



Judgment of the USC Appeals Board in the matter of:

Western Self-Improvement Club v Clubs Governance Board, 2025:4 Clubs

Hearing Date: February 13, 2025

Judgment Released: February 18, 2025

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

Reasons: Fawcett (Sony, Tzianas)

PART I: INTRODUCTION

1. Western Self-Improvement Club (“**WSIC**”) applied to the Clubs Governance Board (“**CGB**”) for ratification in accordance with the *Clubs Ratification Procedure* (the “**Procedure**”). The CGB declined to ratify WSIC, and WSIC appealed.

2. For the reasons detailed below we find the CGB’s decision not to ratify to be reasonable, and the appeal is dismissed.

PART II: FACTS

3. This is the second appeal involving WSIC in two years. The first, which relates to WSIC’s being denied ratification during the 2024 application cycle, is reported at *Western Self-Improvement Club v Clubs Governance Board, 2024:14 Clubs*. (“**WSIC I**”).

4. As detailed in *WSIC I*, during the 2024 application cycle WSIC envisioned itself as a self-improvement club devoted to embodying the four pillars of Stoicism, which it described as

mindfulness, discipline and resilience, virtue, and gratitude. It sought to promote physical health, mental health, and philosophical understanding through a wide variety of activities, including reading, writing, exercise, mindfulness, breathing. The CGB declined ratification on the basis that the club's model of operations was not feasible, contrary to section 2.5.1 of the *Procedure*. Simply put, WSIC's mandate was too broad to be seen as a cohesive club. On appeal, this Board held that the CGB's decision was reasonable.

5. Since the CGB denied its first application for ratification, WSIC has continued to operate as a non-USC-ratified club. It has focussed itself more narrowly. Rather than trying to promote various fields of self-improvement, it now seeks to bring together those who are devoted to self-improvement to provide a supportive community. To quote from WSIC's written statement from its application for ratification this year:

We strive to empower individuals to achieve their fullest potential by sharing their self-improvement journeys and promoting the good habits which helped them in their journeys. Our club seeks to create a supportive community around self-improvement where members can network, collaborate, and share experiences that inspire and challenge one another. Ultimately, we hope to build strong, lasting relationships where everyone can help each other achieve their best self!

6. WSIC submitted an application for ratification during the most recent ratification application cycle. Instead of proposing a seemingly unconnected set of events as it did last year, the events proposed this year were unified around the theme of individuals supporting each other on their own self-improvement journeys. A movie night would view a motivational movie and allow members to network with each other to help keep them accountable in their self-improvement. A TED talk event would allow member to share their own self-improvement stories and help to motivate others. Vision boarding events would help members focus their own self-improvement goals and network with others for encouragement and accountability. A self-improvement showcase would allow for demonstrations in various areas of self-improvement to

help to motivate members with their personal self-improvement goals. Physical activities like hiking and hot yoga would help to provide a stress relief to members.

7. Crucially, WSIC's application did not include Western email addresses for its executives. While some of its executives' Western email addresses can be found in the general membership signup list submitted as part of its application, some cannot. Additionally, WSIC's application indicated that it intended to have two presidents.

8. On January 15, 2025, the CGB notified WSIC of its decision not to ratify the club. Two grounds were identified:

- a. a breach of section 2.1.2 of the *Procedure* because Western email addresses were not provided for club executives; and
- b. a breach of section 2.5.1 of the *Procedure* because WSIC failed to demonstrate a feasible model of operations, specifically that WSIC's mandate was too broad to be feasible.

9. WSIC appealed. As part of this appeal, the CGB identified a further ground for declining to ratify WSIC: a breach of section 6.1.2 of the *Clubs Operating Policy*, which prohibits co-presidents.

