

**BYLAW  
COMMITTEE**

**Thursday, July 14, 2016**

**6:00PM**

**SUB 6-06**

**AGENDA (BC 2016-06)**

**2016-06/1      INTRODUCTION**

**2016-06/1a      Call to Order**

**2016-06/1b      Approval of Agenda**

**2016-06/1c      Approval of Minutes**

**2016-06/1d      Chair's Business**

**2016-06/1d      Attendance**

**2016-06/1d      Committee schedule update**

**2016-06/2      QUESTION/DISCUSSION PERIOD**

**2016-06/2a      Bylaw 600 (Bilingualism) - Progress report**

**2016-06/2b      Two person candidates - Discussion and planning**

**2016-06/2c      General Bylaw review allocation**

**2016-06/3      COMMITTEE BUSINESS**

**2016-06/3a      Bill #2 - Faculty Associations Political Policy Diversion - *Second Reading***

**CHRISTENSEN/PROCHNAU MOVE** to approve the second reading of Bill #2 and amend Bylaw 8100, on the recommendation of Bylaw Committee, to allow faculty associations to deviate from political

policy within the following guidelines (Specific wording to be reviewed on Google Drive).

**2016-06/3b**

**Bill #3 - Universal Resources and Labors - *Second Reading***

**LARSEN/HOWIE MOVE** to approve the second reading of Bill #3, on the recommendation of Bylaw Committee, and amend Bylaw 2200 and 2300 to implement Universal Resources and Labors (Specific wording to be reviewed on Google Drive).

**2016-06/4**

**INFORMATION ITEMS**

**2016-06/4a**

**Department Association Legislation**

Vice President Banister will be bringing the first principles for this change to Bylaw Committee's next meeting.

**2016-06/5**

**ADJOURNMENT**

**2016-06/5a**

**Next Meeting:** Thursday, July 28, 2016 @ 6:00 PM in SUB 6-06

**Thursday, June 30, 2016  
6:00 PM  
SUB 6-06**

**ATTENDANCE**

NAME	PROXY	PRESENT
Brandon Christensen (Chair)		Y
Bismillah Kiani		Y
Brandon Prochnau		Y
Delane Howie		Y
Eilish McKinlay	Marina Banister	0.5
Reed Larsen		Y
Robyn Paches	Fahim Rahman	Y

**MINUTES (BC 2016-05)**

**2016-05/1      INTRODUCTION**

**2016-05/1a      **Call to Order****

Meeting called to order at 18:07 (6:07 PM) by CHRISTENSEN.

**2016-05/1b      **Approval of Agenda****

BANISTER/LARSEN MOVE to approve the agenda.  
7/0/0  
CARRIED

**2016-05/1c      **Approval of Minutes****

RAHMAN/LARSEN MOVE to approve the minutes from June 16.  
6/0/1 (BANISTER abstained)  
CARRIED

**2016-05/1d**      **Chair's Business**

**2016-05/1d**      Attendance

Attendance was taken. Other members in attendance: VP GHOSSEIN, VP SANDARE, and BROPHY.

**2016-05/2**      **QUESTION/DISCUSSION PERIOD**

**2016-05/2a**      **Two person candidates update and discussion**

HOWIE

Suggested researching the history

Said that she currently favors two-person candidate, and right now it is only the people who require it have access to it.

RAHMAN

Mentioned that he likes the way it is; his understanding of the system is that they are the same as with the Faculty of Medicine, Engineering, Education, *etc*; and that more times is needed to do proper consultation

CHRISTENSEN

Asked if it could be prepared for for the end of July or August

PROCHNAU

Said that he has experience with two-person candidates, but mentioned the example of Skype, suggesting that somebody with technology someone will always be able to access these meetings, thereby questioning the need of this method.

LARSEN

Said that he is fine with two-person candidate, and added that though technology enables one to call, sometimes you can't count on two-person candidate to

BROPHY

Mentioned that he is not in favor of two-person candidate, because running mate can be chosen for long term proxy

LARSEN

Said that two-person candidate is like giving credit to the councillor, and proxy is not the right word, it is like "delegate councillor"

CHRISTENSEN

Suggested that "Councillor designate or proxy" can be discussed later in the future.

