University of Alberta Students' Union

BYLAW COMMITTEE

Wednesday, July 18, 2018
5:00 PM
SUB 6-06

We would like to respectfully acknowledge that our University and our Students' Union are located on Treaty 6 Territory. We are grateful to be on Cree, Dene, Saulteaux, Métis, Blackfoot, and Nakota Sioux territory; specifically the ancestral space of the Papaschase Cree. These Nations are our family, friends, faculty, staff, students, and peers. As members of the University of Alberta Students' Union we honour the nation-to-nation treaty relationship. We aspire for our learning, research, teaching, and governance to acknowledge and work towards the decolonization of Indigenous knowledges and traditions.

ATTENDANCE

NAME	PROXY	PRESENT	SUBMISSION OF WRITTEN FEEDBACK (IF ABSENT)
Michelle Kim (Chair)		YES	
Tahra Haddouche		YES	
Rowan Ley		YES Called-in	
Stephen Raitz		NO	
Emma Ripka		YES	
Nathan Sunday		YES	
Jimmy Thibaudeau		YES	
Reed Larsen		YES	
Akanksha Bhatnagar		YES	

MINUTES (BC-2018-04)

2018-04/1 INTRODUCTION

2018-04/1a Call to Order

Meeting called to order at 5:06 PM.

2018-04/1b Approval of Agenda

SUNDAY/THIBAUDEAU MOVE to amend the agenda to include the late additions to the agenda.
5/0/0 CARRIED

2018-04/1c Approval of Minutes

THIBAUDEAU/RIPKA MOVE to approve the minutes.
4/0/1 CARRIED

2018-04/1d Chair's Business

2018-04/1e Review of Bylaws

KIM: I made a folder for editorial changes. I know Bylaw 100 is coming up.

RIPKA: I only had the chance to review 8200. My big concern about it is about Special Interest Fees which don't really exist right now. You can see the definition of the fee, pretty vague. (Reads the definition) I don't know if you have any knowledge as to why this became a bylaw in the first place, seems obsolete now.

SUNDAY: I want to say charity, money that doesn't go to the operating budget. Is money collected from all the student in the faculty for this fee?

RIPKA: 8200 Schedule - It just says no association currently has this fee.

KIM: They were talking about FA membership fees but special fee…

RIPKA: "Special initiatives or projects" but it may be charity but it also might be under operating if you choose to use your budget for that. I was going to wait until Rebecca comes back and will speak to her and maybe bring an amendment next meeting.

KIM: Did you find anything?

THIBAUDEAU: I don't know what that is.

SUNDAY: Right now it's obsolete anyway because there's no procedure.

(Councillor Rowan would like to call in)

RIPKA: We can make that as an action item.

KIM: We can discuss next meeting so we can amend it, add clarification. Councillor Raitz had a few editorial changes he wanted to add but because

he's not present, it's better to table his section for next Chair's item. Do you have anything?

THIBAUDEAU: I haven't had the chance to look.

HADDOUCHE: I reviewed and couldn't find anything.

KIM: If anyone finds anything, bring it up so we can amend it. That's all I have for my chair's business.

2018-04/2 **<u>QUESTION/DISCUSSION PERIOD</u>**

KIM: Is there anything you want to discuss?

RIPKA: We were talking about bylaw mandated training for Council. Any thoughts?

KIM: We haven't discussed this during BC.

RIPKA: All the committee chairs discussed strategic direction last meeting. We came to a consensus re severe lack of training for chairs but maybe all of council - it's hard to know everything eg. robert's rules, what the committees do and it's hard to force volunteers to do things. How can we ensure Councillors, Chairs etc have proper training for students' council? Maybe if we put it into bylaw similar to attendance in bylaw to incentivize people to attend training.

KIM: We did something similar with CAC, we set-up a few expectations for Councillors eg. participating in WOW. I think it's a little too specific for this training to be in bylaw.

THIBAUDEAU: I'm not sure that I like that idea bc we offer quite a bit of training already. The Councillor elect had the opportunity to have a mock meeting explaining robert's rules. Any more training for this would be redundant. Any other training, it's difficult to force volunteers to do anything. We already offer this at GovCamp and it's already difficult for councillors to come to GovCamp. I don't think there's any way we can punish a councillor who doesn't go through this training. I don't think it can work in bylaw. We can say "you're expected to attend these training sessions" in standing orders but no real punishment for not attending.

SUNDAY: You can create a bylaw for chair training. I don't think it would have a place in Council Standing Orders. It's for committees.

THIBAUDEAU: I agree with this because it has to do with Chairs bc if a Chair does not go through training or transition then there could be a punishment for those who don't go through training.

HADDOUCHE: I agree. More training for councillors so everyone is on the same page if you can't come to GovCamp.