PART III: ISSUE

10. The issue on this appeal is whether the CGB's decision not to ratify WSIC on any of the three identified grounds was reasonable

PART IV: SUBMISSIONS

11. With respect to the failure to include Western email addresses and the inclusion of co-presidents, WSIC acknowledges both errors. However, it categorizes both errors as minor and not sufficient for denying ratification. It submits that it should have been notified under section 2.6 of the *Procedure* and allowed to fix these minor errors. With respect to the failure to include Western email addresses, it indicates that it was relying on the online application form, which did not indicate that these email addresses were required. With respect to the inclusion of two presidents, it submits both that this is a recent addition to the *Clubs Operating Policy*, while it was referring to an older version when it prepared its application, and that a number of other USC-ratified clubs are operating with co-presidents.

12. With respect to the CGB's concerns about the feasibility of WSIC, WSIC's chief submission is that other clubs, like the Desi Student Association, have broad mandates but have been ratified.

13. For its part, the CGB submits that the requirements for including Western email addresses and having only a single president are part of USC club policies and procedures, and the CGB is required to apply those policies and procedures.

14. With respect to the issue of club feasibility, the CGB emphasized what it considered to be the broadness of WSIC's mandate, although it did not appear to address the manner in which the club's proposed events brought focus to that mandate.

PART V: ANALYSIS

i. The Framework for Appeals Regarding Decisions not to Ratify

15. The CGB has significant discretion with respect to the ratification of proposed student clubs (*AIM to Educate Western v Clubs Governance Board*, 2022:1, para 20).

16. In an appeal of a decision by the CGB not to ratify a club, the role of the Appeals Board is to ensure both the presence of fairness in the decision making process and the adherence to the relevant policies and by-laws. The discretionary power to determine whether a proposed club should or should not become a part of the USC community is ultimately within the purview of the CGB. The Appeals Board does not determine whether any proposed club deserves ratification, as this lies beyond the scope of an appeal to the Appeals Board (*Western Clay Club v Clubs Governance Board*, 2023:6 Clubs, para 14).

17. Regarding the merits of a decision by the CGB not to ratify a club, the Appeals Board will look to see whether the CGB's decision was reasonable based on the material that was before it at the time that the decision was reached (*AIM to Educate Western v Clubs Governance Board*, 2022:1, para 32). The Board must determine if the CGB's decision was transparent, justified, and intelligible and fell within a range of acceptable and defensible outcomes (*AIM to Educate Western v Clubs Governance Board*, 2022:1, para 25).

ii. The Decision not to Ratify Based on Section 2.1.2 of the Procedure was Reasonable

18. The application of section 2.1.2 of the *Procedure* has been decided by this Board in another appeal heard the day prior to this appeal (*Speak Western v Clubs Governance Board*, 2025:3 Clubs). That same reasoning applies in this appeal.

19. Section 2.1.2 of the *Procedure* provides as follows.

2.1. To be considered for ratification, a club must submit an application package consisting of the following:

[...]

2.1.2. Executive List: A list of students to fill the President, VP Events, VP Finance, and VP Communications roles of the club, as well as their Western University-provided email. [Emphasis added.]

20. Section 5.1.2 of the *Clubs Governance Board Terms of Reference* provides as follows.

5.1. The responsibilities of the CGB shall be to:

[...]

5.1.2. Uphold and enforce all USC by-laws and club policies and procedures;

21. Section 11.1 of the *Appeals Board Terms of Reference* provides as follows.

11.1. The Appeals Board has the authority to adjudicate all appeals that pertain to the Clubs Governance Board or the Elections Governance Committee decisions.

22. The *Procedure* is a USC club procedure. The CGB is required to enforce USC club procedures. Moreover, the Appeals Board does not have jurisdiction to review USC procedures. It only has the jurisdiction to review decisions of the CGB and the Elections Governance Committee, and the *Procedure* is not a decision of either entity. The *Procedure* is clear that an application for ratification must contain Western University-provided email addresses for club executives in order for a club to be considered for ratification.

23. Accordingly, the CGB's decision not to ratify WSIC because of a violation of section 2.1.2 of the *Procedure* was reasonable.

