



BYLAW COMMITTEE MINUTES

2014 – 2015

Date: August 14th 2014

Time: 6.05 pm

In Attendance:

BO ZHANG (Chair)

JUSTIS ALLARD

JAMIE HUDSON

VIVIAN KWAN

Excused Absence:

Others in Attendance:

SACHITHA KUSALADHARMA

**1. CALL TO
ORDER:**

*ZHANG moved to call the meeting to order at 6.05 pm.
The motion was seconded by HUDSON.
Vote 4/0/0
CARRIED*

**2. APPROVAL OF
AGENDA**

*HUDSON moved to approve the agenda for August 14, 2014 as tabled.
The motion was seconded by ALLARD.
Vote 4/0/0
CARRIED*

**3. APPROVAL OF
MINUTES**

*HUDSON moved to approve the minutes for July 31, 2014 as tabled.
The motion was seconded by KWAN.
Vote 3/0/1 (Abstention by ALLARD)
CARRIED*

**4. CHAIR'S
BUSINESS**

(a) Announcements

ZHANG: There are some changes I would like to make in the agenda. These announcements were originally a discussion item. But, there is no place for a

discussion item right now.

Between items 6 (Drafting Bylaws for Second Reading) and 8 (Drafting Bills for First Reading), there is another item. So, we should change the order at least. It's also better to combine these two into something such as "Drafting Bylaws". Right now, the agenda looks a bit messy.

Also, we really need to create a "Discussion Period".

What should we do about 10 (Miscellaneous Recommendations to Council) and 11 (General orders)?

ALLARD: I'm not sure about the definition of General Orders. It seems like something relating to the functioning of the committee.

ZHANG: We have never had anything under "Miscellaneous Recommendations to Council". I'll look it up on the bylaw. I think we should get rid of it. We'll just keep General Orders.

The committee agreed to the proposed changes.

ZHANG: So, we will: 1) Combine items 6 and 8 into "Drafting Bylaws", 2) create a "Discussion Period", and 3) remove the item "Miscellaneous Recommendations to Council". I will write this up and bring back to the committee.

(b) Review Process for Bylaws

ZHANG: Vice-president Hodgson wanted us to have a comprehensive schedule where we reviewed each bylaw. So, we made a schedule. This is only a tentative schedule, and it's on a per-month basis. As such, there are no dates. We wanted to stagger the work away from exams.

Vice-president Hodgson's idea was for every member to read the bylaws during the meeting. I personally think that will be too long. For example, Bylaw 100 would take a really long time to go through.

ALLARD: I agree that a comprehensive review is needed. Shorter ones can be read during meetings.

HUDSON: Yes. Longer bylaws should be read beforehand.

ALLARD: If we wanted a more in-depth discussion, we can bring it here.

ZHANG: Vice-president Hodgson wants each section read by multiple people.

KWAN: We can split the bylaw into parts and discuss at different meetings.

ZHANG: Yes. That would be good.

In the Discussion Period which will be created, we will discuss a particular bylaw. I'll send the schedule, and reminders. Before we review a bylaw, we will see if it needs to be split or not. That can be included in the previous week's Discussion Period.

Instead of having a discussion item, we can also send in motions. So, if someone has any changes to make, he or she can just send it as a motion.

Anyway, we'll have it in the Discussion Period for now, and move forward from there.

**5. DRAFTING BILLS
FOR FIRST
READING**

(a) SERC Bill

ZHANG: Vice-president Hodgson has sent us what he would like to see in first principles regarding SERC (Social and Environment Responsibility Committee).

Council doesn't really do anything with SERC. Although it was formed by Council, it is there to give recommendations to the executives.

ALLARD: I was a member of SERC. They make specific operational recommendations to the Executive Committee.

ZHANG: Yes. These are really specific stuff which Council would not work on.

ALLARD: Is SERC a standing committee of the Students' Council? It's not reflected in any of our bylaws.

ZHANG: I haven't seen anything either. Shall we defer the discussion until we are sure?

KWAN: SERC is not there under Bylaw 100.

ZHANG: I will look into this. Most of these changes are pushed by Vice-president Hodgson. While appreciating his commitment, we should hold the executives accountable, and be critical of what they do. Executives bring items before Council to legitimize them. Council should not be a vehicle to get things done. I believe that Council's power has been reduced from year to year. Other than the questions we ask the executives at Council, there's pretty much no discussion on what they do.

Anyway, SERC is mentioned in Section 6 of Bylaw 1100.

KWAN: It's like the same definition from the mission statement.

ZHANG: Are they reporting on their recommendations, or on what they did?

ALLARD: They are not reporting to Council. A report is provided to Council. As far as I know, SERC would draft up recommendations to give to the executives. They would then do what they think. At the end of every trimester, SERC would go to Council and inform Council on what they recommended.

ZHANG: How would we know whether the executives followed up on SERC's recommendations?

ALLARD: If SERC reports to Council on their recommendations, we would know about that.

ZHANG: I believe every single committee should be reporting to Council. Otherwise, how would we know that the executives were given another option, and didn't take it?

ALLARD: Anyway, I don't know why SERC is put under the Executive Committee.

ZHANG: Should we go ahead with writing the first principles?

ALLARD: It is better if we can clarify what will be in that report, and what the current process is.

ZHANG: It would be justified if the committee had to do some extra work in order to report to us. If their minutes are provided, we can check what they are doing.

ALLARD: There is a high turnover of positions within SERC. Therefore, nobody in SERC right now really knows what SERC is. What we make in this bylaw and what will be reflected in the Standing Orders will determine how SERC operates.

ZHANG: So what should be our goal? Vice-president Hodgson's goal was to stop SERC reporting to Council.

