



University of Alberta Students' Union

**COUNCIL
ADMINISTRATION
COMMITTEE**

July 18th, 2022

5:00 P.M.

SUB Orion Room/Zoom

The University of Alberta and the University of Alberta Students' Union occupy Indigenous land in amiskwacîswâskahikan (Beaver Hills House), on Treaty 6 territory. From time immemorial, the banks along the river valley have been known as the Pehonan, a meeting place for the nêhiyawak (Cree), the Niitsítapi (Blackfoot), Métis, Dënesųłíné (Dene), Ojibway/Saulteaux/Anishinaabe, Haudenosaunee and others. The University, the Students' Union and much of the city are located on the unlawfully stolen land of the forcibly removed Papaschase Cree.

We acknowledge that sharing this land gives each of us the responsibility to research the historic contexts of Treaty 6, to reflect on our personal relationships to the land, the Nations we've named, and to our roles in upholding justice on this territory. Since they began, the Students' Union and the University have benefited from historic and ongoing dispossession of land and resources from Indigenous Peoples. As a result, it is our responsibility to seek the restitution of this land and its resources. Finally, we seek to do better by working to make our learning, research, and governance align with the histories, languages, teachings, and cultures of First Nations, Métis, and Inuit Peoples in the land presently occupied by the Canadian state.

We encourage critical reflection by asking the following question. In relation to the territory on which you are situated, what role do you play in strengthening the resistance and resurgence of Indigenous students within your communities?

ATTENDANCE

NAME	PROXY	PRESENT
Adrian Wattamaniuk (Chair)		Y
Haruun Ali		Y
Rebeca Avila		N/A- Recording Unclear
Milan Regmi		Y
Polina Reisbig		Y
Julia Viloso		Y
Pien Steinbusch		Y
Jayden Brooks		Y
Abner Monteiro		Y

Joannie Fogue		Y
Alex Dorscheid		Y
Levi Flaman		Y
Julia Viloso		Y
Chanpreet Singh		Y
Christian Fotang		Y
Leo Huang		Y
Simran Dhillon		Y
Ibukun Ojo		Y
Daniela Carbajal Velez		Y
Christian Zukowski		N/A
Marc Dumouchel		N/A
Matin Koohkan		N/A
Rowan Morris		NA
Maria George		N/A
(37:53) Other Members in the Room-Recording Unclear		

MINUTES (CAC-2022-04 SPECIAL MEETING)

2022-04/1

INTRODUCTION

2022-04/1a

Call to Order (5:00 PM - 5:10 PM)

WATTAMANIUK: Called the meeting to order a 5:03 PM

2022-04/2

COMMITTEE BUSINESS

2022-04/2a

Background for the Calling of this Special Meeting (5:10 PM - 5:20 PM)

WATTAMANIUK: The Committee function for the Students Union: Committee meetings run in an informal setting of Robert's Rules. It gives the chair a wider authority to make decisions on meeting conduct.

Discusses the ground rules for the meeting today: This meeting can be moved in camera at any point by the majority of the voting members which is anyone on Council. This should be done at any time or when performance

of staff members are being discussed or privileged information is being shared.

As per Bylaw 500, on the NDA that was signed by all councillors, any documents or discussions that are held in camera are privileged and can not be shared beyond this session and all of the non-Council members will be asked to leave.

Adds that the discussion today needs to stay on topic, any deviation on the agenda will not be entertained.

As a reminder to everyone of the mandate of the Counsel Administration Committee: The committee does not have absolute authority, it has a mandate from Council, has the authority to amend adopt or rescind standing orders of students Council after initial set of standing orders has been adopted by Students Council, can make recommendations to students Council on the structure of students Council on the standing committees, shall oversee the speaker and the Chief Returning Officer of the students union, shall oversee the progress of Students Council's legislative agenda, shall recommend to Students Council a candidate for the position of CRO on or before April 15th of each year and recommendations of the discipline, interpretation and enforcement board within two meetings of release of the rulings.

