

Discipline, Interpretation and Enforcement (DIE) Board

Ruling of the Board

Style of cause: *Students' Council vs. Goebel and Hao*

Ruling: #12

Date heard: February 21, 2006

Appearing for the D.I.E. Board::Presiding Chair: Alex Ragan, Tribunes: Joel David, Amanda Nielsen

Appearing for the Applicant: Greg Harlow, Speaker of Students' Council

Case summary:

The Students' Council is requesting the removal of Councilors Philip Goebel and Yuan Hao from Students' Council because of lack of attendance to Council meetings as required by Bylaw 100, part V section 20(d).

Facts:

Councilor Goebel did not attend nor appoint a proxy to attend over 20 Council meetings to date. Councilor Hao attended two meetings early in his mandate and ceased to attend. No proxy has ever attended in his place. Councilor Hao is a member on both the Grant Allocation Committee and the University Policy Committee. He has not attended any meeting of these committees since being appointed in September, 2005.

The councilors' lack of attendance is aggravating difficulties in reaching quorum and interfering with the good operations of Council and its two committees. Council has attempted to contact both councilors by email, leaving phone messages and sending a letter. Neither councilor has heeded these requests to attend meetings regularly. Both have ignored a written request to resign.

Relevant legal provisions:

Bylaw 100, Part V section 20 reads in part:

20. Each voting member of Council, or their proxy, will:

...

- c. Attend to the maximum extent practicable all meetings of any board, committee, or task force of which they are a member; and,
- d. Be responsible for regular attendance at meetings of Council...

Findings and remedy imposed:

The DIE board finds that Councilors Goebel and Hao have not met or made a reasonable effort to meet the criteria of “regular attendance” as stated in section 20(d) of Bylaw 100 and therefore are removed from their seat on Student’s Council.

Recommendations:

A future case may show a lack of attendance that is less obvious than the facts of this case but still below a level expected of elected officials. In the absence of better direction from council, this Board may be in a quandary on how to decide such a case.

In particular, Bylaw 100 could better define what constitutes “regular attendance”. There could be a mandatory proxy system initiated after a certain number of meetings missed and/or a recall system for councilors.

The Discipline, Interpretation And Enforcement (D.I.E.) Board functions as the judiciary branch of the Student’s Union, and is responsible for interpreting and enforcing all Student’s Union legislation. If anyone has any questions regarding the D.I.E. Board, feel free to contact the Chair, Alex Ragan, at ea@su.ualberta.ca.