

STUDENTS' COUNCIL

Tuesday December 6, 2005
Council Chambers 2-1 University Hall

ORDER PAPER (SC 2005-17)

- 2005-17/1 CALL TO ORDER
- 2005-17/2 SPEAKER'S BUSINESS
- 2005-17/2a Announcements – The next meeting of Students' Council will take place on January 10, 2006.
- 2005-17/3 APPROVAL OF THE ORDERS OF THE DAY
- 2005-17/4 PRESENTATIONS
- 2005-17/4a Presentation given by General Manager Bill Smith on Travel Cuts Law Suit.
- 2005-17/5 NOMINATIONS/APPOINTMENTS
- 2005-17/5a **LEWIS MOVED THAT** Students' Council appoint a member to the Bylaw Committee.
- 2005-17/6 REPORTS
- 2005-17/6a Graham Lettner, President
Please see document SC 05-17.01
- 2005-17/6b Samantha Power, Vice President (External)
Please see document SC 05-17.02
- 2005-17/6c Justin Kehoe, Vice President (Student Life)
Please see document SC 05-17.03
- 2005-17/6d Mathieu Johnson, Vice President (Academic)
Please see document SC 05-17.04
- 2005-17/6e Jason Tobias, Vice President (Operations & Finance)
Please see document SC 05-17.05

2005-17/7

BOARD AND COMMITTEE REPORTS

2005-17/7a

Discipline, Interpretation and Enforcement BoardDecision 6: Bylaw 2400 s. 2 (d) and (e) *Plebiscite and Referenda*Decision 7: Jones vs. Students' Council – *Rejection of Petition Questions*

Decision 8: Kyle Kawanami and Stephen Kirkham vs. Speaker of Students' Council.

Please see document SC 05-17.06

2005-17/7b

Executive Committee – November 24, 2005 and December 6, 2005

Please see document SC 05-17.07

2005-17/7c

Budget and Finance Committee

2005-17/7c (i)

The Budget and Finance Committee recommends that Bill # 17 **be read a first time.****Bill #17 – Student Involvement Endowment Fund Fee Repeal (sponsor; LEWIS)**

Principles (first reading)

1. That the Students' Union cease collection of the Eugene L. Brody and Student Involvement Endowment Fund fees.

2005-17/7c (ii)

The Budget and Finance Committee recommends that Bill #9 **be amended as follows:****Bill #9 "Election Funding for Councillors" (sponsor; Pandya)**

Principle (first Reading)

1. Candidates budgets will be increased for the Councilor Elections.
 - a. Candidates may accrue \$50 in expenses;
 - b. Plus \$10 for every additional 1000 students in the faculty beyond 3000

Please see document SC 05-17.08

2005-17/7d

Student Affairs Committee – November 22, 2005

Please see document SC 05-17.09

2005-17/7d (i)

The Student Affairs Committee recommends that Students' Council approve the changes to the Political Policy "Tobacco Ban".

Please see document SC 05-17.10 (current and proposed)

2005-17/7e

Bylaw Committee – November 22, 2005

Please see document SC 05-17.11

2005-17/7e (i)

KIRKHAM MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that Students' Union bars offer a side of salad with food items in lieu of french fries at no additional cost?

2005-17/7e (ii) **KIRKHAM MOVED THAT** Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that the Students' Union boycott goods and services from the People's Republic of China to protest its human rights* and environmental record subject to the following conditions?

1. The goods and services that shall be subject to this boycott will be those
 - a. made in the People's Republic of China; or
 - b. with at least 25% of their value originating from the People's Republic of China.
2. The tenants of all premises owned or operated by the Students' Union would be required to adhere to the boycott upon the renewal of their existing lease or the creation of a new lease.

* United Nations Universal Declaration of Human Rights

2005-17/7e (iii) **KIRKHAM MOVED THAT** Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that Power Plant, RATT, and L'Express serve kosher and halal meals?

2005-17/7e (iv) **KIRKHAM MOVED THAT** Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support the elimination of the Centre for Student Development?

2005-17/7e (v) **KIRKHAM MOVED THAT** Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that the Students' Union raise awareness of the need for accessible and affordable education by conducting a tuition demonstration on November 5 of each year that shall include fireworks and a bonfire?

2005-17/7e (vi) **KIRKHAM MOVED THAT** Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that the Students' Union discontinues the sale of tobacco products?

For Items 7e (i) through (vi) please see document SC 05-17.12

2005-17/7e (vii) The Bylaw Committee recommends that Bill #12 (Council Reporting Structure) **be read a second time.**

Bill #12 – Administrative Assistant to Council Reporting Structure (sponsor; POWER)

Principle (from first reading)

1. The Administrative Assistant to Students' Council report directly to the Executive Assistant, and that the President report to the Speaker with respect to all Council business.

Please see document SC 05-17.13

2005-17/7e (viii) The Bylaw Committee recommends that Bill #3 (*Members of Council Legitimacy*) **be read a second time.**

Bill #3 – Members of Council Legitimacy (sponsor; KIRKHAM)

Principles (from first reading)

1. The speaker will request a report from the Office of the Registrar and Student Awards on a semesterly basis that confirming that all student, those positions that require the individuals to be students, meet the necessary requirements to hold office.
2. The report from the Office of the Registrar and the Student Awards will be received by the President, and the Speaker.
1. The Speaker shall cause to be tabled with Students' Council a report outlining the Registrar's findings at his or her earliest convenience.

Please see document SC 05-17.14

2005-17/7e (ix) The Bylaw Committee recommends that Bill # 15 (*Critical Changes to Plebiscite and Referenda Process*) **be read a second time.**

Bill #15 - Critical Change to Plebiscites and Referenda Petition Process (sponsor; KIRKHAM)

Principles (from first reading)

1. A member shall submit a signed paper copy of the intent of a petition question to the Chief Returning Officer along with their name, faculty, and student identification number.
2. The member shall indicate whether or not their intent of this petition question is to be a plebiscite or referendum.
3. The intent of any petition question shall include a \$25.00 deposit.
4. Upon receipt of an intent of a petition question and collection of the deposit, the Chief Returning Officer shall immediately forward the question to the Bylaw Committee.
5. The Bylaw Committee shall draft and approve a question within fourteen (14) days of receiving the intent of a petition question from the Chief Returning Officer
6. Where a member submits a petition containing the signatures of at least five percent (5%) of the total membership of the Students' Union, then that member's deposit shall be refunded.
7. The term "Students' Union law" will be replaced with "Students' Union Bylaw" and the term "Federal or Provincial statute or regulation" will be replaced with "federal or provincial law" for clarification in Bylaw 2400 (4)(b).
8. Changes will be retroactive to any previously approved or currently outstanding petition questions with respect to collection of a deposit and declaration of a plebiscite or referendum.
9. Changes will come into effect immediately upon passage of second reading.

Please see document SC 05-17.15

2005-17/7e (x) The Bylaw Committee recommends that Bill #20 **be read a first time.**

Bill #20 Non-Academic Fee Principles (sponsor; LEWIS)
Principles (first reading)

1. Plebiscites or referenda pertaining to non-academic fees levied on SU members by the University must reflect a control corresponding to the financial contribution.
2. A permanent advisory committee will be created to oversee and direct all aspects of the use of the non-academic fee.
3. The composition of this advisory committee will reflect the financial contribution by Students Union members in the form of a proportional number of voting seats.
4. Any facility or service funded by the non-academic fee must provide universal access to any SU member contributing to that fee.

2005-17/7e (xi) Bylaw Committee recommends that Bill #14 **be read a second time.**

Bill #14 - Access to Students' Union Information (sponsor; KIRKHAM)
Principles

1. Every Students' Union document or record is strictly confidential that has been specifically designated as such in the Standing Orders of Students' Council.
2. Strictly confidential information is available to those individuals specifically designated in the Standing Orders of Students' Council.
3. No member of Students' Council, the Executive Committee, the Discipline, Interpretation, and Enforcement Board, or a committee thereof may access confidential or strictly confidential information until they have signed a non-disclosure agreement.

Please see document SC 05-17.16

2005-17/7e (xii) The Bylaw Committee recommends that Bill #16 Direct Democracy **be read a second time.**

Bill #16 Direct Democracy (sponsor; TOBIAS)
Principle (from first reading)

1. Where a referendum or plebiscite question would cause Students' Council to be in breach of its fiduciary responsibility to the Students' Union, such a question may be ruled out of order.
2. The principles of this bill will apply retroactively to all referenda or plebiscite proposed for the 2006 general election.