Any items that don't pertain to this mandate will be left for other committees or councils to discuss. The committee will use the standard two speaking terms of three minutes each for each discussion item and the Committee can move to Committee of the whole, which was done a few times in Council, should the committee vote by a simple majority vote. Should the committee get into a back and forth discussion, I would recommend that the Committee move into that format.

MONTEIRO: Asks... (audio not clear)

WATTAMANIUK: Mentions that the meeting was called at the request of several member of CAC and a few members of Council to discuss the following situation:

In early July, the speaker had been made aware of the potential that some counsellors may not be representing the faculty they're currently enrolled in. Pursuant to this complaint, the speaker referred the matter to the CRO to investigate. I was made aware of the situation at this point. Provided support to the CRO to conduct the work as his office saw fit. On July 6th, the CRO sent a form to all counsellors requesting student ID numbers for the purpose of verifying faculty status. The Registrar's Office, then shared information with the CRO, pursuant only to faculty status of the affected counsellors. The CRO then informs the speaker of a counsellor who may have been in

contravention of Bylaw 100 section 2.3, which states that counsellors must represent one faculty. This information was then used to initiate a DIE Board complaint and request for clarification which has since been temporarily suspended, pending more information.

As for the agenda, the Committee will be going to discuss the facts of this particular incident and determine whether some form of inquiry or further investigation is required. The Committee can recommend to council or other committees actions to prevent this issue in the future and further actions can be talked about as seen appropriate by the committee.

MONTEIRO: (audio not clear)

WATTAMANIUK: Asks everyone if anyone opposed to the manner of speaking is currently being used.

DUMOUCHEL: Concerned about how the situation is escalating when the issue is easy and resolvable. The Committee tries to govern itself by principles of natural justice and ensure due process, when talking about these things. The concern is that a lot of information and assertions are floating around.

13: 00 (audio starts fading)

For the matter at hand, some documents were reviewed. With the tight security and privacy policy, had to reach out to IT to get access to some information.

Mentions two things that have been identified that are concerning: The first one is councillor eligibility which is an issue for council. Will recommend the Committee to get the advice of the DIE Board or a legal opinion with regards to the matter.

The second one is how this issue has been handled and the processes that followed. There are three components to that one, the first one is Privacy. Ellen, the assistant general manager, compliance, legal & insurance person, has been consulted. A breach towards anyone's privacy has not been seen. The information that has been talked about is an ID for identifiers and sharing that with the university to get back a confirmation of something that counts as a legitimate business and that legitimate need is found in the Bylaw. Theoretically, the Students Union already possesses that information, and was used to cross reference the issue at hand.

DUMOUCHEL: Because the Students Union is statutory into the PSLA, the University has to cooperate with these kinds of inquiry otherwise, a legal action can be put into place.

Second issue is the process. It's impossible for an organisation to find every single case and every single process that has to be followed, there's always going to be those things you didn't think about until they happen.

The third point is the concern about the process. Have people been acting in good faith?

Adds that he has no problem if Council wants to commission an investigation or a review of what has transpired.

Is willing to come back in a week with a revised mandate for review for the committee to discuss. If decided to go ahead with this review, the committee will have two options: conduct either an internal or external review. The Students Union HR lawyer will be contacted, they then will refer the Committee to a law firm who will conduct an investigation. The report will be used as the basis to make an HR decision. Previously, it cost the Students Union \$5000-\$7000 for a simple investigation, however, another incident cost the organisation \$25,000. Internally, the investigation can be done between \$7,000 and \$18,000 that will involve the HR and a mediator from the mediation company to do a basic investigation.

Also adds that the Student Code of Conduct complaint form is already up and is available for anyone who feels particularly angered about something that has happened in this process.

ALI: Reads the email he sent to Students' Council & TheGateway explaining his eligibility as Arts Councilor, that was confirmed by the former CRO Lucas Marques.

