refer to committee.

The Speaker noted that the Committee could be selected at a future date.

Mr. Hurren noted that that would then defer the vote of confidence to a future elections period and not the upcoming spring election.

The Speaker noted that the composition of the committee be determined by the Senior Operations Committee.

Motion to refer the motion to a committee for further review.
FARFAN/Hamadache/Carried.

Motion #3 – Elections Governance Committee Terms of Reference

Whereas, Elections Committee comprised of those who ran the election, and those governed the election;

Whereas, the entire Elections Committee was responsible for rendering judgment, while only half the Committee conducted investigations, studied By-law #2, and held deliberations;

Whereas, the uneven balance of priority and knowledge amongst Committee members has led to ineffective governance;

Be it resolved, Council approve a new Elections Governance Committee, to ensure those who conduct the hearings are the ones who make the decisions, and thus approving the new Terms of Reference.

HARDY/ Farfan/Carried. (97% (For)/ 3% (Abstained)

Ms. Hardy spoke towards the motion, stating that this document was a terms of reference for the Elections Governance Committee. This document details the roles within the committee and the ruled that the Committee will follow.

Mr. Dodgson enquired as the rationale behind reducing the number of committee members, from fifteen (15) to nine (9).

Mr. English noted that the committee membership had gone from fourteen (plus two) to nine (plus two). Mr. English noted that during the elections period, there are difficulties with getting sixteen people into one room.

Mr. Sussman: (inaudible question)

Mr. English noted that he was not aware of how selection had occurred in the past. He noted that in the current year, the students were selected via an application process. Students at-large were able to apply to be on the Elections Committee. He further noted that interviews were held, in accordance to the standards of the Volunteer Resources department and then applicants were selected.

(inaudible questions)

The Speaker called the question on Motion 3.

Council returned to the discussion on the amendment of Motion 2.

Motion #4 – By-law #2: Section 11, Rules for Elections Amendments

Whereas, some of the core issues of elections have been the unclear language surrounding the rules;

Whereas, the rules for elections have not been reviewed to reflect the modern context and challenges (i.e., technology and social media);

Whereas, the changes to the rules wants create more compliance to ensure the protection of the electorate, the public as well as candidates;

Whereas, the arms-length review has taken the stance of deregulation of post-campaigning;

Be it resolved, Council approve the new amendments to Section 11 of By-law #2.

PILLON/ Hardy/Carried. (

Mr. Pillon noted that this motion is meant to clarify off-campus campaigning and post-campaigning rules.

Mr. Dodgson asked whether there had been discussion about removing off-campus campaigning altogether.

Mr. English, noted that this was discussed in the review, but in an effort to not exclude the off campus community, off-campus campaigning remained permissible.

Motion to call the question.

PETERSON/Ward/ Carried.

Ms. Kiteley asked the speaker whether there was a procedure to re-open debate after the question had been called, for a lack of sufficient debate.

The Speaker noted that there were rules restricting this, once a question has been put before an assembly.

Mr. Sussman asked if there was a specific concern she would like to bring forward.

Ms. Kiteley noted that concerns had been raised at the Senior Operations Committee, which were issues that were agreed upon to be brought before Council. She noted that these concerns had not been raised, specifically, was off campus campaigning and campaigning while the polls were open.

The Speaker noted the debate stops once the question has been called. The Speaker further noted that a motion to reconsider could be brought forward, in order to open the question up to debate again, requiring a 2/3 majority vote to pass.

Mr. Sussman: (poi) Clarify what the procedure is. Noting that the question would be reopen the question to further discuss the motion.

The Speaker noted that the question had been called and only a motion to adjourn or recess. The Speaker noted that the vote must be taken and then a motion to reconsider could be brought forward.

The motion carries. (79% for/18% abstain).

Mr. Hamadache motioned that Motion 4 be reconsidered.

HAMADACHE/ Cheeseman/Not Carried.

Motion #5 – Finance Procedure Amendment

Whereas, the rules and procedures for campaign finances in By-law #2 were not scattered and not clear for either candidates or the Committee;

Whereas, contributions and expenses used to be tracked independently, unfairly incentivizing the importance of contributions;

Be it resolved, Council approve the campaign finances procedure be delegated by By-law #2, and include more straightforward processes, and consistency for expenses/contributions.