LEY: The idea is that GovCamp would qualify as GovCamp or would there be an alternative to those who can't make it to GovCamp or would there be an alternative if they can't attend? It seems kind of doubling up.

KIM: There was no specific material on the GovCamp re bylaws specifically and we're not here to mandate anything but we're trying to present the idea that having some other training that councillors might find it useful. Having it under GovCamp is not under discussion for this point.

HADDOUCHE: I agree.

RIPKA: Bylaw needs to give a presentation to council to summarize what they do bc bylaw is the backbone of council and ppl's power and their role and if a councillor doesn't understand what their role is. How could they feel empowered to do their job properly? It can be very dry so maybe we should talk to CAC about it.

SUNDAY: We can put that in bylaw standing orders, it doesn't have to go to CAC. I think for chairs - there should be a bylaw. I don't mean a punishment for chairs but having a bylaw in place so DG can create some training.

Ripka: part of the chairs' term is to transition future chairs.

Kim: so for this item, ew have the bylaw for chairs and bylaw so having an amendment to present to council every year. Anyone want to take a stab at bylaw for chairs.

Sunday: Sure.

KIM: Bylaw s.o. Amendment to have a presentation. Any one who would try to try the first principles or amendments? I think for new councillors, if there are certain discussion items, the chair will appoint council members to try the first principal staff then submit it next meeting then review it.

Ripka: you don't need to do first principles just a motion on the table. To amend or add the standing order but it doesn't need to go to council just debate.

KIM: I will take this item then. I'll try to make the amendment for next meeting.

2018-04/3 **<u>COMMITTEE BUSINESS</u>**

2018-04/3a **KIM MOVES** to approve the First Principles of Bill #2: Bylaw 100 attendance regulations.

1. In August of 2017, then-speaker of Students' council Saadiq Sumar called for a DIE board interpretation of bylaw 100 surrounding section 7: start-up, and section 21: attendance regulations.
2. Sumar was asking for an interpretation of when the introductory council meeting could occur, and if it could occur prior to May 1st. In addition, Sumar was also seeking clarification as to if the start-up meeting should be considered for councillor attendance regulations.
3. DIE board found the following:

"The questions that were asked of this Panel, and our answers to them, are as follows:

> 1. Do both the introductory meeting and the first meeting of Council need to occur before May 7? What are the consequences if this does not happen? Can the first meeting occur before May 1?
>
> Both the introductory meeting and the first meeting of Council need to occur before May 7. The first meeting can occur before May 1 in certain circumstances. If the first meeting is held after May 7 and if an application that is brought under section 29 of Bylaw 1500 postdates the first meeting, then there is no consequence to the Students' Union or Students' Council. However, DIE Board may be able to force the meeting to take place if the application that is brought under section 29 of Bylaw 1500 is submitted before the first meeting takes place.
>
> 2. Is the introductory meeting counted towards councilor attendance for the Spring/Summer term?
>
> This meeting is unique to this term. The introductory meeting does not count towards councillor attendance for any trimester, as interpreted from the Bylaws. In the event that the first meeting (and indeed, any meeting) occurs before May 1, then that meeting will also not count towards councillor attendance for any trimester. "

4. The recommendation was made that Council Bylaws should be updated to include this interpretation. Section 7 of Bylaw 100 was amended to instate the start up meeting shall occur anytime in April, and that the first official meeting of council shall occur before May 15th. Section 21, attendance regulations were not amended so that the introductory meeting should not count towards

5. In accordance with the recommendations from DIE board, Bylaw 100, section 21 shall be updated so that the introductory meeting of council shall no longer be included in attendance regulations.

RE Bill #2

KIM: There was quite a bit of debate re Attendance regulation bc the first meeting is technically before they were appointed as councillor. Previously, it was no incorporated in attendance portion because they're not necessarily a councillor but also an important meeting. It's the very first meeting, also when committee members are being decided. There have been opposition to this motion bc a lot of ppl believe the first mtg is very important.
SUNDAY: Why can't we combine meeting zero and the first into one meeting. No reason to have a meeting zero. There's only an installation ceremony during the first meeting and it goes by quickly. Rather than having two, we just have the one meeting.

Kim: In our meeting one, we had the installation ceremony and blanket exercise.

SUNDAY: the blanket exercise should happen at govcamp not at meeting zero.

Ripka: good idea, bc FAs are included.

THIBAUDEAU: I agree with Sunday. That's what we should pursue. We could get rid of the introductory mtg of councillor or we can switch the first mtg of council with the introductory meeting. We can review robert's rules and then in may - that first mtg we can nominate for committees.