DUMOUCHEL: Disagrees with Councilor Ali' assertions as it is different from what was found by SU. Has some concerns about making assertions about the intent of individuals in this meeting as well as talking about suing the SU. Feels uncomfortable about talking about personal issues in open sessions. Also disagrees with Councilor Ali's assumptions on the procedures on how this matter should be handled.

Notes that this scenario is not a trial and that the committee's job is to recommend to Council how Council should proceed and to ensure that the members are treated with respect & fairness and to live up to what the Bylaws mandate.

WATTAMANIUK: The role of the committee today is to decide how the committee will move forward from this issue and how the Committee will look into investigating the allegations. Conducting the investigations both internally and externally are on the table as well as the Students union Code of Conduct if the allegations are being made to a specific person.

Advised Harun that the Committee start to pivot towards a broad-based discussion on how the Committee will move forward from the issue instead of continually talking about facts that are still under dispute.

ALI: Confused about Marc saying the statements he spoke about are allegations when they are in Bylaw. Asks Marc what the beginning of the term means.

Clarifies he did not threaten legal action but has sought legal advice. Does not see why any of the members will be against the idea of a third party investigation.

ZUKOWSKI: Talks about two things to clarify about what Bylaw says: It says each term, not at the beginning of each term and the role the Speaker will be taking on this meeting.

UNKNOWN/UNKNOWN MOTION TO extend the meeting.

CARRIED

HUANG: Asks if it is the job of the CRO to give the member's IDs to the respective faculties to confirm eligibility; and since they already gave their answer back, asks if it is the job of SU to ratify such confirmation. Asks Harun to answer the question.

SINGH: Tells Marc that he can't hear him.

DORSCHIED: (Point of Privilege) Unable to hear Marc.

DUMOUCHEL: According to the Bylaw, the CRO is supposed to check councillor eligibility prior to the election and up to the end of the year. After the political year has started, the responsibility now shifts to the Speaker, and every every term, it is their duty to recheck to make sure that the eligibility has been essentially maintained.

SINGH: Asks how the eligibility requirement was proved by Harun Ali before he contested in the elections and how did the CRO verified the information. Also asks if this was intentionally against a single member of the council or if it is a routine process and if the Speaker & the CRO checked everyone's CCID.

DUMOUCHEL: Answers the second question first. Harun was not singled out. A councillor became aware that they didn't think that they were eligible so they wanted a specific inquiry. However the Speaker is supposed to, every term, verify with the registrar the faculty status of all the members of the Students Council.

As for the first question as to why did the CRO approve this if this is going to be the case, a document has been provided to the CRO by the faculty of arts. It says that Councillor Ali will be an Arts student in the fall, and the CRO made the call that that met the criteria and the CRO decides the eligibility of the councillors. No one challenged it.

ALI: Asks why his name was the only one that was checked.

KOOHKAN: We do not pull out anybody's name on the election, when a student runs for the election, the student's ID is provided in the nomination package, the same process when the expense report has been submitted after the election.

ALI: The speaker received a complaint from an unnamed member of the Council saying one member of the Council is not eligible.

Reiterates the question that Chanpreet asked: If the CRO pulled everyone's information at the time or if they only pulled his.

KOOHKAN: Differentiates the responsibility of the CRO and the Speaker.

ALI: Recapitulated his statement that the speaker received a complaint from an unnamed member of the Council saying one member of the Council is not eligible and may not have met the requirements under Bylaw 100.

Asks again why his name was the only one that was checked.

KOOHKAN: Mentions Abner's explanation: that the job of the Speaker is to verify all Council members' faculty status, and that his job as CRO is to look into specific complaints.

ZUKOWSKI: Explains the role of the Speaker and the CRO as two different offices, however they communicate and assist each other.

WATTAMANIUK/REGMI MOVE TO refer the issue of Councillor eligibility to Bylaw committee.

