

DIE Board Respondent Application

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2018-10 (Allowance of DFU Referendum/Plebiscite Questions)

Signature

Nathan S.

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In accordance with Bylaw 6100, the Aboriginal Student Council presented the Students' Union Vice President Academic with a finished DFU proposal. Upon its reception, the proposal was forwarded by to the Bylaw Committee and discussed at its November 22, 2018 meeting. At this time, ASC President Katherine Belcourt and myself (Nathan Sunday) informed the Bylaw Committee that we were not looking to complete a petition. Rather, we were seeking Students' Council's approval to initial a referendum pursuant to Bylaw 2200, section 6(6). Section 6(6) states, "Students' Council shall have the authority to call a plebiscite or referendum *without* a petition" [emphasis added]. Moreover, as we were not seeking to present a petition, we asked Bylaw Committee to draft our referendum question pursuant to Bylaw 2200, section 6(7). Section 6(7) states, "prior to being approved by Council all plebiscite and referendum questions must be drafted by the Bylaw Committee."

At this time, Bylaw Committee agreed to draft the referendum question, *not* a petition question; as ASC informed Bylaw Committee that we were seeking to create a referendum through Bylaw 2200, section 6(6). This is reflected in the fact that at the December 6, 2018 meeting of Bylaw Committee, the motion to approve the ASC DFU referendum question read, "LEY/KIM MOVE to approve the ASC Referendum Question," not, "LEY/KIM MOVE to approve the ASC petition question." In the same vein, the motion put forward to Students' Council at its December 11, 2018 meeting was as follows: "LEY/KIM MOVE to approve the Aboriginal Student Council (ASC) Referendum Question." At this meeting, no objections were brought up by Students' Council, the highest governing body of the Students' Union, and the motion passed with 17 in favour, 0 opposed, and 3 abstentions (with the two recorded abstentions being from myself and Katherine Belcourt). At no time did Aboriginal Student Council suggest to Bylaw Committee or Students' Council that we were going to create a petition. From the start, it was our intention for Bylaw Committee to draft and forward to Council a referendum question pursuant to Bylaw 2200, section 6(7).

Between this time and the voting days of the Executive election (March 6 and 7), no substantive issues were brought to the Aboriginal Student Council or the Students' Union. According to the early estimates presented by the Chief Returning Officer at the Elections results party, the ASC DFU referendum passed with 58% of votes in favour.

Although mistakes may have been made along this process, Aboriginal Student Council completed its due diligence on this matter. Moreover, the undergraduate student population voice their approval of the DFU; passing the referendum with 58% of the vote in favour. Although both the ASC DFU referendum and SLS plebiscite have already passed as a result as a result of a majority of students voting in the affirmative, I would suggest that future Bylaw

Committees create clearer guidelines regarding creating DFUs so that future groups/organizations are not subjected to such cases after having put in so much hard work.