Please see document SC 05-17.17

2005-17/7f Council Administration Committee – November 22, 2005

Please see document SC 05-17.18

2005-17/7f (I) The Council Administration Committee recommends that Bill #19 **be read a first time.**

Bill #19 - Chairs of Standing Committees (sponsor; LEWIS)
Principles (first reading)

1. Chairs of Standing Committees shall be paid.

- 2005-17/7f (ii)** The Council Administration Committee recommends that Bill #21 **be read a first time.**
- Bill #21 - Duties of the Speaker of Students' Council (sponsor; KIRKHAM)**
Principles (first reading)
1. The Speaker shall represent Students' Council before the Discipline, Interpretation, and Enforcement Board.
- 2005-17/7f (iii)** The Council Administration Committee recommends that Bill #22 **be read a first time.**
- Bill #22 - Strictly Confidential Requirements for Contracts (sponsor; KIRKHAM)**
Principles (first reading)
1. Any contract or agreement that the Students' Union enters into, and needs to be marked as Strictly Confidential, will require the approval of Students' Council.
 2. Students' Council shall be provided with a complete copy of the final draft of the contract or agreement.
 3. Upon the recommendation of Students' Council, Council Administration Committee will mark the contract or agreement as Strictly Confidential.
- 2005-17/7g** External Policy Committee – November 22, 2005
- Please see document SC 05-17.19
- 2005-17/7g (i)** **KAWANAMI/CROSSMAN MOVED THAT** Students' Council, upon the recommendation of the External Policy Committee, rescind the current political policy, "Tuition Levels and Regulation", and replace it with the new political policy, "Tuition Levels and Regulation."
- Please see document SC 05-17.20 (Current and Proposed)
- 2005-17/7h** Audit Committee – November 24, 2005
- Please see document SC 05-17.21
- 2005-17/7i** Access Fund Committee - November 2, 2005
- Please see document SC 05-17.22
- 2005-17/8** **QUESTION PERIOD**
- 2005-17/9** **GENERAL ORDERS**
- 2005-17/9a** **MOTION BY KIRKHAM, ORDERED THAT** Students' Council rescind the "Tobacco Ban" political policy.
- Please see document SC 05-17.10 (Current)
- 2005-17/9b** **JOHNSON MOVED THAT** Students' Council approve the Political Policy "General Election Forum".
- Please see document SC 05-17.23

2005-17/9c

TOBIAS/LETTNER MOVED THAT Students' Council read Bill #18 a first time.**Bill #18 *Changes to Referendum Process* (sponsor; TOBIAS)**

Principles (first reading)

1. The proponents of a referendum shall bear the onus of demonstrating, to the bylaw committee, how the referendum falls within the power of the Students' Union under the Post-Secondary Learning Act.
2. Where the referendum proposes a compulsory fee, the proponent must demonstrate how that new fee would serve the object of the "maintenance of the" Students' Union as required under section 95(2)(e).
3. Referenda questions shall be limited to questions of principle, such that only questions establishing the creation and purpose of fees and their repeal are permitted.
4. In drafting a proposed referendum question, the bylaw committee shall also report to Council whether or not the proposed question is valid under the mandate of Student Associations in the Post-Secondary Learning Act.
5. The report in principle 4 will take into account the submissions made by the proponents of a referendum under principle 1.
6. In considering the question, the bylaw committee may seek legal opinion.
7. Should Students' Council disallow a question on the basis that it falls outside the mandate of Student Associations, as defined in the Post-Secondary Learning Act, such decision may be appealed to DIE Board.
8. The principles of this bill will apply retroactively to all referenda proposed for the 2006 general election.

2005-17/9d

KIRKHAM MOVED THAT Students' Council approve the following referendum question:

Do you support that the Students' Union shall refrain from seeking the exclusive provision of cold beverage products subject to the following conditions?

1. Officially oppose the Single Source Cold Beverage Agreement entered into by the Students' Union, the University of Alberta, and The Coca-Cola Company.
2. Prohibited from negotiating, renegotiating, or renewing a contract between the University of Alberta and/or any third party for the exclusive provision of cold beverage products.
3. Lobby the University of Alberta to avoid negotiating, renegotiating, or renewing its contract with The Coca-Cola Company or any other third party for the exclusive provision of cold beverage products.

2005-17/9e

LE ORDERED THAT THE Vice-President Student Life Investigate the possibility of the Students' Union adding microwaves to CAB's lower level food court, and report back to council with a recommendation on how to proceed, no later than January 10, 2006.

2005-17/9f

KUSTRA MOVED THAT Students' Council order the Executive Committee seek a legal opinion regarding the legality of the following proposed petition question:

Do you support that Students' Union bars charge \$2.00 for all pints* of draught beer effective March 1, 2006 through April 30, 2007 subject to the following conditions?

1. Draught beer will be sold in pint* volumes whenever alcohol is served.
2. Other volumes of draught beer may be sold at any price.
3. The existing selection of draught beer will continue to be carried.
4. Where the wholesale price of a pint* of draught beer is in excess of \$2.00, its price will be set at wholesale cost rounded up to the nearest dollar.

*A pint is 16 fluid ounces (473 ml).

2005-17/10**INFORMATION ITEMS****2005-17/10a**

Votes and Proceedings – November 15, 2005

Please see document SC 05-17.24

President's Report

Meeting date: Tuesday, November 29, 2005

EXECUTIVE SUMMARY:

Just past the halfway mark, a number of our ongoing projects are coming to a close. The Executive Committee will also be on a retreat this Friday to decide on our priorities for the remainder of the year. Many councilors also deserve commendation for their continued work as the semester draws to a close.

SPECIFICS:

- Tuition

Our efforts to secure students a tuition decrease are on two prongs: first, our “Roll it back, Ralph!” campaign, and second, direct lobbying to have long term funding replace the recent tuition rebate(s). We are working with the University to ensure we are not working cross-purposes. Our message will continue to have affordability for students as the front and centre focus.

- U-Pass

In conjunction with the City and the University, the Students' Union will be making a pitch to the provincial government on 6 December. The crafting of this proposal will take shape over the next week.

- VP (External Affairs) Advisory Committee

The advisory committee concluded its interview this past Thursday. The Provost has indicated that by early next week the successful candidate will be chosen.

- Alumni Student Life Committee

On 18 November the committee met to discuss student-alumni initiatives. We are in the midst of constructing a calendar of campus history that would be given to students. It is along the lines of “101 things to do and see before you leave campus.”

- 2nd Annual Engineering Head Shave

Not strictly a new hairstyle, I was involved in the latest ESS fundraiser for the Alberta Cancer Foundation. Congratulations to ESS for doing a great job of organizing, and a thank you to everyone who donated to those fundraising for the event.

BAC: I've become the second student rep on the Budget Advisory Committee after the exec agreed it was more pertinent for my portfolio. I attended my first meeting November 17th at which Carl Amrhein outlined some lobbying options. The four universities are getting together a paper discussing their priorities. We emphasized that they should ask for a 7% base operating increase to cover the tuition "rebate". We haven't heard back as to the details, ask in question period.

CAMPUS CAMPAIGNS: We hired our new campus campaigns coordinator, Jessica King. She's worked on putting up our tables and is a great creative addition to our team.

The tables we're holding across campus are turning out really well. It's a great way to talk to students about tuition and funding issues and hear what they have to say. Our petition is gaining ground; we're hoping to get 3,000 signatures, as that is 10% of our population. As well, our trip to the legislature went really well, thanks to the councilors who came out.

We're planning a few last minute info tables as well as they have been really successful. If you're interested in helping they run between 11am and 1pm throughout the week.

We're starting plans for January. PIA is holding a post secondary conference on January 21-22. CAUS is subsidizing student attendance. I encourage everyone to come out.

Watch out for the federal election. If it happens over Christmas break we'll be putting together information on the different parties education platforms. We're looking at broader plans if it happens in January.

UPASS: Also at the BAC meeting, we put forward the UPass details and assumptions. Carl Amrhein is excited about making the issue happen. He is talking to the mayor about the city's involvement, as well he made it clear the University would financially support the initiative. The snag we've hit is with the city. I had a meeting with Councilor Krushell who informed me that the city is currently performing an audit on the transit department due to concerns about spending and deficits. She made it clear city councilors may not support putting more money into the initiative as they have covered capital expenses.

I also attended the Parkland Conference this weekend. The topic was The Alberta We Want and it was a great way to discuss issues with people and learn a bit more about the problems this province has and how we can fix them.

Also the Johnny Cash movie is awesome, so is Johnny Cash.

Coming Up:

Nov. 29-30 – tables in CAB

Nov. 30th – BAC meeting

Dec. 2nd – Exec Retreat

Dec. 2nd – meeting Graham Thompson

Justin Kehoe, Vice President (Student Life)
Report to Students' Council
November 29, 2005

Submitted: November 24, 2005

Good Evening Council,

Our review of the net impact of SU business units on student health and wellness is ongoing. Student survey options would not be complete by our January deadline. Instead, we will now use a focus group with members of the Student Life Advisory Committee, Peer Health Educators, and Peer Nutrition Educators.

Vice President Tobias and I met with the General Manager, Manager of Finance & Administration, and Manager of Programming & Licensed Activities to discuss the future of the Powerplant. This will be ongoing.