CARRIED. (Unanimous decision)

REGMI: How the CRO determines that the Councillor in question of eligibility is Harun, when it was unnamed according to public knowledge.

UNKNOWN SPEAKER: The DIE Board submission is done by the Speaker. The Speaker's office received a complaint about an unnamed Councillor who is potentially not eligible to be on Council. The CRO on the other hand had received a separate complaint in which it had a specific name which is

Councilor Ali and the DIE Board form is a DIE Board submitted by the Speaker and not the CRO.

WATTAMANIUK: Reminds the committee that the outcome that need to be recognized in the next 27 minutes is to address the Privacy Violation more broadly and if a third party investigation is necessary to look into the allegations of Privacy Violation.

ALI: Asks why the unnamed member of the Council will send you a complaint and why did you not refer that complaint to the Speaker and why has this been brought up now and not at an earlier time.

According to Bylaw 2100, it does not say that the CRO's job is to read this outside the election period.

DUMOUCHEL: Say's Ali has raised a really good question and that is something that needs to be sorted out.

DHILLON: Mentions the importance of verifying student IDs and protecting the votes of students. Asks: Should councillors be elected for a faculty that they are currently not a part of? Is that the representative that the students are voting for?

ALI: Mentions that it is a well-known fact that he is an open study student when he ran for the elections and that he is a global science student in the Fall.

UNKNOWN SPEAKER: Disagrees with Harun's statement that everyone knew that he was in the Faculty of Arts when he entered Council.

When you run for Council according to Bylaw 2100, you have to be enrolled to the faculty that you are representing.

ZUKOWSKI: As a procedural point, if the proposed motions were to go forward, Marc would want to workshop them a bit to be clear about the mandates for an investigation.

WATTAMANIUK: Recommends to have this motion that Council pursue a third party organisation, so the Committee can have the discussions here generally on the Principles of a third party organisation overall. The General Manager can workshop a specific motion for Council and that the Committee can take that to Council if it wants.

SINGH: (Point of Procedure): ALI don't go through CAC to recommend anything to the Council so the motion has to be: CAC recommends the Students Council to do a reputable third party investigation. If CAC is voting

on a motion then CAC has to recommend it. If Ali wants to recommend it, Ali can just move the motion to Council.

DUMOUCHEL: CAC can direct the General Manager to develop terms of reference for instance, for an investigation regarding the complaints risk.

UNKNOWN SPEAKER: The way the motion is worded does not make sense. There are two options however, it's either, CAC refers to the Students Council or Councillor Ali puts this on the order paper for the next Students Council meeting.

ALI: Re-words his motion.

WATTAMANIUK: Asks if the Committee recommends that the General Manager look into an external audit and set some terms of the reference that Council can then debate.

DHILLON: Asks Marc how much it would cost for an external audit and how it works.

DUMOUCHEL: Estimates that it would cost between \$7,000-\$20,000 depending on the scope of the investigation. The Council has two options: Council can authorise it using the Students Union budget this year but might run on a deficit and to take that out of the Student Union's reserves. Second one is to find real allocations for the cost.

VELEZ: As a representative, asks if the majority of the students be okay with spending this much money for this matter because this sum of money could be going somewhere else that will benefit the students as a whole

ALI: Agrees to Daniella, however, thinks that it is the member's legal responsibility to students to follow laws of the organisation.

Ojo: Thinks Harun's statement of "minor technicality" is inappropriate to mention because of the severity of where the issue is escalating. Reiterates what Daniella has mentioned about seeking an external audit about the matter is not necessary.

DUMOUCHEL: Cites once again that the two issues at hand here are privacy concerns and bullying, which is a legitimate thing to explore through an investigation or the Governance Code of Conduct.

ALI: Marc will workshop the actual motion of the term for council and come back with the scope of the investigation and then the committee will decide.

WATTAMANIUK adjourned the meeting at 6:32 PM