HARDY/Pillon/Carried. (For (94%) Abstain (6%))

Ms. Hardy noted that the motion is a procedural document for elections candidates with respect to finance tracking and processes.

Called the question.

FARFAN/Abbott/Not Carried.

Motion to recess 15 minutes.

BEJAN/Dalek/Carried.

Mr. Sussman moved to suspend the standing orders to reconsider Motion 4, due to a lack of sufficient debate.

The Speaker noted that this was an incidental main motion, and sought a seconder for the motion. The Speaker informed Council of the rules around passing this motion.

Motion to suspend the rules and reconsider Motion 4.

SUSSMAN/Cheeseman/

Ms. Cheeseman echoed Mr. Sussman concerns.

Ms. Hardy asked whether there were any specific amendments that the mover and seconder would like to make.

Ms. Cheeseman noted 10.2.i, as an example of a change she wanted to see in the By-law. She noted some ambiguities with the rules that she would want specific clarification and debate on. Ms. Cheeseman noted concerns with post campaigning and opening a polling station.

Ms. Kiteley noted concerns stemming from discussions at the Senior Operations Committee meeting.

Mr. Sussman noted concerns that Council was not fulfilling their duties in not debating the motion.

Ms. Hardy noted that she did not see the need to reopen debate.

Mr. Hamadache noted that he would like to know what the Senior Operations Committee had discussed prior to the meeting.

Mr. Pillon noted that the voting had taken place, and that Councillors voted on their personal knowledge of the motion. Je noted no need to reopen the motion.

Ms. Catton noted that the question was immediately called and voted on, with little time allotted to respond to the debate period.

Ms. Hardy, reiterated her position that specific points were not being brought up with respect to problems that Councillors had with the motion.

Mr. Abbott asked that the debate be tabled and Council business move on.

Ms. Cheeseman noted that due to the time sensitive nature of the motion, the debate would need to happen at the current meeting.

The speaker called the question.

Motion to suspend the rules and reconsider Motion 4.
SUSSMAN/Cheeseman/Not Carried.

Back to consideration on Motion 5

Mr. Hamadache asked whether there had been any concerns with respect to this motion at the Senior Operations Committee level.

Mr. Farfan noted that the meetings of the Senior Operations Committee are open to all Councillors.

Ms. Peterson: withdrawn

Ms. Cheeseman noted a concern with Section 2 (Responsibilities of the Candidates), noted questions with respect to campaign volunteers.

Mr. English addressed Ms. Cheeseman's concern.

Ms. Catton called the question, seconded by Mr. Abbott. (Carried).

Motion #6 – Violations Procedure Amendment

Whereas, allegations had to be classified by the Committee prior to any investigation, evidence or hearing;

Whereas, the criteria for violations was both limiting and insufficient;

Whereas, the processes for deliberations and hearings have never been detailed nor made public to candidates;

Be it resolved, Council approve the violations procedure to be delegated to by By-law #2, and resolve the stated issues.

PILLON/Hardy/Carried. (For (94%) Abstain (6%))

Mr. Pillon spoke in favour of the motion, noting the changes to the violations procedure, giving greater clarity to candidates.

Mr. Hardy noted that the changes give structure to the EGC Committee with respect to candidate violations.

Mr. Alkadri called the question, seconded by Mr. Johnson. (Carried).

Posted Motion# 7 Public Arts Recommendations

Whereas, the Committee has thoroughly completed its review of Public Arts, including analysis of a student-at-large survey (receiving 164 responses);

Whereas, the Committee has developed recommendations for Public Arts to be submitted to both the VP Student Events (Taryn Scripnick) and Public Arts Coordinator (Quinn Griffiths);

Be it resolved, the following recommendation be incorporated into the Public Arts program, with justifications outlined in the attached document:

- A) Addition of Executive position- "Community Liaison"
- B) Define role of Public Arts Coordinator and FIMS, Music, and Arts Councils in the planning/execution of Reverie
- C) Focus on increasing branding of Public Arts
- D) Create opportunities for volunteerism
- E) Increase number of smaller, walk-by art events

Be it further resolved, VP Student Events and/or Public Arts Coordinator follow-up with the Committee if any recommendations cannot be incorporated into the program, and provide justification for this decision.