AntiFreeze planning: we have a very strong Coordinator base, and most of the plans are in place. Pete (AVPSL) and I finished the registration packages (SUB, CAB, HUB, ETLC Info Desks, 2-900 SUB). We began a new initiative to implement a marketing campaign during the registration period in order to raise awareness and increase participation. In previous years, posters weren't put up until the actual event.

I arranged a meeting between the SU, the Dean of Students Office, the Inter-Fraternity Council, and Phi Gamma Delta men's fraternity to address concerns brought forth by the fraternity regarding restrictions on their activities during Orientation. This expanded to a broader examination of the relationship of the University and SU to fraternities.

I was involved in a Board Development Workshop for the Campus Food Bank over the previous weekend, and legislation redrafting is in the works. I will have spent most of the last weekend at the SU High School Leadership Conference, for which Sarah (AVPX) has done excellent work. I attended General Faculties Council, a SAC meeting, a Residence Halls Association meeting, and a gathering of Service Directors. A representative from Studentcare gave a presentation to the Student Life Advisory Committee on health plan information. We recently had two very successful concerts: Broken Social Scene at Red's, and Sarah Slean at Horowitz Theatre.

Upcoming:

November 30: Revolutionary Speakers Series: Dr. Samantha Nutt

Campus Food Bank Board of Directors
The Dewey's Project @ Dewey's
Karaoke @ RATT

November 30 – December 1: ECOS Alternative Christmas

December 1: AntiFreeze Registration Deadline!

December 2: Ben Spencer @ SUBstage, Noon

December 6: Alcohol Policy Review Committee
OneCard Student Advisory Group

December 7: Karaoke @ RATT – last day of classes

December 9: SU Christmas Party for Kids

Mathieu Johnson VP(Academic)
Report to Students' Council
December 6, 2005

In a bit of a recycle of last meetings report I offer:

After my extensive report in mid November I find myself simply working on ongoing projects including a the Cohort initiative taskforce, which will be submitting a report to the academic planning process and has the potential to spur on some large scale changes to the academic programs on campus. I am also working on the writing skills taskforce, the Teaching learning technology sub committee of the Committee on the Learning Environment, our second submission to the academic planning process, consultation with FAs on possible FA membership fees, and just plain old school work.

One item worth mention is that the Registrar office is, beginning in January, going to consider the voting members of the Executive committee full time students if they are taking 1 or more classes.

REPORT OF THE VICE PRESIDENT OPERATIONS AND FINANCE

December 6, 2005

My apologies for missing the meeting, I am currently on a plane west bound, returning from a Campus Advantage Shareholders meeting. CA is an organization that exists to serve as a liaison between the corporate sector and Student Associations.

I would like to use my report tonight to address a few points raised at last meeting. I hope that you find this information helpful.

The University of Alberta campus is covered under a single liquor license. It applies to everyone on campus and it is administered by the Alcohol Policy Review Committee, from which we heard last meeting. Campus Security serves as the enforcement mechanism for these policies. The University has traditionally enforced a far stricter line in interpreting AGLC guidelines than would be typical for a bar on Whyte Avenue. Therefore, although we are technically only beholden to AGLC guidelines, the APRC gets a rather large say. Some councilors have argued that the SU should simply ignore the University and apply for our own separate liquor license. Again, perhaps this is technically possible, but the SU would not be able to utilize the currently held space for such an endeavor. Although the SU does own SUB, it is owned in the same way a condo is owned. The actual building envelope is University property and the Powerplant building itself is also owned by the University.

Our ability to operate our businesses and building on our own terms depends greatly on our ability to work in conjunction with the University. They are, in effect, "City Hall" for *all* activities conducted on campus. The same concept applies to our collection of fees. The PSL act gives the SU the right to collect a fee, but the University gives us the mechanism to perform this function. They are in no way obligated to serve us in this way and our ability to operate as an SU depends on our ability to work in conjunction with the University. The repercussions of abusing this relationship should be very near to the minds of Councilors.

Furthermore, I have contacted our insurance company for advice on how this pricing scheme would affect our coverage. To quote:

"There is no coverage if any liquor codes or permit/license rules are broken."

The University has already indicated that the \$2 pint pricing scheme would violate the license rules. I believe voiding our insurance coverage can be classified as fiscally imprudent.

There is also a contention that \$2 pints would result in increased revenues. This is not necessarily true. It will certainly increase sales volumes, probably very significantly. It is also likely that sales of other beverages will not increase significantly, and sales of non-pints are in fact more likely to decrease due to the relatively higher expense to patrons.

We estimate that reducing prices to this level will necessitate selling **8.2 times** more beer just to match last years profitability. That is, even if sales in the Powerplant increased by 8200%, it would still lose \$60,000/year.

Of course, that is also assuming that staffing levels remain constant. More sales usually means a corresponding increase in staffing costs.

Lastly, I would like to offer my point of view on the definition of fiduciary duty. The term fiduciary is perhaps misleading as it implies that the only factor of importance is the bottom line of a particular business unit. This is simply not the case. Council, with the aid of the executive committee and the senior staff, has a responsibility to safe-guard the well being of the *entire* organization. This runs far deeper than simple accounting. We must act in a way that best serves the organization in accomplishing its mandate: Serving the students who elected us to lead the organization.

D.I.E. Report to Students' Council November 29, 2005

The Discipline, Interpretation, and Enforcement Board have made the following rulings:

Style of Cause: *Re Bylaw 2400 s.2 (d) and (e) Plebiscites and Referenda*

Ruling # 2005/2006-06 in the matter of: Re: Distinction Between Referenda and Plebiscites

Date heard: Wednesday, November 7, 2005

Appearing for the D.I.E. Board: Presiding Chair: Jaimie Gruman

Tribunes: Chris Stolfa, Catherine Lepine

Interveners present: Chris Jones

Case summary:

The Board is asked to define the term "Students' Union" in section 2 (e) of bylaw 2400 and finds that the term refers to all members and bodies of the Students' Union.

Additionally, the Board is asked what sort of vote is binding on the Students' Union and the Board finds that according to the definition of "plebiscite" and "referendum" in section 2 of Bylaw 2400, only a referendum is binding on the Students' Union.

REFERENCE QUESTIONS

1. Are the students, other than the graduate students, of The University of Alberta synonymous with the term "Students' Union" as used in Bylaw 2400 §§ 2(d) and 2(e)? If not, – how does the term "Students' Union" in Bylaw 2400 §§ 2(d) and 2(e) differ from the set of students, other than graduate students, of The University of Alberta for the purposes of the Post-Secondary Learning Act, § 93(2)?

2. Would a vote conducted by the Students' Union, The University of Alberta, that would bind the students, other than the graduate students, of The University of Alberta be properly held as a plebiscite or as a referendum for Bylaw 2400 purposes?

RELEVANT LEGAL PROVISIONS

Bylaw 2400

Section 2 (d) a "plebiscite" shall be a vote, open to all members except the C.R.O., held on a given question but that is not binding;

Section 2 (e) a "referendum" shall be a vote, open to all members except the C.R.O., held on a given question and whose result is legally binding upon the Students' Union;

ANALYSIS

1. Meaning of "Students' Union"

The term "Students' Union" in section 2 (e) of bylaw 2400 refers to all members of the Students' Union and all bodies of the Students' Union. The issue in this question is whether the term "Students' Union" means each individual member, Students' Council

and other various SU bodies, or both. No persuasive reason could be found not to give the term “Students’ Union” an inclusive meaning. “Students’ Union” could not mean individual members of the SU because Section 2(e) refers to individual members as “all members”. It would be unconventional to give two different terms in one section of legislation the same meaning. For similar reasons, it would be unconventional to restrict the meaning of “Students’ Union” to Students’ Council or any combination of SU bodies, boards, committees, offices, etc.. Other sections of Bylaw 2400 explicitly mention Students’ Council, Bylaw Committee, and D.I.E. Board. If section 2(e) meant any specific SU body it would say so explicitly. Without any evidence suggesting a more restricted definition of “Students’ Union” the term must be interpreted as inclusive of SU members and SU bodies.

Regarding the citation of the Post Secondary Learning Act, S.A. 2003, c. P-19.5, in the reference question. D.I.E. Board would like to point out that the Board’s enabling legislation, Bylaw 1500 section 4, allows the Board to hear complaints and requests regarding contravention or interpretation of Students’ Union legislation. Interpretation or application of the Post Secondary Learning Act is beyond the scope of D.I.E. Board.

2. Effects of Plebiscites and Referenda

According to the definition of “plebiscite” and “referendum” in section 2 of Bylaw 2400, only a referendum is binding on the Students’ Union. Bylaw 2400 section 2(d) explicitly states that a plebiscite is not binding and section 2(e) explicitly states that a referendum is binding upon the Students’ Union. While the above statements answer the reference question, D.I.E. Board feels it should briefly comment on the nature of plebiscites and referenda as set out in Bylaw 2400.