ALLARD: Reporting is not the proper word. They need to inform Council about their recommendations.

ZHANG: Regardless of the word, do you guys think SERC should be telling Council about what they recommend?

ALLARD: Council should know what their recommendation was.

ZHANG: How is this different from any other committee?

ALLARD: It is directly an advisory committee to the executives. They don't have a mandate.

ZHANG: If we want to make a motion that SERC should inform Council about their recommendations to the executives, we must lobby hard.

ALLARD: But isn't that how it is currently?

ZHANG: One of the arguments they can make is that it is not the committee's job to make reports. The second argument is that if it was fine not doing it, why should it be started now.

ALLARD: I don't think the members of SERC would object.

ZHANG: We should have a deeper conversation about this.

If we ask this committee to provide reports to Council, it may open a whole can of worms. The argument can be made for all committees. Even for the people who do our external advocacy and research. Right now, a lot of the research is done to support the decision of the executives.

ALLARD: In my opinion, the only difference is that the other committees have a specific mandate. For SERC, it's just to look at what the executives do. SERC is much more advisory.

HUDSON: I'm confused here. How are they advising the executives?

ZHANG: It's a bunch of people coming together. If a member brings an idea, the committee would discuss it. If they agree to it, they would recommend the executives on that. It's the only group which does that officially as a body of the Students' Union.

ALLARD: We should table the item for now?

ZHANG: Would you have vice-president Hodgson to come back and justify his reasons?

KWAN: Yes. If he can give a really good reason, then we can agree on it.

ALLARD: Yes. I have talked with vice-president Hodgson about this, and he has some strong feelings about it.

(b) Access Fund Bill

ZHANG: Are you guys aware of what's happening with the Access Fund? This fund is composed of money collected from the students. We are transferring the administration of it over to the University. Here are the first principles that vice-president Hodgson has written:

- 1) Due to the transfer of the administration of the Access Fund to the Office of the registrar, an administration budget is no longer needed.
- 2) Student representation is needed in the appeals process.
- 3) Students should have input into the policy governing the administration of the Access Fund.
- 4) Students have final approval over disbursements from the Access Fund.

ALLARD: GAC (Grant Allocation Committee) did the appeals process before right? Would they still do it?

ZHANG: No. The appeals process is part of the administration.

ALLARD: It is definitely important to have student representation in the appeals process. It is important to make sure what proportion of the bursaries comes from the Access Fund so that students are aware of the appeals process. I think it is important to differentiate the Access Fund. One of the major features of the Access Fund was the appeals process.

ZHANG: The Access Fund will be administered according to the policy. If we have enough say in the policy decisions, we should be ok.

I am not happy as to how the first principles are worded right now. The statement "Students should have input into the policy governing the administration of the Access Fund" doesn't make any sense. You could literally put a survey out there and make one student fill it.

I also don't know what the last item would do for us as realistically we wouldn't be holding back money at the end.

ALLARD: We would never hold back money to bursaries already given. But, there might be occasions where they are not giving out the money due to different values.

ZHANG: I think the first point is good. I'll make an edit which says that the administration budget is from the Access Fund. For the second point, what does student representation mean?

ALLARD: There would be students on the appeals board.

ZHANG: I don't think the appeals board needs to have that many students if the policy is right. Should we say "Students should have meaningful input into the appeals process"?

ALLARD: Shouldn't we say "Students should have meaningful representation in the appeals body"? We want the students to sit on the body right?

HUDSON: For what exactly is the appeals board for?

ALLARD: If you do not meet the Access Fund's conditions, your application

may be rejected. But, you can appeal to state your case. The criteria are pretty restrictive.

ZHANG: Regarding the third point, you can't edit a policy halfway through the year. While reviewing, should we have a majority vote in that? We should have it like "Students should have majority input..."

ALLARD: It's aggressive, but we should be aggressive here. It's a lot of money we are talking about.

ZHANG: How about "Students should have final approval..."

ALLARD: We still need input in the creation. Final approval can mean something where the University is making the policy, and we just say yes or no.

ZHANG: How about having both? Meaningful input and final approval together?

Forcing them to pay for themselves if we hold back the funds is the only way I see number 4 becoming effective.

ALLARD: It's telling us that we have final control.

ZHANG: Why did the University want to take the Access Fund in the first place?

ALLARD: They wanted to make the process of applying to bursaries streamlined by having 1 application.

ZHANG moved to approve the first principles of the Access Fund Bill as follows:

1) Due to the transfer of the administration of the Access Fund to the Office of the registrar, an administration budget is no longer needed from the Access Fund.

2) Students should have meaningful representation on the appeals board and process.

3) Students should have meaningful input and final approval of the policies governing the Access Fund.

4) Students should have final approval over disbursement of the Access Fund.

The motion was seconded by KWAN.

Vote 4/0/0

CARRIED

6. GENERAL ORDERS

(a) Councillor Farooq's Resignation

ZHANG: Councillor Farooq has resigned. We will need to make a motion to appoint a new councilor to our committee.

ZHANG moved to appoint one member from Students' Council to the Bylaw Committee.

The motion was seconded by ALLARD.

Vote 4/0/0

CARRIED

(b) Standing Order Changes

ZHANG: This is what I talked about under announcements regarding the schedule and the agenda. We will be reviewing bylaw 1100 during our next meeting.

7. CLOSED SESSION *NIL*

8. NEXT MEETING *August 28, 2014 at 6.00 pm.*

9. ADJOURNMENT *HUDSON moved to adjourn the meeting.
The motion was seconded by ALLARD.
Vote 4/0/0
CARRIED*

The meeting was adjourned by ZHANG at 7.37 pm.