HARDY/Whelan/Carried. (For (97%) Abstain (3%))

Ms. Hardy discussed the motion relating to the Public Arts Review.

The Speaker called the question

9. NEW BUSINESS

New Business Motion# 1

Implementation of the AVP Program

Whereas, during the previous Special Meeting, Council voted to expand the Associate Vice-President program and add additional positions;

Whereas, the proposed extended working hours and increase in the potential earnings of some positions upwards of \$10,000.

Be it resolved, the following recommendation be incorporated into the Public arts Program, with justification outlined in the attached document:

Be it further resolved, that Council task the current executive with creating a report, including an overview of the newly proposed positions, the restructured reporting structure and the anticipated budgetary implications and present it at the January meeting of Council

Be it further resolved, that the report include a review of the hiring processes and selection committee to be more fair and accountable to both the applicants and students-at-large.

GROVES/Abbott/Carried. (For (97%) Abstain (3%))

Mr. Dodgson questioned the validity of the procedure of having new motions brought forward after the Agenda has been approved by Council.

The Speaker noted that procedurally there was not method for him to block motions of new Business.

Mr. Groves discussed the nature of the motion and its inception from the previous meeting of Council on November 11th, 2015.

Mr. Dodgson requested that the Speaker read out the motion.

Mr. Farfan noted that in a discussion with Mr. Orbach-Miller, he noted concerns with the level of nepotism with the hiring process for AVP positions.

Mr. Farfan noted that the report to Council with respect to the hiring process of the AVP positions was a reasonable condition.

Mr. English asked whether this was necessary, when this would be outlined in the draft Budget. Mr. English committed to making this report within the context of the Budget.

Mr. Abbott withdrew the motion.

New Business Motion# 2

Councillor Recognition

Whereas, USC Councillors volunteer many hours over the course of the year in order to represent Western Students

Whereas, USC Councillors are an integral component in the running of the USC

Whereas, USC Councillors do not receive any compensation for their noble work.

Be it resolved, that all USC councillors receive platinum cards.

FARFAN/Bejan/Not Carried.

10. FOR INFORMATION

Executive Reports

Mr. English gave his report to Council.

Mr. Hurren gave his report to Council.

Ms. Scripnik gave her report to Council.

Mr. Benac gave his report to Council.

Report of the Chair of the Board of Directors (10 mins)

Mr. Jacobi discussed the initiatives of the USC Board of Directors.

Western Student Senators (WSS) Report (5 mins)

Mr. Orbach-Miller discussed the initiatives of the Western Senate

Standing Committee Reports

Local and Campus Affairs

Ms. Kiteley gave her report with respect to the affairs of the Local and Campus Affairs Standing Committee.

Long Term Planning and Budget

Mr. Sussman gave his report with respect to the affairs of the Long Term Planning and Budget Standing Committee.

Portfolio Audit and Review Committee

Ms. Hardy gave her report with respect to the affairs of the Portfolio Audit and Review Committee Standing Committee.

Provincial and Federal Affairs

Mr. Farfan gave his report with respect to the affairs of Provincial and Federal Affairs Standing Committee.

Student Outreach and Communication

Mr. Pillon gave his report with respect to the affairs of the Student Outreach and Communication Standing Committee.

Senior Operations

The Speaker gave his report with respect to the affairs of the Senior Operations Standing Committee.

11. FOR DISCUSSION

- i. By-law #1 Status Update, and Discussion (Appendix 4)

Mr. English discussed the By-law 1 changes with legal counsel.

12. TERMINATION

HARDY/ Kiteley/ Motion to adjourn.
Unanimous/Carried.

The meeting adjourned at 10:24 p.m.

President

Recording Secretary

Approved on: _____

Sign In/Sign Out

<u>Name</u>	<u>Time In</u>	<u>Time Out</u>
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