24. To this, we add the following. The CGB made the requirement for identifying Western email addresses for club executives known in a number of ways:

- a. the *Procedure* is published on its website;
- b. it held an information session for prospective clubs at which this requirement was identified; and
- c. the slideshow from this information session, which indicates this requirement, was posted on its website in the same location as the application for ratification.

25. While it may seem to be a harsh outcome, ultimately the obligation to comply with all relevant USC clubs policies and procedures rests with the club. This Board does not have the authority to waive the requirement to comply with USC policies and procedures.

iii. Section 2.6 of the Procedure does not Assist WSIC

26. Section 2.6 of the *Procedure* provides as follows.

2.6. If an application is deemed incomplete, applicants may receive notification from the Student Community Manager providing an opportunity to re-submit a completed application. Applications must be re-submitted within five days in order to be considered. Otherwise, the original application will be the only one considered.

27. Although the wording of this section is broad enough that the Student Community Manager *could* have alerted WSIC of the omission of the Western email addresses, it does not require her to do so. There are two reasons for this.

28. First, the wording of section 2.6 can be interpreted in two ways. One would apply to situations in which one of the major required components identified in section 2.1 of the *Procedure*

was missing. Another would apply to situations in which some element of a major component was missing. On the former interpretation, section 2.6 would be triggered if a club failed to submit a list of executives, full stop. On the latter interpretation, section 2.6 would be triggered if some element of that list, such as the Western email addresses, was missing. To put this slightly differently, the former checks for completeness, the latter checks for correctness.

29. Given the sheer volume of applications, the former interpretation is reasonable. It is a straightforward process for the Student Community Manager to ensure that a file has been uploaded for each required component and to notify a prospective club if a file failed to attach to its application. It would be far more arduous for the Student Community Manager to review every submitted file in every application to form an opinion as to whether the information contained was sufficient to address what is required under the *Procedure*. This is not required by section 2.6.

30. In any event, the language in section 2.6 is permissive, not mandatory. The Student Community Manager *may* notify prospective clubs of a potential omission. She is under no obligation to do so. Ultimately, section 2.6 of the *Procedure* does not assist WSIC.

iv. The Decision not to Ratify Based on Section 6.1.2 of the Clubs Operating Policy was Reasonable

31. Section 6.1.2 of the *Clubs Operating Policy* provides that “Co-presidents are not permitted.”

32. Following the same analysis as outline above, the CGB is required to apply USC club policies and procedures, and the Appeals Board does not have the authority to relieve a party from

those requirements. Accordingly, the CGB could reasonably deny ratification based on this violation.

33. Although WSIC clarified on this appeal that it would be willing to comply with this requirement and operate with only one president, the Appeals Board must evaluate the CGB's decision based on the material that was before it at the time that the decision was reached (*AIM to Educate Western v Clubs Governance Board*, 2022:1, para 32). Additionally, if the application materials submitted to the CGB were deficient and the CGB's decision not to ratify the prospective club was based on those deficiencies, the prospective club is not afforded an opportunity to submit revised application materials on its appeal (*UWO World Vision v Clubs Governance Board*, 2024:3 Clubs, para 16).

34. Given WSIC's submissions that the online application form should have identified the requirement to submit Western email addresses, it is worth quoting here the instructions from that form.

Please list your executives and their positions. Note that you must have ONE of each position: President, VP Finance, VP Events, VP Communications. You are free to add any positions and names for those positions as you like[.]

35. Without any disrespect to WSIC, this Board notes that the requirement for there to be only one individual for each of the four executive positions was emphasized in the instructions on the online application form.

v. *Section 2.5.1 of the Procedure*

36. Given the reasons above, it is not necessary to decide whether the CGB's decision with respect to section 2.5.1 of the *Procedure* was reasonable, and this Board declines to do so.

PART VI: OUTCOME

37. For the reasons outlined above, this Board finds that the CGB's decision not to ratify WSIC was reasonable, and this appeal is dismissed.

W. Fawcett

A. Sony

L. Tzianias