Ripka: so you wouldn't be amending the principles bc we would say meeting zero is not necessary but still would be missing mtg. I don't have a problem as long as it's not the mtg where committee members are being appointed. The oath, robert's rules training is symbolic but should be part of the attendance.

Sunday: re training - we should get rid of mtg zero. At first meeting have installation ceremony and have committee appointment, then second meeting - do training. No reason to have two meetings. Before any order of govt does any work, they will do an installation ceremony.

Kim: I'm also in favor of the idea of having an installation ceremony then committee voting.

Ripka: I agree. Meeting zero is redundant, does it have to be a council meeting to do an installation meeting?

Kim: yes

Sunday: mtg zero, we do the stuff for the committees then do installation ceremony.

THIBAUDEAU: the introductory mtg we elect the speaker for SC, we select committee composition and set mtg schedule they could all be done at beg of

may. At first SC mtg, all members shall be installed at the ceremony. Those are the only 2 bylaws that dictate first two mtg sof council so we can rearrange them.

Ripka: they try to do that earlier as to catch ppl who are going to be away during the summer.

Sunday: conversely, i know ppl had exams.

Thibaudeau: those who aren't going to be here over the summer aren't going to be as dedicated to committees. I'd rather have someone coming in who show that dedication and be here during the summer.

Ripka: even if they are away during the summer, they will call in to be appointed.

Haddouche: i agree with everything that's been said. I like the idea of doing the appointing to committees after the ceremony.

Ley: i have nothing to add. Sunday put it best.

Kim: we have to rewrite the first principles. We'll make a google doc and we'll review rewritten first principles next meeting.

2018-04/3b **SUNDAY/RIPKA MOVES** to amend and approve the First Principles of Bill #3: Bylaw 100 Students' Council committee regulations.
6/0/0 CARRIED

1. Bylaw 100 is the premiere piece of legislation of Students' Council, housing much of the administrative and operational regulation of the body.
2. In January 2018, Students' Council approved amendments to Bylaw 100 that created four types of committees: legislative committees, oversight committees, ad hoc committees, and operational committees.

    a) Prior to these amendments, Bylaw 100 stipulated only one type of committee: Standing Committees

1. As a result of these amendments, legislative committees were housed in Bylaw 100, while oversight, ad hoc, and operational committees were placed in Bylaw 100: Schedule B.
2. The differentiation between legislative committees and oversight committees received wide criticism from students; specifically, Aboriginal students.
3. Bylaw 100 shall be amended to replace legislative committees and oversights committees with Standing Committees.
4. In light of the criticism surrounding the current Students' Council committee structure, as a well as discussions surrounding committee structure at the Aboriginal Relations and Reconciliation Committee, three categories of committees will be defined:

    a) "Standing" committees;

    b) "Ad Hoc" committees; and

    c) "Operational" committees.

SUNDAY: Council has received criticism over their decision to amend their bylaw to create 4 type of committees. Originally there was one standing committee. Getting rid of legislative and oversight committee.

Ripka: I support this. Could you please give a brief definition of the 3?

Sunday: standing committee: any committing of SC so all the committees. Ad-hoc: are committees in a year in length and deal with specific issues then dissolve. EG. Aboriginal relations and reconciliation. We worked for a yr to produce standing orders then they dissolved. Operational: deal with operational side of SU. EG Health and dental committee. This is coming leg and oversight and combining into one to call them standing committee

Kim: why did they decide to split legislative

Sunday: there was debate last year about having SAL on committees. Before the amendments, nothing was said about SAL. any committee could have SALs. however the blaw committee saw fit to differentiate comm with SAl and those without those comm w/o SAL members = legislative committee would have legislative authority given by SC. oversight committee w/ SAL who also had legislative fx. The only diff is those with SAL membership and reg council member. This is really moot bc any SAL membership has to through SC anyway. EG. the SAL membership for AARC we put motion fwd to recommend appt to SC so committees can't unilaterally decide to have SALs it has to go through council first so no real point of having the two.

Ripka: how are SALs appointed? That's just through council.

Sunday: council votes for it.

Ripka: should we put that through NomCom? If more recommendations are made, then it would ease the load on council.

Sunday: if this does pass and we rewrite 100 then we could look into that.

Thibaudeau: i'm not sure how i feel about this. I think one of the main thing we did last year was that it wasn't any committee could have sAL on standing comm last year but no bylaw re SAL. there was a lot of concern; for eg. what if there was a huge outcry from students that they wanted SAL on finance comm or bylaw comm. So one of the reason why we decided to divvy up by legislative and oversight comm. We had leg for specific fx and we have oversight which deal with much more range of areas of SU and SC than it did with by law or other committee. They were able to oversee any other committee. In this case, it was ARRC, they were watching over the SU and made sure they were operating in spirit of reconciliation and wanted to have a very clear direction and procedure.