**2016-05/2b**

**Elections Bylaw discussion**

LARSEN

Explained that three bills will be there, and these are regarding: CRO responsibilities; proper dates for presentation; and about using joint resources and old school of things

**2016-05/2c**

**Bylaw 600 (Bilingualism) Implementation and discussion**

CHRISTENSEN

Said that Bylaw 600 has been added to the website, in the Wiki system.

Said that he talked to Justis, his predecessor and previous Chair of the Bylaw Committee.

Quoted Justis by reading out about translation of political documents every year

RAHMAN

Said that impression from last year is that SU figures out how much it costs to translate bylaws, and depending on how expensive, decision is made whether or not to translate

Added that it is subject to review by 2017 or 2018

HOWIE

Said that wording will be difficult to translate, and one probably will find people interested in that, which has to be a Francophone person  
Mentioned that she would love to have it with no linguistic discrimination

RAHMAN

Said that bilingualism is the only discrimination

CHRISTENSEN

mentioned that there should be direction for the Bylaw Committee to start

RAHMAN

Said that bylaws give direction

CHRISTENSEN

Said that the committee will read it and translate it by a professional translator

RAHMAN

Said that if you know the best way to move forward then let the committee know; and that he will make it move forward through PACHES

2016-05/3

**COMMITTEE BUSINESS**

2016-05/3a

**Bill #2 – Faculty Association Political Policy Diversion – *First Principles***

1. The Students' Union has delegated authority to faculty associations to represent the constituents of their individual faculties.
2. The below process is available, should a faculty association need to deviate from a Students' Union political policy.
3. The process shall include:
  - a. An approved motion by their Faculty Association's highest governing body; and
  - b. Consultation with Students' Union Vice President (Academic) and other relevant executives; and
  - c. A presentation to Students' Council; and
  - d. An approved motion by Students' Council to go forward; and
  - e. A plebiscite question sent to and approved by Bylaw Committee; and
  - f. A successful plebiscite that will follow modified guidelines to SRAMF referenda; and
  - g. A presentation to Students' Council including a summarization of plebiscite results; and
  - h. An approved motion by Students' Council to allow for policy deviation at that same meeting; and
  - i. Consultation with Discover Governance and relevant Students' Union Executives to discuss future steps, including messaging.
2. This Bylaw change shall only apply to faculty associations as defined in Bylaw 8100.
3. Bylaw 8100 shall be amended to implement this process.

**Summary of Discussions**

CHRISTENSEN

Suggested accessing Google Doc for editing

Asked if anyone wants to talk first, the topic being what one wants to see in a perfect world on this issue

SANDARE

Suggested that: it is not needed to deviate from policy; in a semi-perfect world there will be stringent procedure; and FAs should be able to push forward but their agenda must be ratified by the rest of the council

LARSEN

Said he has thought and understands the need, and mentioned that deviating from political policy is not an option; FAs should be included and must have a voice but must be asked as to why functioning in a particular way is required; FAs and SU should be more cohesive in general while creating and reviewing policies; there should be a democratic process that may be as stringent as possible; and referendum has to be with plebiscite;

BROPHY

Suggested that FAs should have a voice, but smaller faculties should not be ignored and should decide what is right for them

RAHMAN

Expressed concern that there can be 14 mini-SUs, and that will hurt the sentiments of SU

Said that he would like to see coordination of messaging, and to minimize complete media bias, which is there and hurting the organization

GHOSSEIN

Said that if a person is interested in maintaining status quo she does want to make progress on this, and the only way she can go is if there are proper processes that can imposed so that no one effort undermines the other; Added that wording should inform the process in a detailed and focussed manner

KIANI

Said that she enjoys the first principle so far, because consultation process there and said that she is for a stringent consultation process leading to a resolution

Said that wording is required for Point 6

HOWIE

Said that: a lot of comments that came up in meeting could be clarified with procedural steps; FAs and faculties while imposing political policies should talk to their students; and that these are important moves forward and determine what FAs need to do

PROCHNAU

Mentioned that Point 6 should not exist, but is willing to compromise.

Said that FAs with more power to represent people better, and that he would like to know how Point 6 is laid out.

