

**BYLAW
COMMITTEE**

Thursday, December 6, 2018

4:00 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.

AGENDA (BC-2018-12)

2018-12/1 INTRODUCTION

2018-12/1a Call to Order

2018-12/1b Approval of Agenda

2018-12/1c Approval of Minutes

2018-12/1d Chair's Business

2018-12/2 QUESTION/DISCUSSION PERIOD

2018-12/3 COMMITTEE BUSINESS

2018-12/3a LEY/KIM MOVE to approve the ASC Referendum Question.

See BC-2018-11.02.

2018-12/3b LEY/KIM MOVE to approve the Second Principles of Bill #5.

See BC-2018-11.03

2018-12/4 INFORMATION ITEMS

2018-12/4a BC-2018-11-M, *November 22, 2018*

See BC-2018-12.01.

2018-12/4b ASC- Plebiscite Question, 2018

See BC-2018-11.02.

2018-12/4c Bill #5 - Second Principles

See BC-2018-11.03.

2018-12/5 **ADJOURNMENT**

2018-12/5a **Next Meeting: TBD.**



University of Alberta Students' Union

BYLAW COMMITTEE

Thursday, November 22, 2018

4:00 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

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NAME	PROXY	PRESENT	SUBMISSION OF WRITTEN FEEDBACK (IF ABSENT)
Michelle Kim (Chair)		Y	
Rowan Ley		Y	
Emma Ripka		Y	
Nathan Sunday		Y	
Robert Bilak		Y	
Amlan Bose		N	
Luke Statt		Y	
Kathrine Belcourt		Y	

MINUTES (BC-2018-11)

2018-11/1 INTRODUCTION

2018-11/1a Call to Order

KIM: Called to order at 4:06.

2018-11/1b Approval of Agenda

SUNDAY/KIM MOVED to amend the agenda by rearranging items *2018-11/3a* and *2018-11/3b* in reverse order.

6/0/0 - CARRIED.

LEY/RIPKA MOVED to approve the agenda as amended.
6/0/0 - CARRIED.

2018-11/1c Approval of Minutes

LEY/BILAK MOVED to approve the minutes of *BC-2018-10-M* with corrections to the incorrectly listed Committee membership.
5/0/1 - CARRIED.

2018-11/1d Chair's Business

KIM: Established that the Committee will have to follow-up with the review of DIE Board Ruling 2018-07 on *Monda v Students' Council*.

LEY: Confirmed that he completed the Bill 5 Second Principles but they require review from other interested members of Council. Determined to bring them forward at the next meeting.

KIM: Reaffirmed that members may submit agenda items to effect reform at any time.

2018-11/2 QUESTION/DISCUSSION PERIOD

KIM: Inquired into the timeline for the implementation and/or consideration of Bourgeois's referendum reform as in *2018-10/2a*.

RIPKA: Responded that they are not rushing the item. Anticipated further consultation on the issue. Determined to follow-up with Kim.

2018-11/3 COMMITTEE BUSINESS

2018-11/3a Aboriginal Student Council to pursue a DFU model

KIM/RIPKA MOVED to approve the Aboriginal Student Council's Dedicated Fee Unit model proposal.

SUNDAY: Noted that the proposal reflects the new standard as per bylaw requirements. Identified that, if approved, Bylaw Committee will create a referendum question for this DFU.

KIM: Established that this proposal must satisfy Bylaw 6100 §3.3. Confirmed that it satisfies §3.3a as it notes that "the purpose of the DFU is to start/expand on current services and programmes offered by ASC" by funding items such as increased cultural supports and events, operational costs including building maintenance, Aboriginal community awards, substituted childcare, increased educational opportunities, and strengthening internal and external collaborations. Inquired into the nature of the building repair.

BELCOURT: Responded that ASC is located in the Old Power Plant building which

has problems with flooring and water quality. Noted that these funds would render the space more functional and welcoming.