Plebiscites are not binding. (Bylaw 2400 section 2(d)) In order for a plebiscite to be initiated, by anyone other than Students’ Council, signatures of 5% of SU members must be collected. (Bylaw 2400 section 7 and 9, see also D.I.E. Board rulings *Re Bylaw 2400 s.7* and *Re Bylaw 2400 “law”*)

Referenda are binding. (Bylaw 2400 section 2(e)) In order for a referendum to be initiated, by anyone other than Students’ Council, signatures of 15% of SU members must be collected. (Bylaw 2400 section 8 and 9, see also D.I.E. Board rulings *Re Bylaw 2400 s.7* and *Re Bylaw 2400 “law”*)

All other sections of Bylaw 2400 treat plebiscites and referenda identically. While the percentage of signatures necessary to initiate a plebiscite or referendum is technical in nature, the difference between binding and non-binding is crucial in distinguishing the terms. The term “binding” and the obligations it imposes have already been discussed in the D.I.E. Board’s 04/05 rulings of *Re: Universal Bus Pass Referendum#1* and *Re: Universal Bus Pass Referendum #2* and need not be repeated here.

The expression “not binding” obviously entails a lesser obligation on the Students’ Union than the term “binding”. This is backed up by a common sense reading of the terms and the different signatory requirement for petitions. However, a plebiscite still represents the will of a majority of voting SU members and cannot be ignored. Because a plebiscite is an expression of the entire SU, any decision making body of the SU should take into consideration the results of a plebiscite when making decisions. When taking plebiscite results into consideration, decision makers are not obliged to

strictly adhere to plebiscite results. The decision makers must think about the plebiscite results and consider the relationship between the results and the decision before them. Plebiscite results demand the respect of the Students' Union but cannot dictate any particular course of action.

DISPOSITION AND REMEDY IMPOSED

1. Question:

Are the students, other than the graduate students, of The University of Alberta synonymous with the term "Students' Union" as used in Bylaw 2400 §§ 2(d) and 2(e)? If not, – how does the term "Students' Union" in Bylaw 2400 §§ 2(d) and 2(e) differ from the set of students, other than graduate students, of The University of Alberta for the purposes of the Post-Secondary Learning Act, § 93(2)?

Answer:

The term "Students' Union" in section 2 (e) of bylaw 2400 refers to all members of the Students' Union and all bodies of the Students' Union.

2. Question:

Would a vote conducted by the Students' Union, The University of Alberta, that would bind the students, other than the graduate students, of The University of Alberta be properly held as a plebiscite or as a referendum for Bylaw 2400 purposes?

Answer:

According to the definition of "plebiscite" and "referendum" in section 2 of Bylaw 2400, only a referendum is binding on the Students' Union.

Style of Cause: Jones vs. Student Council

Ruling # 7

Date heard: November 7 2005

Appearing for the D.I.E. Board:

Presiding Chair: Alex Ragan

Tribunes: Justyna Herman, Guillaume Laroche

Appearing for the Applicant: Chris Jones

Appearing for the Respondent: Gregory Harlow, Speaker of Students' Council

Intervenors present:

Stephen Kirkham, Councillor

Jason Tobias, VP Operations/Finance

Rachel Woynoroski, CRO

CASE SUMMARY:

Mr. Jones alleges petition questions he submitted and had drafted by the Bylaw Committee were unduly rejected by Students' Council as per Sections 4 and 5 of Bylaw 2400. The Board finds that while Council contravened the letter of Bylaw 2400, it also

recognizes that members acting in bad faith should not be allowed to abuse the processes of the Students' Union. SUMMARY OF ALLEGATIONS

Mr. Jones alleges that Students' Council contravened Bylaw 2400, subsections 4a) and 4b) by refusing to accept petition questions brought forward by the Bylaw committee. Effectively, Mr. Jones seeks to know if Council can reject questions on grounds other than those presented in the quoted sections of Bylaw 2400. Mr. Jones seeks that the DIE Board either approve the questions or that it order Council to consider them individually.

FACTS

Member Chris Jones, following the procedures established in Bylaw 2400, submitted a total of twelve questions to the Bylaw Committee for drafting. These twelve questions were drafted over two meetings of the Bylaw Committee and forwarded to Council for their November 1st meeting. Jason Tobias, VP Operations/Finance, moved during that meeting of Students' Council to strike all twelve of Mr. Jones previously approved questions. The motion was eventually carried by Council after several challenges to the Chair.

The facts presented by the appellant are not contested by the respondent.

RELEVANT LEGAL PROVISIONS

Bylaw 2400:

4. Where a member wishes to circulate a petition, that member shall submit to the Bylaw Committee the intent of the question, and the Bylaw Committee shall approve, within seven (7) days, a question which:

- a. fully reflects the intent submitted by the member; and
- b. if carried and acted upon, would not violate any Students' Union law or any federal or provincial statute or regulation.

5. Students' Council shall, at meeting following the drafting of the question by the Bylaw Committee as set out in Section 4, approve a question which meets the criteria set out in Section 4.

ANALYSIS

This case reflects the tension between the literal interpretation of a statute and the implied term in all Students' Union statutes that the processes enshrined in the bylaws are to be used exclusively in good faith. Mr. Jones' submission of numerous petition questions, some of a rather absurd nature, clearly constitute bad faith and an abuse of the processes of the Students' Union. The Board finds that Mr. Jones' actions breached the implied term of good faith in Bylaw 2400 and that Students' Council has the inherent right to reject those submissions attached where *mala fides* can be established. However, the Board feels that a *wholesale* rejection of *all* of Mr. Jones' petition questions was inappropriate. Bad faith must be determined on a case to case basis, and it would be more appropriate for the Students' Council to consider the bad faith of each petition question individually.

Governing institutions do not design their laws to include flaws to be exploited. The continuing functioning of the Students' Union is placed ahead of actions that could cripple the organization when taken to extremes. The Board cites the 2004-5 "U-pass #2" ruling as a precedent for this principle, where the Board previously ruled that where the will of the students, as represented by the result of a referendum, would cause the eventual implosion of the organization, Council is authorized to not pursue the directive any further. Similarly, if questions submitted (ie, the intent of a member) in bad faith either by result or by sheer number were to hinder Council or its subcommittees in their efforts to go about their ordinary business, Council will have the right to reject such questions.

DISPOSITION AND REMEDY IMPOSED

- a. The Board orders that Students' Council reconsider all of Mr. Jones questions on an individual basis. The Board authorizes Students' Council to reject by simple majority any question that could reasonably be determined to have been submitted in bad faith by any member.

Furthermore, if Council grants approval to any of the submitted petition questions, Mr. Jones will have 90 days from the date of approval to collect and submit his signatures for the approved petition questions.

Discipline, Interpretation and Enforcement (DIE) Board

Ruling of the Board

Style of Cause: *Kyle Kawanami and Stephen Kirkham v. Speaker of Students' Council*

Ruling # 8

Date heard: Wednesday, November 23, 2005

Appearing for the D.I.E. Board:

Presiding Chair: Jaimie Gruman

Tribunes: Justyna Herman, Chris Stolfa

Intervenors present:

Case summary:

At the commencement of the hearing the Board's jurisdiction to hear the complaint was challenged on the ground that in *Jones v. Student Council* (D.I.E. Decision #7) the D.I.E. Board had previously rendered a decision in this regard and in so doing had effectively taken sole jurisdiction over the matter. Thus if this proposition was accepted, the current Board had no residual jurisdiction to hear the matter. The D.I.E. Board after submissions from the parties and private deliberation on point concluded that it lacked jurisdiction to proceed, as the portion of the November 1, 2005 Student Council (SC) Meeting regarding the petition questions and any consequences arising therefrom are vested in the aforementioned Board and its decision. However, given the unfortunate nature in which these two matters came before D.I.E. Board (the Kirkham/Kawanami complaint was submitted prior in time to the Jones complain but scheduled later in time being one instance thereof) the D.I.E. Board agreed to approach the portions of the complaint which were amenable to reference analysis on this basis with the consent of the parties.

In terms of a reference analysis, the only question that was appropriate to consider was question 1(c) as questions 1(a) and (b) dealt with the very facts at issue in D.I.E. Decision # 7 and for the above reasons could not be deliberated on by this panel. Question 1(c) dealt with the source of the authority of the Speaker to interpret bylaws in the course of Students' Council (SC) meetings, the restrictions if any placed on this authority, and a list of the necessary findings of fact to constitute an abuse of process. The Board finds that: the source of the Speaker's authority to interpret statutes is derived from and incidental to the execution of the Speaker's duty to chair SC meetings. The limitations or restrictions as to the scope of this authority will depend on the nature of the office or position held. The many mechanisms provided to appeal either the interpretation of the Speaker or the authority to make such an interpretation also provide a restriction on the scope of this authority. Finally, in regards to abuse of process and the necessary findings of fact, the Board declines to speculate on this point, as the evolution of this concept is best determined in the instance of actual facts and should not be defined in absence of this context.