BANISTER

Mentioned that she is comfortable with this, and that one thing she would like to mention is conversation about plebiscite OR referendum; voter turnout needs to be talked about; and the fact it has not come to COFA (Council of Faculty Associations) yet; Said that though people are involved in FAs, this year she is interested in developing Department Associations, which will be another way of delegating authority; Mentioned that going to council, people will not vote for it based on principle; Agreed with most of the proposed bill but said that she does not agree with the justification, and therefore it should have a stronger argument, next time it comes to Council.

CHRISTENSEN

Suggested the committee begin dealing with problems with First Principles next based on the motion to refer back to Bylaw.  
(Everybody discuss loudly )  
Asked everyone in the meeting to feel free to change anything

Point 1:

BANISTER

Said that this is not an accurate statement, and suggested FAs or organizations delegated by SU to be representatives of specific interests of their faculties

LARSEN

Suggested putting the phrase "individual faculties"

BANISTER

Said that people can read but may not understand what it means

(Attendees looked into Google Doc and thought on their own for proper wording)



KIANI

Suggested adding "who"

SANDARE

Suggested striking "proper consultation"

GHOSSEIN

Suggested that words like "proper", "appropriate" don't add meaning

Point 2:

RAHMAN

Said that they are aspirational statements  
(Attendees discuss about grassroots level)

SANDARE

Suggested striking out "effective"

BANISTER

Suggested saying "A process shall be defined if a FAs through consultation deems there is a barrier to advocating"

GHOSSEIN

Suggested having as straightforward as possible and mentioned adding " political policy"

CHRISTENSEN

Suggested mentioning "process shall be defined"

KIANI

Suggested that "a process shall be available" is appropriate

BANISTER

Suggested that it should be "needs" rather than "wishes", and mentioned that if one wants to pass then one should follow the feedback

(Everyone is ok with "process is available")

Point 3:

CHRISTENSEN

Said that everyone is okay with point 2, and point 3 is like a replacement

Read out loud  
Said that "even" is not appropriate

BANISTER  
Referring to Bylaw 8100, said that she would like to see "plebiscite period", and suggested deleting "issues deemed important to constituents"  
Read out loud

CHRISTENSEN  
Suggested using "process" in the statement

Francesca  
Said that using the word "advocating" is like not keeping political policy in mind and recommended using "deviate from"

LARSEN  
Mentioned that he would like to see switch between "afterwards" and "somewhere between"

CHRISTENSEN  
Suggested mentioning the next steps as "the process should be a, b, c. etc."  
Read out  
Suggested using "aforementioned process shall be completed".  
Initial thought regarding plebiscite vs. referendum would be based on the internal process. Now willing to view it through the lens of the SU.

SANDARE  
Said that referendum may makes it politically/publically binding, and having referendum and not ratifying it would not be good, whereas plebiscite is non-binding and therefore should be used to protect SU.

LARSEN  
Said that SU could have a referendum, and they can include a process to make it binding, and mentioned that Bylaw can't force the SU to make it binding

PROCHNAU  
Said that his belief is that referendum and plebiscite are the same things but: referendum is YES/NO while plebiscite: more of a question that people answer that is non-binding at all.

HOWIE

Said that plebiscite is a form of consultation, which referendum is not

RAHMAN

Referred to Brexit, and said that Referendum is not binding and was inappropriately titled

CHRISTENSEN

Said that in referendum you can't ask people

GHOSSEIN

Argued by saying that "Brexit did happen though"

SANDARE

Said that they all have decided that plebiscite is what they want to do and the Bylaw Committee is simply chatting in circles.

CHRISTENSEN

Said that he likes internal referendum, and that he is fine with plebiscite

(All are good with 3)

Asked for defining the process

Point 4:

RAHMAN

Mentioned that he does not like aforementioned

BANISTER

Presentation is made to council

RAHAM

Added that presentation to council must be made before plebiscite

SANDARE

Emphasized the need for presentation before and after plebiscite

BANISTER

Asked if the process will not be voted before going to council

CHRISTENSEN

Does not want the politicking to stifle the actual *PROCESS* that is being created but fears that by the plebiscite question going to council it could be hi-jacked by those on the far-left.

BROPHY

Said that he is for presentation after the plebiscite, and that having it beforehand is pointless and is waste of time,

GHOSSEIN

Said that she wants to make sure that infrastructure is available for that, and questions if it is appropriate for only Bylaw Committee to review it.

