



Judgment of the USC Appeals Board in the matter of:

**University of Western Ontario Vegan Society v Clubs Governance Committee, 2016:3 Club  
Probation – February 9, 2016**

Judgment Date: Tuesday, February 9, 2016

Panel: Laura Lepine (Deputy Chair), Rufina Ning, Aaron Meng

Reasons for Judgment: Lepine

1 This is an appeal from a decision of the Clubs Governance Committee (hereafter the “CGC”) which found that, the Western Ontario Vegan Society (hereafter “WOVS”) committed multiple violations of various USC policies. As a result, on January 20, 2016, the CGC placed WOVS on probation. The probation period was set at eleven (11) months and eleven (11) days, ending December 31, 2016 so long as no other violations were committed. As part of the probation, the President of WOVS was required to meet with a representative of the CGC for review each month (excepting the summer months). WOVS was further prohibited from holding off-campus events until April 30, 2016.

Facts

2 There were four major complaints levied against WOVS, each resulting in various USC policy violations. First, WOVS members participated in a protest outside of Jack Astors restaurant on November 7, 2015, with no event proposal submitted. Second, WOVS held a bake sale on November 28, 2015, raising \$375. No proposal was submitted for this event; the funds were not remitted to the proper account; and there was no sponsorship or affiliation agreement submitted. Third, WOVS advertised for a trip to Cedar Row for December 12, 2015, with no proposal submitted. Fourth, WOVS scheduled a potluck for December 4, 2015, but submitted a proposal stating that no food would be served.

3 The violations found by the CGC were not contested by WOVS, with a few clarifications. The protest outside of Jack Astors, while not a WOVS event itself, was advertised to WOVS members from the WOVS Facebook page as well as by a WOVS executive. Participation is sufficient to require an event proposal, even if the event was not organized by the club. The requirement to submit an event proposal for the bake sale of November 28, 2015 is similarly grounded in club participation. In their response to the CGC, WOVS admits many errors and

misinterpretations of clubs policies. The club also expressed a sincere desire to rectify the situation and has apologized for the many issues.

### Analysis

4 The CGC has the power to sanction clubs under s4.01 of the USC Club Hearings and Sanctions Procedure. This section reads:

4.01 A club found to have committed an alleged violation may be sanctioned as deemed appropriate by the Clubs Governance Committee.

5 S4.03 of the Procedure outlines the criteria the CGC is to consider when assessing the severity of the sanctions to be imposed.

4.03 The Clubs Governance Committee shall determine the severity of sanctions according to the following criteria:

- (1) The type of violation
- (2) The club's level of responsibility, including any action taken by the club to mitigate the violation
- (3) The club's intent prior to and while committing the violation
- (4) The persistence of the violation
- (5) The club's prior history of committing violations
- (6) The harm caused by the violation
- (7) The level of remorse demonstrated by the club

6 Finally, s4.04 lists some of the possible sanctions the CGC may impose. This sections reads:

4.04 The Clubs Governance Committee may, at its sole discretion, sanction a club. Sanctions may include, but are not limited to the following:

- (1) A written warning
- (2) Prohibition from exercising certain privileges afforded the club by the USC
- (3) Probation such that any further violation will result in further sanctions or de-ratification
- (4) Discipline or removal of individual club member or Executive
- (5) Freezing of financial accounts of the club
- (6) De-ratification of the club

7 The Board is satisfied that the CGC appropriately considered the relevant factors under s4.03. In their submissions, the CGC highlighted the level of responsibility expected of club executives, who were required to attend a training session detailing CGC policy. The CGC also considered the persistence of the violations, identifying 12 unique violations of USC policies, and 4 additional violations of best practices over the course of four events.

8 The Board accepts that WOVS is remorseful for the violations and is eager to improve upon their record. The Board further appreciates that WOVS underwent a period of turmoil in

which many executives were left without strong support from the incumbents. However, this fact alone is not determinative of the level of sanctions to be imposed. The CGC is required only to consider the level of remorse demonstrated by the club. It is not clear to the Board that the club's remorse was unreasonably balanced with the remaining six criteria.

9 Having determined the severity of the sanctions to be imposed, the CGC is then to turn to s4.04. The probation and prohibition of off-campus events fall well within reasonable sanctions the CGC could impose on a club found to be in violation of its policies, and are enumerated in s4.04 itself. The Board finds that the factors considered under s4.03 lead reasonably to the sanctions imposed. The sanctions are not unduly harsh, and are aimed at rectifying the issues. In particular, the monthly meetings between the WOVS President and a representative of the CGC are clearly implemented with a goal of resolving any future issues. The Board does not find that such sanctions should be overturned.

10 WOVS has expressed concerns about the impact of the sanctions on the club. WOVS is, essentially, about its members' similar food values. The club believes it is integral to members to be able to meet and share food, recipes, and the company of likeminded students. A major club goal is demonstrating to members how veganism can be easy and accessible. The Board, while conscious of the restrictions WOVS will face as a result of its probation, does not find that such goals will be thwarted by upholding the decision of the CGC. WOVS may pursue other events not restricted by the probation and prohibition, such as on-campus gatherings or recipe exchanges, to meet their club goals.

11 The appeal is therefore dismissed. The decision of the CGC is upheld.