Kim: i don't get how the process that cou sunday proposed, it seems straightforward to me. And you said having an oversight comm and legislative comm. By being in oversight comm, it's easier to create those other committees?

Sunday: it's easier to create and remove oversight comms. A lot of talk about reconciliation last year. ARRC was against this, all Aboriginal students were against it. All comms do the same thing - all have legislative functions through SC so need to differentiate the two, we made it to seem like the "other" which is the reason why it's scheduled in bylaw but not in bylaw 100. The ARRC met and this was this recommended pathway.

RIPKA: To address This concerns. I get that but wonder if amending a bylaw through NomCom instead of dividing committees so categories need to be a

bit flexible. Some comms can have SALs and some will not. The long process to become a standing committee, i don't think that's a bad thing. If you want to be a permanent committee then you should do the work.

SUNDAY: I agree.

THIBAUDEAU: ARRC looks like it's in schedule B b because bylaw didn't put comms that should be in an oversight committee in an oversight comm. I agree you should go through a process to make sure a committee has standing orders but we shouldn't turn away groups that already face challenges and resistance on campus. I think you want to make sure that there's an easy process and they can go through the procedures to refine their mandate and standing orders.

SUNDAY: If we're talking about scaring off students, that's already been done. Students who may have potentially wanted a committee are already going to be scared off.

LEY: If council is appointing people to comms who are SALS then we also have the ability to legislate to create SALs position by changing bylaw 100. Why is Councillor Thibaudeau's view is worth having,those harms when the only benefit we don't have SALs on essential comms eg. Finance. In the future, council can demand bylaw 100 if they want to put SALs on FC or other comms that they don't find appropriate to find SALs on.

THIBAUDEAU: I want it to be known that I argued in favor of having SALs on sitting on comms. However, this was the acceptable solution brought to SC. Has ARRC been negatively affected by changes to bylaw 100 last year.

SUNDAY: Yes, we took a large his. Their faith in SC was shaken, they had brought their concerns to SC but they said we understand your concerns but we're going ahead with this anyway. It's mainly a symbolic thing. For Aboriginal students, symbolism is a big thing but differentiation is not needed. The membership of a committee is decided by a comm and reflected in bylaw.

RIPKA: I'd like to support Councillor Sunday that it's typical of a privileged people to speak on behalf of marginalized communities. I think this recommendation from ARRC is symbolic but important to continue in the spirit of cooperation. I just want to clarify there's nothing in bylaw that says standing comms cannot have SALs. I support these principles so long as we discuss the process through which SALs will be recommended for their comms.

HADDOUCHE: I support Councillor Sunday. I feel this is important for marginalized students.

SUNDAY: Previous bylaw 100 did not stipulate how you created standing comms. We're saying it takes longer but when ARRC become Ad Hoc committee, it was DG's opinion but there was no mandate.

LEY: A committee did vote to have it's own standing orders but council can refuse to vote to ratify their nominees.

THIBAUDEAU: I'm not 100% convinced that this is the best move. I think it makes SC more efficient and addresses some concerns. However, the process of forming Bill 5 last year, where Aboriginal SALs were not giving the opportunity to speak was an improper decision and it was the fault of the SC last year. I will be voting in favor of it, it's something council should look at.

SUNDAY provides brief summary to President Larsen.

LARSEN: Was the NomCom idea added to the bill?

SUNDAY: No, the first principle was talking about amending bylaw 100.

LARSEN: If it's going to be talking about second principles then I suggest you have a process for nominating individuals to make sure the mandate is there and council is aware.

RIPKA: How should we write the seventh principle?

SUNDAY: A pathway for the nomination for SALS will be created in which the final say should be through the appointment of SC.

THIBAUDEAU: Can we add in two extra points to outline procedure to create a standing comm and also address membership.

RIPKA: For the seventh principle, bylaw should outline the process for SAL position… should we say appointed or ratified?

All: Ratified.

THIBAUDEAU: Isn't committee membership decided by standing orders?

LARSEN: Depends, some are in bylaw and some aren't.

2018-04/4 **INFORMATION ITEMS**

2018-04/5 **ADJOURNMENT**

Meeting adjourned at 6:12 PM.

2018-04/5a **Next Meeting**: Wednesday, August 1, 2018 @ 5:00PM in SUB 6-06.

MOTION	VOTES
SUNDAY/THIBAUDEAU MOVE to amend the agenda to include the late additions to the agenda.	5/0/0 CARRIED
THIBAUDEAU/RIPKA MOVE to approve the minutes.	4/0/1 CARRIED
SUNDAY/RIPKA MOVES to amend and approve the First Principles of Bill #3: Bylaw 100 Students' Council committee regulations.	6/0/0 CARRIED