CHRISTENSEN

Said that the Bylaw Committee can moderate discussion and any discrepancies or concerns can be taken to Council proper.

RAHMAN

Said that for going to plebiscite there has to a presentation and Bylaw Committee discusses it

BROPHY

Said that too many steps can be problematic

LARSEN

Said that: they run it and wait for an election, and the general feeling and hope is that FAs should run plebiscite and that way it will have legitimacy if SU is some way involved; and that only FAs running won't make it legitimate

PROCHNAU

Agreed with BROPHY, and expressed fears of being hijacked

BANISTER

Said that in point 1, when people talk about the law, huge contentious parts existed, and it is to the benefit to FAs because people take them seriously

CHRISTENSEN

Said that they want full plebiscite to be run

BROPHY

Mentioned that both sides exist and there can be compromise if the council is voting, and then it can be the CRO or Discover

Governance, and that FAs can be politicized

GHOSSEIN

Said that they have an infrastructure of political process, and questioned why make it harder for FAs; Suggested that going through that channel (by using the infrastructure), as it will be easier

KIANI

Said that they ended up doing their own system, which is an online voting system.

HOWIE

Brought up a hypothetical example: Said that what if something has to happen in December, for instance? It will have to wait three months and that way it misses the political bus, as it gets too late and therefore she is not fine with the timeline

CHRISTENSEN

Agreed to the valid concerns and suggested that a urgent plebiscite process, with the SU Software, should be available if the issue is deemed urgent. Does, however, mention that cost of \$2,000 and questions who would be responsible to pay that fee.

BANISTER

Said that Bylaws happen with good faith and that we shouldn't assume people are corrupt. If it a non-urgent: due process happens then it waits for regular schedule; and on the other hand if it is urgent there is a contingency channel and funds available for it; Mentioned that she hasn't heard complaints and the process is fair, and is approved by upper authorities; and that reduced channel will be detrimental in long run

RAHMAN

Said that according to FAMF (faculty association membership fee) (newly defined as SARMF) guidelines the questions are posed to council in the Fall semester and in the winter semester voting occurs.

CHRISTENSEN

Said that he prefers getting it approved by Bylaw Committee, but is concerned that people in the committee can be very radical. Therefore, suggests the ability to appeal the decision/wording of the question to Council proper if needed.

Suggested laying the format and order first and then discussing it

Point 4 (finalized version above, Point 3):

BANISTER

Suggested saying "VP academic and other executives"

KIANI

Asked if they should specify who does the consultation?

BANISTER

Said that it can go to council only if there is a majority vote

RAHMAN

Said that majority vote comes from the faculty association council or its highest governing body

CHRISTENSEN

Asked if all are good with  
A, B, and C

SANDARE

Suggested it as too specific for first reading

HOWIE

Said that it should mention that it got into the Bylaw

RAHMAN

Suggested changing A

CHRISTENSEN

Said that he is getting rid of the word "after" and is mentioning  
"Plebiscite question sent to approved by Bylaw committee"

KIANI

Suggested mentioning about voter turnout

CHRISTENSEN

Disagreed with KIANI suggesting that it is a slippery slope to define what an adequate referendum turnout should be. What if we said 25%? Then the Exec/BoG elections would be essentially void and/or the Union would look hypocritical.

RAHMAN

Said that 15% is the requirement for FAMF.

CHRISTENSEN

Suggested mentioning "successful plebiscite with similar guidelines to FAMF"

SANDARE

Says he like F

CHRISTENSEN

Suggested mentioning "similar to other SU referendum"

BANISTER

Suggested using "modified"

Said that the next step is to bring the results and the summary to council

CHRISTENSEN

Suggested doing it at same time as the presentation

BANISTER

Said that for having presentation and results Standing Order has to be suspended

RAHMAN

Suggested cutting point D

BROPHY

Questioned if voting can happen after plebiscite

SANDARE

Said that plebiscite is for letting FAs know what now is happening

Said that he added one last step

Mentioned that anything that is faculty specific flies away, if plebiscite happens it is like Brexit and certain facts won't be communicated to FAs, and that it is like a senate having things that are good as well as bad for the faculty

CHRISTENSEN

Said that if it is turned down there will be turmoil for the Students' Council as it will be denying the democracy of the people.