SUNDAY: Noted that the building is owned by the University but has not been renovated due to the deferred maintenance. Considered that ASC, with its own funds, may complete renovations in order to better serve students.

BILAK: Inquired into the proposal as it relates to the subsidised childcare for undergraduate students.

BELCOURT: Responded that funds would act as an award to support those students who have difficulty attending classes because of their childcare costs.

SUNDAY: Clarified that students would apply for this fund through a process alike to that for other awards or emergency funding. Noted that applications would be assessed.

KIM: Suggested childcare subsidies for students should extend beyond this ASC fund.

SUNDAY: Noted that the child care subsidies would be provided on an ongoing basis.

BELCOURT: Considered that this fund could assist those who do not otherwise have government subsidies.

KIM: Confirmed that the proposal satisfies §3.3a. Identified that the proposal must satisfy §3.3b. Noted that the proposal suggests a \$1 fee administered on a trimesterly basis in Fall, Winter, and Spring.

RIPKA: Proposed tying the fee to the Consumer Price Index in order to ensure growth with inflation.

SUNDAY: Determined to act on Ripka's proposal.

LEY: Inquired into the renewal period.

KIM: Responded that renewals occur every five-years.

KIM: Confirmed that the proposal satisfies §3.3b. Identified that the proposal must satisfy §3.3c.

SUNDAY: Noted that the proposal provides for an opt-out period of at least a month in which students can opt out in-person or online.

KIM: Confirmed that the proposal satisfies §3.3c. Identified that the proposal must satisfy §3.3d. Noted that the proposal provides for a reduced fee for part-time

students at 5 cents per term. Noted that the proposal applies to off-Campus but not Augustana students. Confirmed that the proposal satisfies §3.3d-f and can, therefore, be approved. Confirmed that there are no problems associated with the proposal in relation to §7 and §8.

KIM: Determined that the Committee must follow §5 after if the proposal is approved.

BILAK: Inquired into whether the proposers of the referendum author the question.

KIM: Responded in the negative.

LEY: Determined to draft the question and work collaboratively with Ripka.

5/0/1 - CARRIED.

2018-11/3b Aboriginal Student Council to pursue a DFU model

KIM MOVES to approve the First Alberta Campus Radio Association plebiscite question, on the recommendation of Bylaw Committee, as attached below. See BC-2018-11.02.

SUNDAY: Inquired into whether FACRA will seek a petition.

RIPKA: Responded that the proposal does not discuss a petition.

KIM: Noted that the question must match the original proposal as in §4.2. Confirmed that the proposal satisfies the conditions as in §3.3. Inquired into whether the fee has always been mandatory.

RIPKA: Responded in the affirmative. Expressed concern that the proposal does not clearly identify the relevant motion.

KIM: Identified the motion as “do you support the continuation of the Dedicated Fee for the CJSR-FM Fund?”.

SUNDAY: Inquired into whether FACRA wishes to receive a plebiscite (non-binding) rather than a referendum (binding).

RIPKA: Responded that they seek a plebiscite.

KIM: Noted that plebiscites are reviewed in relation to Bylaw 2500 for mandatory non-instructional fees.

RIPKA: Identified that the proposal is for a Dedicated Fee Unit, not a mandatory non-instructional fee and, therefore, Bylaw 6100 applies for a plebiscite question.

RIPKA: Expressed concern that the proposal does not satisfy §4.2 as it does not include the original petition question. Considered that the committee must receive the original question prior to approving the proposal because it cannot assume they are consistent.

SUNDAY: Inquired into which fees are mandatory.

RIPKA: Noted that all fees are mandatory barring APRIG and The Landing.

KIM: Determined to follow-up with Discover Governance to ensure that the proposal satisfies §4.2 and then approve the item in an online vote. Determined, also, to confirm the plebiscite question.

KIM/SUNDAY MOVED to table the item *2018-11/3b* for an online vote.
6/0/0 - CARRIED.