QUESTIONS

1. Did the Speaker act outside his authority in ruling the petition questions out of order?
 - (a) Does the Speaker have the authority to find implied terms in Students' Union legislation?
 - (b) Does the Speaker have the authority to throw out petitions submitted by a member of the Students' Union based on a perceived "abuse of process"?
 - (c) If so, from where is that authority derived, what restrictions are placed on it, and what findings of fact are required to show an "abuse of process"?

RELEVANT LEGAL PROVISIONS

Bylaw 100

Section 16(a). The Speaker is responsible for chairing meetings of Council.

Section 18. The Speaker will report to Council and may be dismissed by a simple majority vote of Council which must be entered on the Order Paper with due notice.

Section 26. *Roberts Rules of Order (Roberts Rules)* will be observed at all meetings of Council, as well as any special rules/additional standing orders adopted by Council.

Bylaw 1500

Section 2. The Board (D.I.E. Board) is the organ of the Students' Union responsible for the interpretation and enforcement of Students' Union legislation.

ANALYSIS

1. Source of the Speaker's authority to interpret legislation.

The source of the Speaker's authority is derived from and ancillary to the responsibility and duties of the Speaker's office. Bylaw 100 section 16(a) dictates that one of the Speaker's duties is to chair meetings of Council and that at all meetings *Roberts Rules* be observed (as per section 26). *Roberts Rules* sets out many responsibilities of a chair,

which include making rulings on Points of Order and on Parliamentary Inquiries. In order that SC meetings do not come to a stand still, the chair must be allowed some interpretive authority as he or she often is required to make between 15 to 20 rulings per meeting. The real issue seems to be whether in exercising this authority to interpret legislation as required in ruling on a Point of Order the Speaker may approach the matter in a purposive manner or whether he or she is bound to a strict interpretive approach. The Board finds that in the absence of legislation providing otherwise, the exact interpretive approach taken is best left to the discretion of the Speaker, providing of course that the approach adopted is reasonable. Students' Council could have legislated that a strict interpretive approach be taken to statutory interpretation but it has chosen not to do so.

2. Restrictions if any placed on a Speaker's ability to interpret legislation.

The first restriction on this authority is extreme and one that is inherent in any position or office, that being, the right to be removed. In the case of the Speaker, such a provision is found in Bylaw 100 s. 18, which allows the Speaker to be removed by a simple majority vote of SC. Such a remedy would of course only be appropriate where a majority of SC found that the interpretations or other actions of the Speaker are unwarranted to the point where such an extreme response is required.

The other restriction over this interpretive authority is the relative weight of such an interpretation and the reviewable nature not only of the interpretation but also of the authority to make the decision. The Speaker as chair is there to facilitate SC meetings. In this regard he or she may, from time to time, be required to make interpretations of SU Bylaws. These interpretations are valid so long as they remain unchallenged. It is noteworthy that the Speaker does not have any authority or power to bind D.I.E. Board to any interpretation it has made, because under section 2 of Bylaw 1500, the Board is "the organ of the Students' Union responsible for the interpretation and enforcement of Students' Union legislation." D.I.E. Board decisions and interpretations are final subject only to any of them being expressly overruled by SC or possibly subsequent D.I.E. Board

decisions. In general, an officer may have the authority to make Bylaw interpretations if this authority is ancillary or necessary to carry out other expressed duties of an officer's office and the interpretation will remain valid so long as the decision or interpretation remains unchallenged (until it is brought before the Board).

3. Findings of fact necessary to conclude abuse of process.

The D.I.E. Board declines to indicate the specific findings of fact necessary to constitute an abuse of process as the evolution of this concept and its associated meaning is best left to cases where a factual analysis is required. That being said, an abuse of process will usually involve egregious conduct or an absence of good faith.

DISPOSITION AND REMEDY IMPOSED

1. Question: Does the Speaker have authority to interpret legislation when the nature of its office requires it to make such interpretations?

Answer: Yes

2. Question: What are the restrictions if any placed on this authority?

Answer: The restrictions include the ability to remove an officer as provided for in the case of the Speaker is s. 18 of Bylaw 100. The other most notable restriction on this authority is the supremacy of the D.I.E. Board to interpret Student Union legislation.

3. Question: What necessary findings of fact constitute an abuse of process?

Answer: The Board declines to list instances of facts, which would or could lead to an abuse of process as the evolution of this concept is best left to cases where an actual allegation of abuse of process has occurred.

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 .

Executive Committee Report to Students' Council November 29, 2005

- 1. The following motions were passed at the November 15, 2005 Executive Committee meeting:**
 - a. TOBIAS/LETTNER MOVED THAT the Executive Committee approve an expenditure (no more than \$500.00) from the Special Projects Fund to provide food for the DIE Board Volunteer Tribunes.
VOTE ON MOTION 5/0/0 CARRIED
- 2. There were no motions passed at the November 17, 2005 Executive Committee meeting.**
- 3. There were no motions passed at the November 23, 2005 Executive Committee meeting.**

Executive Committee Report to Students' Council December 6, 2005

1. The following motions were passed at the November 29 2005

Executive Committee meeting:

- a. KEHOE/TOBIAS MOVED THAT the Executive committee support the International Day for the Elimination of Racial Discrimination by allowing the use of the SU logo in exchange for moral support from the SU.

VOTE ON MOTION

5/0/0 CARRIED

- b. TOBIAS/KEHOE MOVED THAT the Executive Committee approve a task force made up of VP Operations and Finance, Sr. Manager of Finance, Sr. Manager of Marketing and Technical Resource Administrator to solicit feedback, create a budget and timeline regarding the SU website.

VOTE ON MOTION

5/0/0 CARRIED

2. The following motions were passed at the December 1, 2005 Executive Committee meeting.

- a. TOBIAS/POWER MOVED THAT the Executive Committee approve the attendance of the Vice President Operations and Finance at the Campus Advantage Mid-Year meeting in St. Catharine's ON. December 3-5, 2005

VOTE ON MOTION

4/0/0 CARRIED

- b. TOBAIS/POWER MOVED THAT the Executive Committee approve an expenditure not to exceed \$300.00 from the Contingency Reserve for the VP Operations and Finance to attend the Mid-Year meeting of Campus Advantage

VOTE ON MOTION

4/0/0 CARRIED

- c. TOBIAS/KEHOE MOVED THAT the Executive Committee approve the proposed changes to the External Students' Union Sponsorship Policy.

VOTE ON MOTION

4/0/0 CARRIED

THE STUDENTS' UNION OF THE UNIVERSITY OF ALBERTA

OPERATING POLICY STATEMENT

<i>Policy Number:</i>	7.23	<i>Effective Date:</i>	August 6, 1997	<i>Page</i>	1	<i>of</i>	2
<i>Responsibility for Policy:</i>	Financial Affairs Board						
<i>Subject Matter</i>	-	<i>Category:</i>	OPERATING POLICY (GENERAL)				
	-	<i>Specific:</i>	FINANCE				
	-	<i>Topic:</i>	External Students' Union Sponsorship				

Introduction:

In the past, the Students' Union has been approached by groups external to the organization for funding for specific projects, programs and events. On an historical basis, these expenditures have been difficult, if not impossible, to track. Therefore in an effort to increase accountability of Students' Union funds, an account number has been set up in order to budget for external sponsorship. This policy outlines the definitions and criteria for Students' Union sponsorship of external organizations.

Policy:

- 7.23.1 External sponsorship shall be defined as a grant by the Students' Union, excepting the Student Groups Granting Committee and all dedicated fee activities to a group external to the SU for a particular event or activity. This sponsorship is conditional upon the following factors:
- A) a full budget, for the particular event or activity shall be presented with the funding request
 - B) the event must contribute in a significant way to the well-being of University of Alberta undergraduate students
 - C) the event or activity will make use of Students' Union facilities, including, but not limited to: SUBtitles, RATT, L'Express, The Power Plant or SUB Stage,
 - D) there must be clear, tangible benefits to the Students' Union, including, but not limited to: verbal recognition, recognition in print, prominent SU logo placement, speaking and presentation opportunities
 - E) the event must not meet the granting criteria for the Students Groups Granting Committee, or any dedicated fee
 - F) all sponsorship decisions will be apolitical, but the event or activity must not espouse any views running contrary to any Students' Union political policies.
- 7.23.2 The organization must be willing to make a presentation to the Executive Committee previous to and/or subsequent to receiving funding from the Students' Union.
- 7.23.3 An amount will be allocated for external sponsorship in the budgeting process, and this amount will be allocated on a first come first serve basis. Once this amount is exhausted, no further requests for external sponsorship will be entertained.
- 7.23.8 All funding requests must be consistent with the organizational values of the Students' Union.
- 7.23.9 The Executive Committee may choose not to consider sponsorship requests from organizations whose operating budget is funded significantly by mandatory student fees.
- 7.23.10 The Executive Committee shall be solely responsible for sponsorship requests.