RAHMAN

Said that there are cases where political policies were broken but it

will not be proper to say that

BANISTER

Suggested having the latter for Discover Governance to move forward

RAHMAN

Said that there should be a meeting between the relevant representatives and FAs

BANISTER

Sought clarifications on points 4, 5 6 being deleted

RAHMAN

Said that previous points can be in Second Principle

Point 5:

CHRISTENSEN

Suggested having wording to the effect of: "the Bylaw 8100 shall be amended." and said that points 5 and 6 are not needed anymore.

BANISTER

Said that Bylaw 8100 talks about more than just Fas. Other things include Residence and Departmental Associations. Therefore, we need to define only Faculty Associations are allowed (Wording was amended).

RAHMAN

Clarified the statement about Bylaw 8100, and retyped that

CHRISTENSEN

Asked for general consensus

(Read out, to see)

Read out loud

Suggested using "A successful plebiscite to follow"

RAHMAN

Clarified the reason for using that before

Returning to Point 1:

BANISTER

Commented on the 2nd point and suggested having:

"The below process is available, should FAs deviates from a SU political policy"



CHRISTENSEN

Read out

and said Bylaw 8100 to be amended

(Asks if everyone is ok)

Overall:

BANISTER

Said she thinks that the strongest argument is to have a Bylaw with the process in place to have something formalized should there be a need in future; and In principle the FAs should not go against SU, and that is her opinion.

**MOTION:**

**CHRISTENSEN/PROCHNAU MOVE** to approve Bill #2, on the recommendation of Bylaw Committee, and amend Bylaw 8100 to allow faculty associations to deviate from political policy according to these principles

7/0/0

CARRIED

BANISTER, GHOSSEIN, and SANDARE leave the meeting

**2016-05/3b**

**Bill #3 - Universal Resources and Labors - *First Principles***

First Principles

1. Current Bylaws on universal resources are vague which allows for campaigns to gain undue and unaccountable advantages during the elections process.
2. Bylaws 2200 and 2300 shall be amended to define universal resource spending to ensure that candidates and sides are given the ability to innovate as well as be held accountable in reporting expenditures outside of their main budgets.

**Summary of discussion**

CHRISTENSEN

Moved on to item 3b

LARSEN

Said that he worked closely with Councillor CHRISTENSEN, and

BROPHY and he pulled up a lot of bills to put together a coherent thought;  
Explained that one currently cannot use resources that are universal to candidates; and there are no rules for non-universal resources;  
Wrote on the white board about his general thoughts and principles, and described that bylaws refer to universal resources

CHRISTENSEN

Mentioned that the whole thing is in Reed's elections working folder

LARSEN

Said that original Bylaw is 2200/2300 is where universal resources are; Explained how to use something, which is not an universal resource, and gave examples of labor or volunteer labor, saying that these are not universal resources but are instead services that one has to pay for it at fair market rate

(There were concerns about friends showing a favor for free)

LARSEN

Said that there is a system for recording time for services offered

RAHMAN

Requested and explanation

LARSEN

Gave the examples of a friend taking a picture, which is considered as professional labour and therefore should be enforced as such

RAHMAN

Replied that non-professionals don't render good quality service

LARSEN

Said that the fair market value must be expensed even then  
(Attendees discuss this point among each other)

LARSEN

Said that there is further clarification on volunteer and labor

KIANI

Asked what if a volunteer student had its own business or is employed

LARSEN

Posed that question if anybody while campaigning was helped by a volunteer who is also a professional

RAHMAN  
Replied "No"

LARSEN  
Said that, for a professional person, then there is a professional value

PROCHNAU  
Said he agrees with RAHMAN and also agrees with LARSEN but does not know how to reconcile both sides

LARSEN  
Said that professional students will not be allowed to volunteer, and it does not have to be students who may volunteer

PROCHNAU  
Asked what if you can make photography for free and if it can be an universal resource then

KIANI  
Asked if professional be just for payment

LARSEN  
Equated "professional" to getting paid for services  
Gave examples of services and said that there are fair market value assessments

