

## **Decision of the Discipline Interpretation and Enforcement Board**

February 2, 2001

5:30pm, 420 SUB

**Members present:** Heather Smillie, Vincent Tong, Sean Doherty, Chris Liobing, Julien McNulty,

Non-voting members: Rebecca Cuthbertson, Kara Deringer

### **Issue #1**

**Appellant:** Dan Lazin, on behalf of the Gateway

**Respondent:** Heather Clark, Chief Returning Officer

**Appeal:** Should Bylaw 3500 (6)(a) be interpreted strictly as written, and thus only petition signatures meeting the name and identification requirements, as per the bylaw, be accepted as valid for the purposes of meeting minimum quota requirements?

**Decision:** Yes, the Bylaw should be interpreted strictly as written, until such a time as a suitable alternative to the requirement of identification numbers has been found, given the implications of FOIPP. Although FOIPP is not binding on the Students' Union, as it is not a public body, issues of privacy and confidentiality are present in students' minds and the provisions of the Bylaws and securing of signatures should reflect this reality.

As per the Bylaw at this time, petition signatories are required to fulfill both the name and student identification requirements in order to be counted as valid.

### **Issue #2**

**Appellant:** Dan Lazin

**Respondent:** Gregory Harlow, on behalf of the Students' Union Executive

**Appeal:** Are the amendments to the Students' Union Constitution (Article 5) and Bylaws (Bylaw 350) proposed and passed through First Reading at the Students' Council meeting of January 22 constitutional?

### **Decision:**

DIE Board will not rule on this issue at this time. However, the issue of reviewing motions and requiring Council to "reconsider" is within DIE Board's jurisdiction and may be asked of the Board in the future, should that be deemed necessary after further debate by Council, by a party with standing to do so.

### **Issue #3**

**Appellant:** Dan Lazin, on behalf of the Gateway

**Respondent:** Heather Clark, Chief Returning Officer

This appeal is with respect to passing and breach of a deadline. DIE Board will not rule on this issue until such a time as proper protocol has been followed in terms of appealing decisions of the CRO, and only if an appeal is still deemed necessary by the parties involved after that process is complete.