Policy History:

	Reference/Vote	Board/Committee	Date of Council Approval
Created	SC 97-06/10h (24/0)	Financial Affairs Board	August 06, 1997
Updated	SC 02-11/11	Executive Committee	September 17, 2002
Updated	December 1, 2005	Executive Committee	

46. All campaign materials shall be removed by 21h00 on the day before the commencement of voting.
47. All printed campaign materials shall be purchased at official list price costs from one (1) or more of the printing companies designated by the C.R.O.
48. The C.R.O. shall designate at least five (5) printing companies from which candidates may purchase materials to be in compliance with Section 47.
49. Where a candidate demonstrates that a desired campaign material could not be produced by any of the five (5) or more printers designated by the C.R.O. as set out in Section 48, the C.R.O. may grant a limited exemption from Section 47 to that candidate.
50. Where campaign materials can be produced by any Students' Union operated business, candidates shall purchase those campaign materials from that business.
51. Where a candidate contravenes Section 47 or Section 50, the offending campaign materials shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate, as set out in Section 110.
52. No candidate shall accrue more than ~~thirty dollars (\$30.00)~~ fifty dollars (\$50.00), plus ~~six dollars (\$6.00)~~ ten dollars (\$10.00) for every one thousand (1,000) students in his/her faculty beyond three thousand (3,000) in campaign expenses, all of which shall be paid by the Students' Union.
53. No slate shall accrue more than twenty two dollars and fifty cents (\$22.50), plus six dollars (\$6.00) for every one thousand (1,000) students in its faculty beyond three thousand (3,000) in campaign expenses, all of which shall be paid by the Students' Union.
54. No candidate running as part of a slate shall accrue more than fifteen dollars and seventy five cents (\$15.75) in campaign expenses, all of which shall be paid by the Students' Union.
55. Where the number of students in a faculty beyond three thousand (3,000) is not a multiple of one thousand (1,000), the amount of money in excess of the base amount, as set out in Sections 53 through 55, shall be prorated and rounded to the nearest cent.

Nov 29/05

April 12, 2005 – Implemented May 1, 2005

Nov 2/04

Aug 17/04 (IRB)

Feb 3/04

Aug 19/03

Jul 22/03

June 11/03 (IRB)

Mar 18/03

Nov 29/05
April 12, 2005 – Implemented May 1, 2005
Nov 2/04
Aug 17/04 (IRB)
Feb 3/04
Aug 19/03
Jul 22/03
June 11/03 (IRB)
Mar 18/03

The Students' Union, The University of Alberta
Student Affairs Committee

22 November 2005 @ 17:00 – SUB 420

Report to Council (SAC 2005-04)

Hello Council. The Student Affairs Committee met on the 22nd of November. All of the SAC members were in attendance (VPSL, Councillors Aperocho, Eruvs, Gordon, Chandler, Khanna, and Patz).

The whole meeting focused on a policy review, which focused on the Tobacco Ban Policy. We started with examining what parts of clauses should not be kept. Then we examined the proposed changes to the policy that the former advocacy director and current VPSL worked on. We decided that we agreed with most of the statements of the proposed changes, but thought that they were too long. Then we created our own proposed changes to be sent to Council for approval.

We updated a few clauses, reworded some and scrapped a few. We took a somewhat different stance from the current political policy. One significant difference is that we excluded references to tobacco products and concentrated on smoking. We also wanted to state that we would be opposed to a complete blanket ban only if there were no provisions for student smokers and that we should support awareness campaigns and cessation support.

Sheena Aperocho

The Students' Union, The University of Alberta
Student Affairs Committee

22 November 2005 @ 17:00 – SUB 420

Order Paper (SAC 2005-04)

1. Call to Order at 17:11
2. Approval of the Orders of the Day (PATZ/KHANNA)
3. Approval of last meeting's minutes (PATZ/ERUVS)
4. Business
 - a. Policy Review

ERUVS/APEROCHO MOVED THAT the proposed amendments to the tobacco ban policy contain a clause about the negative effects a smoking ban will have on the mental health of tobacco smokers.

CARRIED, 3/1/1

KEHOE/GORDON MOVED THAT the Student Affairs Committee recommend to Students' Council the proposed changes to the Political Policy "Tobacco Ban".

WHEREAS smoking is currently prohibited in all campus buildings ~~except in licensed establishments;~~

WHEREAS tobacco products are ~~extremely physically~~ addictive and potentially harmful to both the user and those who are around second-hand smoke;

WHEREAS ~~tobacco users are therefore likely to smoke on areas near campus placing strain on the University's relationship with it's neighbours;~~

WHEREAS ~~tobacco users who do go entire days without smoking just because it is banned on campus may experience severely depressed morale;~~

WHEREAS students who currently live in campus residences ~~will be required to compromise their safety by leaving their residence home to engage in tobacco product use~~ would not be able to smoke near their home;

WHEREAS ~~tobacco users are unlikely to cease buying tobacco products because it is banned on campus therefore driving profits off-campus;~~

~~WHEREAS a full ban of smoking on campus would be enforceable only at considerable expense to the University, which is largely funded by direct student fees;~~

~~WHEREAS there is little or no proven health benefit to be derived from a campus wide tobacco ban;~~

WHEREAS the large size of campus would make it prohibitively difficult for students on campus to smoke;

WHEREAS a smoking ban will have negative effects on the mental health of tobacco smokers while on campus;

WHEREAS a campus wide smoking ban does not contain provisions to accommodate student smokers;

BE IT RESOLVED THAT the Students' Union oppose a ~~campus-wide~~ total ban of on smoking and/or ~~tobacco products on all University of Alberta property.~~

BE IT FURTHER RESOLVED THAT the Students' Union supports both awareness campaigns highlighting the dangers of tobacco use and cessation support.

CARRIED, 5/0/1

- b. Service
 - c. Future Plans
 - d. Meeting schedule for winter semester
5. Next meeting
6. Adjournment at 20:52 (ERUVS/CHANDLER)

THE STUDENTS' UNION OF THE UNIVERSITY OF ALBERTA

POLITICAL POLICY STATEMENT

<i>Policy Number:</i>	<i>Effective Date:</i> September 23, 2003	<i>Page</i> 1 <i>of</i> 1
	<i>Expiration Date:</i> April 30, 2007	
<i>Responsibility for Policy:</i>	Student Life Board	
<i>Subject Matter</i>	- <i>Category:</i> POLITICAL POLICY (GENERAL)	
	- <i>Specific:</i>	
	- <i>Topic:</i> Tobacco Ban	

WHEREAS smoking is currently prohibited in all campus buildings except in licensed establishments;

WHEREAS tobacco products are extremely physically addictive;

WHEREAS tobacco users are therefore likely to smoke on areas near campus placing strain on the University's relationship with it's neighbours;

WHEREAS tobacco users who do go entire days without smoking just because it is banned on campus may experience severely depressed morale;

WHEREAS students who live in campus residences will be required to compromise their safety by leaving their residence home to engage in tobacco product use;

WHEREAS tobacco users are unlikely to cease buying tobacco products because it is banned on campus therefore driving profits off-campus;

WHEREAS a full ban of smoking on campus would be enforceable only at considerable expense to the University, which is largely funded by direct student fees;

WHEREAS there is little or no proven health benefit to be derived from a campus wide tobacco ban;

BE IT RESOLVED THAT the Students' Union oppose a campus-wide ban of smoking and/or tobacco products.

Policy History:

	Reference/Vote	Board/Committee	Date of Council Approval
Created	September 23, 2003	Students' Council	September 23, 2003

WHEREAS smoking is currently prohibited in all campus buildings ~~except in licensed establishments;~~

WHEREAS tobacco products are ~~extremely physically~~ addictive and potentially harmful to both the user and those who are around second-hand smoke;

~~WHEREAS tobacco users are therefore likely to smoke on areas near campus placing strain on the University's relationship with it's neighbours;~~

~~WHEREAS tobacco users who do go entire days without smoking just because it is banned on campus may experience severely depressed morale;~~

WHEREAS students who currently live in campus residences ~~will be required to compromise their safety by leaving their residence home to engage in tobacco product use~~ would not be able to smoke near their home;

~~WHEREAS tobacco users are unlikely to cease buying tobacco products because it is banned on campus therefore driving profits off campus;~~

~~WHEREAS a full ban of smoking on campus would be enforceable only at considerable expense to the University, which is largely funded by direct student fees;~~

~~WHEREAS there is little or no proven health benefit to be derived from a campus wide tobacco ban;~~

WHEREAS the large size of campus would make it prohibitively difficult for students on campus to smoke;

WHEREAS a smoking ban will have negative effects on the mental health of tobacco smokers while on campus;

WHEREAS a campus wide smoking ban does not contain provisions to accommodate student smokers;

BE IT RESOLVED THAT the Students' Union oppose a ~~campus-wide total~~ ban of on smoking ~~and/or tobacco products~~ on all University of Alberta property.