CHRISTENSEN  
Explained the point by examples of volunteer types

BROPHY  
Said that this is a weird and arbitrary distinction about the sets of people (professional and those who are not)

HOWIE  
Said that everybody can be made universal by making everyone free, and eventually it will be great but it will take something to convince students to do so

RAHMAN  
Said that everything is not an universal resource, and that a universal resource must be available to all candidates

LARSEN

Responded by saying that it is the simplest way to represent it in Bylaw; a professional service is free if the person volunteers; and that it does exclude others from charging professional fees

RAHMAN

Replied that the other point is CRO needs to approve it

LARSEN

Said that you would always have to disclose your non-universal resources, and there are main and universal resources budgets

HOWIE

Asked what can you buy that is universal resource

Said that they also have fair market value assessment

BROPHY

Said that some things can be made universal resource, and you can provide fee to everybody else while they can be treated as universal resource

LARSEN

Said, that makes it a point to use it as universal resource, and gave another example;

Stated that CRO has the ultimate discretion, and that the main caveat is that if a candidate makes something universal and blocks others from using it then it is treated as malicious intent

Added that other candidates can say that that it is not fair

Mentioned that the system would need ways for universal resources for general labor

Stated that volunteer labor resources are always free

RAHMAN

Stated that quality can't be regulated

BROPHY

Said that it is the difference of principles, and it is reasonably unfair because better connected people will do better campaigns;

Explained that "universal" is the ability to leverage the abilities and skills of people who they know, and that though that is unfair, it is fairly unfair

RHAMAN

Replied that it introduces undue unfairness to the system, and also can create a significant advantage for some

BROPHY

Responded by saying that popular people have influence and that can't be stopped

LARSEN

Asked if by going to First Principles, this makes sense

CHRISTENSEN

Said that anything that is included in second reading must be in first reading

LARSEN

Said that this a small piece of legislation, and gave examples of bigger pieces;

Mentioned that all in this working document are new

PROCHNAU

Said that it has to be carefully worded

(A few ambiguities were found by attendees)

Said that they found that all volunteer hours are zero, and that this meant that one can find volunteers who don't have specific skills and in that case it is zero

Mentioned that you can have access to Photoshop and all tools for free, and the weird thing is that some people get charged and some people do not, and that's why he used the word "ambiguity"

CHRISTENSEN

Requested everyone to look into the working document

HOWIE

Read out loud

CHRISTENSEN

Suggested getting rid of 3

(People discuss among each other)

KIANI

Suggested amending bylaws 2200 and 2300 only

HOWIE

Suggested the right wording  
(Everyone agreed)

**MOTION:**

**LARSEN/HOWIE MOVE** to approve Bill #3 and amend Bylaw 2200 and 2300, on the recommendation of Bylaw Committee, to implement Universal Resources and Labors.

6/0/0

CARRIED

**2016-05/3c**

**General Bylaw Review Allocation**

Item to be addressed at the next meeting of Bylaw Committee.

**2016-05/4**

**INFORMATION ITEMS**

**2016-05/5**

**ADJOURNMENT**

**2016-05/5a**

**Next Meeting:** Thursday, July 14, 2016 @ 6:00 PM in SUB 6-06

**2016-05/5b**

PROCHNAU/LARSEN MOVE to adjourn at 8:53 PM.

6/0/0

CARRIED

Meeting adjourned at 20:53 (8:53 PM).

**SUMMARY OF MOTIONS**

<b>MOTION</b>	<b>VOTES</b>
BANISTER/LARSEN MOVE to approve the agenda	7/0/0 – CARRIED
RAHMAN/LARSEN MOVE to approve the minutes from June 16.	6/0/1 (BANISTER abstained) - CARRIED
CHRISTENSEN/PROCHNAU MOVE to approve Bill #2, on the recommendation of Bylaw Committee, and amend Bylaw 8100 to allow faculty associations to deviate	7/0/0 – CARRIED

from political policy according to these principles.	
LARSEN/HOWIE MOVE to approve Bill #3 and amend Bylaw 2200 and 2300, on the recommendation of Bylaw Committee, to implement Universal Resources and Labors.	6/0/0 - CARRIED
PROCHNAU/LARSEN MOVE to adjourn the meeting at 8:53 PM.	6/0/0 - CARRIED