BILAK: Inquired into whether, as per §4.3, the Committee must draft the renewal question for Student Legal Services. Noted that they have sent a question to meet a deadline.

SUNDAY: Inquired into whether other members of Council sit on Student Legal Services.

KIM: Requested that Bilak check the other items upcoming for renewal.

RIPKA: Determined to liaise with Student Legal Services in connection with this renewal question.

KIM: Confirmed that §4.3 confers responsibility to the Committee for drafting the question where it has otherwise not been received by the relevant party. Considered revisiting §4.3 in future.

BILAK: Identified that the Engineering Students Society and Law Student Association have renewal upcoming in the next year.

2018-11/4 **INFORMATION ITEMS**

2018-11/4a BC-2018-10-M, *November 8, 2018*

See BC-2018-11.01.

2018-11/4b FACRA - Plebiscite Question, 2018

See BC-2018-11.02.

2018-11/5 **ADJOURNMENT**

KIM: Adjourned the meeting at 4:49pm.

2018-11/5a Next Meeting: Thursday, December 6, 2018 @ 4:00PM in SUB 6-06.

MOTION	VOTES
SUNDAY/KIM MOVED to amend the agenda by rearranging items <i>2018-11/3a</i> and <i>2018-11/3b</i> in reverse order.	6/0/0 - CARRIED.
LEY/RIPKA MOVED to approve the agenda as amended.	6/0/0 - CARRIED.
LEY/BILAK MOVED to approve the minutes of <i>BC-2018-10-M</i> with corrections to the incorrectly listed Committee membership.	5/0/1 - CARRIED.
KIM/RIPKA MOVED to approve the Aboriginal Student Council's Dedicated Fee Unit model proposal.	5/0/1 - CARRIED.
KIM/SUNDAY MOVED to table the item <i>2018-11/3b</i> for an online vote.	6/0/0 - CARRIED.

The mandate of the Aboriginal Students' Council (ASC) is to improve the lives of Indigenous students at the University of Alberta and foster healthy relationships within and outside the Indigenous student community. SC seeks to create a safe and welcoming space for Indigenous students that fosters balance in spiritual, mental, physical, and emotional health through cultural opportunities, political advocacy, academics, athletics, and other interests.

Proposed Funding Areas:

- Increased cultural supports and events, including Metis, Inuit, and First Nations ceremonies,
- Operational costs including upkeep of ASC facilities,
- Aboriginal-specific academic and community-based awards,
- Subsidization of childcare for University of Alberta students who parent,
- Increasing opportunities for non-Aboriginal students to learn about First Nations, Metis, and Inuit history,
- Increased partnership with internal and external groups to create Aboriginal-led events at the University of Alberta,

Proposed Fee Conditions:

- The fee will be one dollar (\$1.00) per trimester per student, to be assessed to students enrolled in classes that semester, including the summer/spring trimester.
- Students may opt-out of paying the fee,
- The fee will apply to off-campus students.

Do you support the creation of a Dedicated Fee for the Aboriginal Students' Council?

BYLAW 600

1 Translation Requirements

1. The following governing documents of the Students' Union shall be made publicly available in both English and French:
 - a. Bylaw; and
 - b. Political Policy.

2 Process

- ~~1. The process for translating governing documents of the Students' Union shall be outlined in Operating Policy.~~
- 1. The Translation Committee be responsible for the creation and maintenance of governing documents in French:**
 - a. The Committee shall begin translation of all new bylaws and policies, or changes thereof, at the first opportunity following the approval of their second principles by Students' Council,**
 - i. The completion of translation of governing documents by Translation Committee shall be completed no later than two (2) months after the passage of second principles.**
 - b. At the first opportunity in each term of Students' Council, the Committee shall procure a translation audit of all governing documents that have been created or modified in the previous term;**
 - i. The audit shall be executed by a certified professional translator**
 - ii. The Committee shall begin to rectify inconsistencies noted by the audit at the first opportunity.**
 - 1. The rectification of inconsistencies shall be completed no more than two (2) months after Translation Committee receives the results of the audit.**

