



Judgment of the USC Appeals Board in the matter of:

Students for Eating Disorder Awareness Western v Clubs Governance Board, 2024:10 Clubs

Hearing Date: March 18, 2024 (Written Submissions Only)

Judgment Released: March 19, 2024

Panel: William Fawcett (Chair), Lydia Tzianas, Ann Sony

Reasons: Fawcett (Sony, Tzianas)

PART I: INTRODUCTION

1. Students for Eating Disorder Awareness Western (“**SEDA**”) appeals the decision of the Clubs Governance Board (“**CGB**”) to de-ratify SEDA as a USC club.
2. There is no dispute that SEDA’s membership is below the 30 members stipulated in section 2.2.1 of the *Clubs De-Ratification Procedure*.
3. Consistent with this Board’s prior decisions, the CGB’s decision to de-ratify SEDA was reasonable in light of the low membership, notwithstanding the positive impact SEDA has had on its members and the broader Western community.
4. Accordingly, for the reasons addressed more fully below, the appeal is dismissed.

PART II: FACTS

5. On February 23, 2024, the CGB provided notice to SEDA of its decision to de-ratify the club. The reason provided in the notice was that SEDA's membership was lower than 30 members.
6. SEDA acknowledges that it has fewer than 30 members.
7. SEDA appeals from this decision.

PART III: ISSUE

8. The issue is whether the CGB's decision to de-ratify SEDA was reasonable.

PART IV: SUBMISSIONS

9. SEDA submits that it serves as a support system at Western for individuals with eating disorders. It works to make a difference in its members' lives and in the broader Western community. SEDA expressed concern that de-ratifying SEDA would risk alienating its vulnerable members that rely on the club for emotional support and assistance. SEDA further submitted that de-ratifying SEDA was inconsistent with the USC's mission of providing student inclusion and support.
10. The CGB submitted that USC-ratified clubs are required to have 30 members by January 31 of each year. All USC-ratified clubs are provided with reminders of this in the lead up to January 31. The CGB also pointed to the fact that SEDA had submitted only two event proposals this school year, both of which it had cancelled, and to the fact that there was no activity with respect to SEDA's bank account other than the collection of membership fees. In light of this, the CGB submitted that SEDA was only minimally active and not hosting any events.

PART V: ANALYSIS

11. Section 2.2.1 of the *Clubs De-Ratification Procedure* provides as follows.

2.2 Circumstances where de-ratification may be considered, include, but are not limited to:

2.2.1 the Club does not have thirty (30) members[.]

12. As indicated above, SEDA does not dispute that its membership falls below the 30 member mark. Rather, it requests that the decision to de-ratify be reconsidered in light of the value that SEDA provides to its members and the Western community.

13. This Board has considered similar appeals in the past. In *Armenian Students' Association v Clubs Governance Committee*, 2016:5 Clubs De-Ratification Appeal, the club was de-ratified as a result of low membership. On appeal, it focussed on how the club (i) played an important and active role in a broader council of Armenian student associations, (ii) contributed to preserving Armenian culture, and (iii) helped to built a tight-knit community among its members. Notwithstanding the value provided by the club, the decision to de-ratify was found to be reasonable in light of the low number of members.

14. In *Macedonian Students Association Western v Clubs Governance Committee*, 2018:1, the club was also de-ratified as a result of low membership. This Board acknowledged the value that the club brought to the Western student community. Again, notwithstanding the value provided by the club, the decision to de-ratify was found to be reasonable in light of the low number of members.

15. In *Multiple Sclerosis Western v Clubs Governance Board*, 2023:4 Clubs, the club was one member short of the required 30 members. The club appealed the CGB's decision to de-ratify,

citing the valuable contributions made by the club to the Western community. The club acted as a resource to students and faculty suffering from multiple sclerosis, and it feared “a detrimental impact on the well-being of those being affected by multiple-sclerosis” if the club was de-ratified.

16. Following its decisions in *Armenian Students’ Association* and *Macedonian Students Association Western*, this Board confirmed the following approach in *Multiple Sclerosis Western*.

[I]t is not for this Board to determine whether a club deserves to exist or not. Rather, it is our job to evaluate the reasonableness of the CGB’s decision. The question is not whether the club provides an important and valuable service to the Western community, but rather whether the decision of the CGB was reasonable.

17. As in *Multiple Sclerosis Western*, this Board does not discount the positive impact that SEDA has had in addressing a serious illness. However, the role of this Board on an appeal is not to weigh the value of a de-ratified club to its members or to the Western community more broadly. Our role is to consider whether the CGB’s decision was reasonable.

18. The CGB’s decision to de-ratify was a reasonable application of section 2.2.1 of the *Clubs De-Ratification Procedure* in light of the fact that SEDA had fewer than the stipulated 30 members. Consistent with this Board’s prior decisions in *Armenian Students’ Association*, *Macedonian Students Association Western*, and *Multiple Sclerosis Western*, this appeal is dismissed.

19. To address two other points not otherwise dealt with above, we first note that SEDA did not have an opportunity to explain why two events were apparently cancelled, as this was not raised prior to the CGB’s written submission and this appeal proceeded by written submissions alone. There may be extraneous factors of which we are unaware that account for these cancellations. Similarly SEDA did not have an opportunity to address its apparent lack of banking activity. Accordingly, none of our reasoning in this decision is based on either of these two factors.

20. Second, we note that, as is the case with other clubs that lose their USC-ratified status, the CGB's de-ratification decision does not prevent SEDA from continuing to operate, albeit as a non-ratified club. The CGB's decision does not prevent the "tight-knit community" built by SEDA from continuing to operate as a community, and, if interest in membership expands in future years, that community may seek to reapply for ratification in conformity with the *Clubs Ratification Procedure*.

W. Fawcett

L. Tzianas

A. Sony