BE IT FURTHER RESOLVED THAT the Students' Union supports both awareness campaigns highlighting the dangers of tobacco use and cessation support.

The Students' Union, The University of Alberta
Bylaw Committee

22 November 2005 @ 19:30 - SUB 430

Report to Students' Council (BC 2005-00)

Bylaw Committee met on 22 November 2005 at 19:30. Councillor Lewis, the Chair of Bylaw Committee, was unable to attend the meeting due to an illness and asked Councillor Kirkham to act as Interim Chair. Councillor Kirkham was elected by the committee to serve as Interim Chair for the duration of the meeting.

Member of the Students' Union Andrew Langstone submitted a third, and what should be a final, petition question to the committee. The reason provided for this third submission is due to the fact that the first question that appeared before Students' Council on 1 November 2005 did not fully reflect the intent of the member and that the second question that appeared before Students' Council on 15 November 2005 was ruled out of order. The committee drafted a third question reflecting this latest intent from the member and unanimously recommends that Students' Council approves it.

Member of the Students' Union Chris Jones had submitted six petition questions that appeared before the committee on 8 November 2005. At that time, the Chair had ruled the questions out of order citing precedence in Students' Council and a complaint being heard by DIE Board at that time. Since then, the precedence issue was clarified at the 15 November 2005 meeting of Students' Council and DIE Board has issued a ruling on the complaint. Therefore, the committee drafted questions for each of the six intents and unanimously recommends that Students' Council approve each question.

The committee also reviewed the draft of Bylaw 500 adhering to the principles from Bill 14. The committee recommended to Students' Council that the Bill be read for a second read.

The Students' Union, The University of Alberta
Bylaw Committee

22 November 2005 @ 19:30 - SUB 430

Votes and Proceedings (CAC 2005-14)

o. Election of an Interim Chair

KIRKHAM was elected to serve as Interim Chair for the duration of the meeting.

1. Call to Order

The Interim Chair called the meeting to order at 19:35.

2. Attendance

Councillors Chapman, Kirkham, Thevenaz and the Chief Returning Officer.

3. Items of Business

a. Legislation

i. Bill #14 Second Reading

THEVENAZ/CHAPMAN MOVED THAT Bylaw Committee recommend to Students' Council that Bill #14 be read for a second time.

CARRIED (UNANIMOUS)

b. Petition Questions

i. Andrew Langstone

CHAPMAN/THEVENAZ MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support that Students' Union bars charge \$2.00 for all pints* of draught beer effective May 1, 2006 through April 30, 2007 subject to the following conditions?

1. Draught beer will be sold in pint* volumes whenever alcohol is served.
2. Other volumes of draught beer may be sold at any price.
3. The existing selection of draught beer will continue to be carried.
4. Where the wholesale cost of a pint* of draught beer is in excess of \$2.00, its price will be set at wholesale cost rounded up to the nearest dollar.

*A pint is 16 fluid ounces (473 mL).

CARRIED (UNANIMOUS)

ii. Chris Jones

THEVENAZ/KIRKHAM MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support that Students' Union bars offer a side of salad with food items in lieu of french fries at no additional cost?

CARRIED (UNANIMOUS)

CHAPMAN/THEVENAZ MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support that the Students' Union boycott goods and services from the People's Republic of China to protest its human rights* and environmental record subject to the following conditions?

1. The goods and services that shall be subject to this boycott will be those
 - a. made in the People's Republic of China; or
 - b. with at least 25% of their value originating from the People's Republic of China.
2. The tenants of all premises owned or operated by the Students' Union would be required to adhere to the boycott upon the renewal of their existing lease or the creation of a new lease.

* United Nations Universal Declaration of Human Rights

CARRIED (UNANIMOUS)

THEVENAZ/CHAPMAN MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support that Power Plant, RATT, and L'Express serve kosher and halal meals?

CARRIED (UNANIMOUS)

THEVENAZ/CHAPMAN MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support the elimination of the Centre for Student Development?

CARRIED (UNANIMOUS)

CHAPMAN/THEVENAZ MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support that the Students' Union raise awareness of the need for accessible and affordable education by conducting a tuition demonstration on November 5 of each year that shall include fireworks and a bonfire?

CARRIED (UNANIMOUS)

CHAPMAN/THEVENAZ MOVED THAT Bylaw Committee recommend the approval of the following petition question to Students' Council.

Do you support that the Students' Union discontinues the sale of tobacco products?

CARRIED (UNANIMOUS)

4. Adjournment

The meeting adjourned at 21:41.

The Students' Union, The University of Alberta
Bylaw Committee

22 November 2005 @ 19:30 - SUB 430

Original Intent

That at the Power Plant and RATT, when french fries are made available as a no-cost addition to a food item, that a salad option be made available in lieu of the french fries at no additional cost.

Drafted Question

Do you support that Students' Union bars offer a side of salad with food items in lieu of french fries at no additional cost?

Original Intent

Do you agree that the Students' Union, The University of Alberta, should boycott goods and services made in or that have at least 25% of their value created or added in the People's Republic of China to protest its human rights (as per the Universal Declaration of Human Rights) and environmental records? This boycott would also be levied by tenants of all premises owned or operated by The Students' Union, The University of Alberta, upon the renewal of existing or creation of new leases.

Drafted Question

Do you support that the Students' Union boycott goods and services from the People's Republic of China to protest its human rights* and environmental record subject to the following conditions?

1. The goods and services that shall be subject to this boycott will be those
 - a. made in the People's Republic of China; or
 - b. with at least 25% of their value originating from the People's Republic of China.
2. The tenants of all premises owned or operated by the Students' Union would be required to adhere to the boycott upon the renewal of their existing lease or the creation of a new lease.

* United Nations Universal Declaration of Human Rights

Original Intent

Do you agree that the Power Plant, RATT, and L'Express should have fully-kosher and fully-halal meals available?

Drafted Question

Do you support that Power Plant, RATT, and L'Express serve kosher and halal meals?

Original Intent

Do you agree that the Centre for Student Development operated by the Students' Union should be shut down?

Drafted Question

Do you support the elimination of the Centre for Student Development?

Original Intent

Do you agree that the Students' Union should, in order to raise awareness among the Alberta public of the need for accessible and affordable education, annually conduct a tuition demonstration on 5 November which will include the use of fireworks and a bonfire?

Drafted Question

Do you support that the Students' Union raise awareness of the need for accessible and affordable education by conducting a tuition demonstration on November 5 of each year that shall include fireworks and a bonfire?

Original Intent

Do you agree that the Students' Union should stop selling tobacco?

Drafted Question

Do you support that the Students' Union discontinues the sale of tobacco products?

President

6. The responsibilities of the President will be to:
 - a. Act as the official Students' Union spokesperson on all student issues;
 - b. Coordinate the Students' Union involvement with all external media, in conjunction with the Vice President (External);
 - c. Dedicate time to work with all of the Vice Presidents and in each of their portfolios;
 - d. Coordinate the Students' Union campus outreach activities;
 - e. Staff Management;
 - f. Provide long-term strategic direction for the Students' Union.
 - g. Supervise the affairs of the Students' Union at the direction of the Executive Committee;
 - h. Ensure that programs are implemented in accordance with the direction of Students' Council and accepted policy of the Students' Union;
 - i. Further and maintain good external relations and representation with student, University, government bodies, and the general public;
 - j. Provide administrative direction to the General Manager of the Students' Union, at the direction of the Executive Committee;
 - k. Represent the interests of students as a member of General Faculties Council;
 - l. Serve as a Students' Union nominee to the Board of Governors, and present a student point of view to the Board of Governors;
 - m. Serve as Chair of the Executive Committee;
 - n. Report to the Speaker of Student' Council for the purpose of all Council business.

Vice President (Student Life)

7. The responsibilities of the Vice President (Student Life) will be to:
 - a. Deal with all non-academic university issues,

Eligibility Requirements

7. Each voting member of Council referred to in Section 5 will be:
 - a. a member of the Students' Union within the meaning of Article VIII of the Constitution; and
 - b. registered as either:
 - i. an undergraduate student in the Faculty, School, or College they represent; or,
 - ii. the registered student group that they represent.

7.1 The Speaker will request a report from the Office of the Registrar and Student Awards each term to confirm that all individuals occupying positions that require them to be undergraduate students meet all requirements set out in Bylaw.