3 Timeline

- ~~1. The following governing documents of the Students' Union shall be reviewed annually for changes passed by Students' Council:~~
 - ~~a. Bylaw; and~~
 - ~~b. Political Policy.~~
- ~~2. Council Administration Committee shall be responsible for ensuring the translation process outlined in Operating Policy occurs in a timely manner.~~

4 Enforceability

1. Students' Council shall debate the English version of first and second readings of Bylaw and Political Policy.
2. The English version of governing documents shall be enforceable.
 - a. When discrepancies arise between the two translations, the English version shall take precedence.

5 Delay of Implementation

- ~~1. Implementation of this Bylaw shall be delayed until the following is accomplished:~~
 - ~~a. a sustainable method of translation is established; and~~
 - ~~b. an initial translation of Bylaw and Political Policy is performed.~~

- ~~2. The sustainable method of translation shall be established and an initial translation of Bylaws and Political Policies shall be performed by no later than April 30, 2018.~~

BYLAW 100

12 Standing Committee Membership

1. First principles regarding changes to this bylaw, in regards to standing committee membership, require a recommendation from the standing committee in question.
2. The Bylaw Committee consists of seven (7) members of Students' Council.
3. The Finance Committee consists of
 - a. Seven (7) members of Students' Council;
 - b. The Vice President (Operations and Finance); and
 - c. The Vice President (Student Life).

4. The Policy Committee consists of
 - a. Six (6) members of Students' Council;
 - b. The Vice President (Academic);
 - c. The Vice President (External); and
 - d. The Vice President (Student Life).
5. The Audit Committee consists of seven (7) members of Students' Council who are not also members of the Executive Committee.
6. The Council Administration Committee consists of
 - a. Five (5) permanent members of Students' Council, and
 - b. All members of Students' Council except the Speaker and the General Manager.
7. The Nominating Committee consists of
 - a. Five (5) members of Students' Council;
 - b. The Vice President (Academic); and
 - c. The Vice President (External).
8. The Aboriginal Relations and Reconciliation Committee consists of
 - a. Three (3) permanent members from Students' Council;
 - b. Two (2) permanent members from the Executive Committee;
 - c. Two (2) permanent members from the Aboriginal Student Council, as appointed by the Aboriginal Student Council and ratified by Students' Council;
 - d. Three (3) Aboriginal Students-at-Large as permanent members, as ratified by Students' Council;
 - e. One (1) elder as a permanent member, chosen by the Committee, as an ex-officio member;
 - f. All thirty-eight (38) Student Council voting Members; and
 - g. Up to thirty-nine (39) self-identifying Aboriginal undergraduate students currently enrolled at the University of Alberta.
- 9. The Translation Committee consists of five (5) members of Students' Council, at least three (3) of whom shall speak French;**
 - a. In the case that there is an insufficient number of French-speaking members of Students' Council available to be members of the committee, the committee shall appoint French-speaking members of the Students' Union pursuant to section 12(12).**
10. Notwithstanding any provision in this bylaw, standing committees may appoint non-voting members to themselves by passing regulations to this effect as part of their standing orders.
11. Non-voting members of standing committees
 - a. Are not entitled to move, second, or vote on motions of standing committees,
 - b. Are not entitled to chair standing committees, and
 - c. Do not count towards quorum of standing committees.
12. Permanent student-at-large members of standing committees shall be nominated through Nominating Committee via the following process:
 - a. Standing committees who wish to fill permanent student-at-large positions shall send a request to Nominating Committee for their fulfilment.
 - b. Upon request, Nominating Committee shall solicit and review applications from Students' Union members for permanent student-at-large positions on standing committees.
 - c. Once completed, Nominating Committee shall recommend to Students' Council the appointment of Students' Union members to serve as permanent students-at-large on standing committees.

