

DECISION OF THE DISCIPLINE, INTERPRETATION,
AND ENFORCEMENT BOARD

CHRIS JONES versus STUDENTS' COUNCIL

Date:

Friday January 23, 2004

D.I.E. BOARD MEMBERS PRESENT:

Christopher Samuel, Chair

Ben Aberant

Stephen Congly

Kyle Kawanami

Michelle Kelly

APPEAL DETAILS:

Appellant: Chris Jones

Respondent: Students' Council

SUMMARY OF ALLEGATIONS AND RESPONSE:

Despite the complexities and history of this particular case, the substance of Chris Jones' complaint is that Students' Council's act to re-appoint Paul Reikie as the Councillor for the Faculty of Agriculture, Forestry, and Home Economics clearly violates Bylaw 100 Section 11e, which prevents a Councillor who has been expelled for poor attendance from being re-appointed to Council in the same academic year in which they were removed.

DECISION:

The Discipline, Interpretation, and Enforcement (D.I.E.) Board finds that Students' Council violated Bylaw 100 Section 11e when it re-appointed Paul Reikie as the Councillor for the Faculty of Agriculture, Forestry, and Home Economics.

RECOMMENDATION:

In accordance with Bylaw 1200 Section 3.c.v., it is the official recommendation of the D.I.E. Board that Students' Council reconsider its motion to re-appoint Paul Reikie as the Councillor for the Faculty of Agriculture, Forestry, and Home Economics at the next meeting of Students' Council since this motion clearly violates Bylaw 100 Section 11e.

Before Students' Council reconsiders this motion, the D.I.E. Board would like to encourage Council to familiarize itself with Decision #2, in which:

- Bylaw 100 Section 11 is interpreted according to its text to wit; that is, any Councillor who fails to attend (or have their proxy attend) three consecutive meetings is immediately suspended from Council, and at the meeting immediately following their suspension, the (suspended) Councillor is expelled from Council

unless Council moves to reinstate the (suspended) Councillor following a presentation by the (suspended) Councillor or a delegate.

- it is reaffirmed that no body within the Students' Union (not the D.I.E. Board or Students' Council) has the ability to grant any exemption to anyone from any of the Students' Union's constitution articles, bylaws and policies, or the ability to strike down, or violate, any of the Students' Union's constitution articles, bylaws and policies outside of the parameters set out in Articles V and VI of the Constitution.

The Discipline, Interpretation and Enforcement (D.I.E.) Board functions as the judicial branch of the Students' Union, and is responsible for interpreting and enforcing all Students' Union legislation. If anyone has any questions regarding the D.I.E. Board, feel free to contact the Chair, Chris Samuel, at dieboard@su.ualberta.ca