Part II - Faculty Representatives**Exception from Faculty Constituency**

8. a. Each voting member of the Students' Council, shall be elected by members of the Students' Union registered in the respective faculty, school or institution in which they are registered with the exceptions of:
 - i. The Executive Committee;
 - ii. The Board of Governors Representative.
- b. Each election required for the representative of a faculty, or school shall be conducted annually before the 30th of March, and in accordance with Bylaw 2200.
- c. Vacancies in Council Membership will be filled according to Article XIV – Vacancies of the Constitution.

Part III - Report of Election Results

April 12, 2005 – Implemented May 1, 2005

Nov 2/04

Aug 17/04 (IRB)

June 29/04

Mar 23/04

Apr 9/02

Feb 12/02

Sep 18/01

Jan 23/01

April 12, 2005 – Implemented May 1, 2005

Nov 2/04

Aug 17/04 (IRB)

June 29/04

Mar 23/04

Apr 9/02

Feb 12/02

Sep 18/01

Jan 23/01

- j. the “D.I.E. Board” shall be the Discipline, Interpretation, and Enforcement Board of the Students’ Union, as set out in Article XV of the Students’ Union Constitution and in the Discipline, Interpretation, and Enforcement Board Bylaw;
 - k. “campaign materials” shall be any physical or electronic media produced or distributed as part of campaign activities;
 - l. a “banner” shall be any campaign material composed of paper, cloth, or similar material, of a total area of greater than four (4) square feet;
 - m. a “poster” shall be any campaign material composed of paper, cloth, or similar material, of a total area of under four (4) square feet that is designed to be posted on a wall or similar plane;
 - n. a “voter” shall be any member who exercises his/her entitlement to vote, as set out in Section 62;
 - o. a “forum” shall be any event planned or organized by any entity other than a side or the Students’ Union at which campaign activities are facilitated;
 - p. the “University” shall be the University of Alberta;
 - q. “working hours” shall be any and all hours occurring between 0900 and 1700 and
 - r. a “general election” shall be the General Election of the Executive Committee and the Undergraduate Board of Governors, as set out in the Campus Wide Election Bylaw, or the General Election of Faculty Councillors, as set out in the Faculty Councillor Election Bylaw.
3. This bylaw shall govern the initiation, organization, and interpretation of any plebiscite or referendum held by the Students’ Union.
 4. Where a member wishes to circulate a petition, that member shall submit to the ~~Bylaw Committee~~C.R.O. the intent of the question, and the Bylaw Committee shall approve, within seven (7) days, a question which:
 - a. ~~fully reflects the intent submitted by the member~~the intent of the question; and

Nov 15/05 – Sections 4(b), 4(d), and 11 effective retroactively from May 1/05

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

- b. ~~if carried and acted upon, would not violate any Students' Union law or any federal or provincial statute or regulation, whether the question is a plebiscite or referendum;~~
 - c. the name, faculty, and student identification number of that member; and
 - d. a twenty-five (\$25.00) deposit in the form of cash or a certified cheque or money order payable to the Students' Union.
5. Upon receipt of a submission meeting the requirements set out in Section 4, the C.R.O. shall immediately forward the intent of the question to the Bylaw Committee.
6. The Bylaw Committee shall approve, within fourteen (14) days from receiving the intent of the question from the C.R.O., a question which:
- a. fully reflects the intent submitted by the member; and
 - b. if carried and acted upon, would not violate any Students' Union bylaw or any federal or provincial law.
- ~~5.7.~~ Students' Council shall, at meeting following the drafting of the question by the Bylaw Committee as set out in Section 46, approve a question which meets the criteria set out in Section 46.
- ~~6.8.~~ Sections 46 and 57 notwithstanding, where it is not possible for the Bylaw Committee or Students' Council to approve a question which meets the criteria set out in Section 64, neither the Bylaw Committee or Students' Council shall approve such a question.
- ~~7.9.~~ Where a petition bearing the names, signatures, and student identification numbers of at least five percent (5%) of the total membership of the Students' Union as of the following February 1 requesting a plebiscite on a given Students' Council-approved question is submitted to the C.R.O., then a plebiscite shall be held on that question, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
- ~~8.10.~~ Where a petition bearing the names, signatures, and student identification numbers of at least fifteen percent (15%) of the total membership of the Students' Union as of the following February 1 requesting a referendum on a given Students' Council-approved

Nov 15/05 – Sections 4(b), 4(d), and 11 effective retroactively from May 1/05

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

question is submitted to the C.R.O., then a referendum shall be held on that question, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.

11. Where a petition bearing the names, signatures, and student identification numbers of at least five percent (5%) of the total membership of the Students' Union as of the following February 1 requesting a plebiscite or referendum on a given Students' Council-approved question is submitted to the C.R.O., that member's deposit shall be refunded.

9.12. Students' Council shall have the authority to call a plebiscite or referendum without a petition.

10.13. Where the C.R.O. receives a valid petition or where Students' Council initiates a referendum or plebiscite, then the referendum or plebiscite in question shall be held on the dates of the next general election not occurring within thirty (30) days of receipt of the valid petition or initiation by Students' Council of the referendum or plebiscite in question.

11.14. At least twenty-eight (28) days in advance of the plebiscite or referendum, the C.R.O. shall:

- a. schedule, announce, and advertise in every available edition of the Official Student Newspaper, a meeting for the registration of sides, such meeting to take place not more than twenty-one (21) and not fewer than fourteen (14) days in advance of the plebiscite or referendum; and
- b. publish in each available edition of the Official Student Newspaper the wording of the question.

12.15. For each plebiscite or referendum, there shall be:

- a. a "yes" side; and
- b. a "no" side.

13.16. Members wishing to register themselves as part of a side shall attend the meeting for registering sides, as set out in Section 11(a).

Nov 15/05 – Sections 4(b), 4(d), and 11 effective retroactively from May 1/05

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

Bylaw 500
A Bylaw Respecting Access to Students' Union Information

Classification

1. (1) Every Students' Union document or record is strictly confidential that has been specifically designated as such byin the Standing Orders of Students' Council.
- (2) Every Students' Union document or record is confidential that has not been designated strictly confidential and that
 - (a) relates to the employment of any Students' Union employee;
 - (b) includes the minutes or otherwise reveals the proceedings of any *in camera* portion of a meeting of Students' Council, the Executive Committee, the Discipline, Interpretation, and Enforcement Board, or any committee thereof; or
 - (c) if divulged, could compromise the legal position or business competitiveness of the Students' Union.
 - (d) personal information of volunteers
- (3) Every Students' Union document or record is public that is neither strictly confidential nor confidential.

Access to Information

2. (1) Public information is available to all members of the Students' Union.
- (2) Confidential information is available to
 - (a) members of Students' Council and committees thereof;
 - (b) members of the Executive Committee;
 - (c) members of the Discipline, Interpretation, and Enforcement Board;
 - (d) such employees of the Students' Union as the Executive Committee considers appropriate; and
 - (e) any individuals designated by Students' Council.
- (3) Strictly confidential information is available to those individuals specifically designated byin the Standing Orders of Students' Council.

Cost to Members

Nov 29/05

Feb 8/05 – Implemented March 8, 2005

3. Any member of the Students' Union requesting a copy of a public Students' Union document or record shall be provided such a copy, at a cost to that member not exceeding the cost of the document or record's retrieval and reproduction.

Right to Attend Meetings

4. (1) Every member of the Students' Union is entitled to attend any meeting of Students' Council, a Students' Council Board or Committee, the Executive Committee, or the Discipline, Interpretation, and Enforcement Board except the portions of any such meeting that occur *in camera*.
- (2) Students' Council may allow any person access to the *in camera* portions of any meeting.
- (3) Every member of Students' Council is entitled to attend any *in camera* session of a committee thereof.

Non-Disclosure

5. (1) No person having access to confidential or strictly confidential documents or records, or to *in camera* sessions of Students' Council or any committee thereof, the Executive Committee, or the Discipline, Interpretation, and Enforcement Board, shall disclose the content of any such document, record, or session to any person not otherwise privy to that information.
- (2) Any person becoming a member of or a proxy on Students' Council, the Executive Committee, the Discipline, Interpretation, and Enforcement Board, or a committee thereof shall enter into a non-disclosure agreement with the Students' Union in advance of assuming such office.
- (3) No person being a member of or a proxy on Students' Council, the Executive Committee, the Discipline, Interpretation, and Enforcement Board, or a committee thereof shall have access to confidential or strictly confidential information until a non-disclosure agreement is entered into with the Students' Union.

- b. if carried and acted upon, would not violate any Students' Union law or any federal or provincial statute or regulation.
5. Students' Council shall, at meeting following the drafting of the question by the Bylaw Committee as set out in Section 4, approve a question which meets the criteria set out in Section 4 unless the question would cause Students' Council to breach its fiduciary responsibility to the Students' Union.
6. Sections 4 and 5 notwithstanding, where it is not possible for the Bylaw Committee or Students' Council to approve a question which meets the criteria set out in Section 4, neither the Bylaw Committee or Students' Council shall approve such a question.
7. Where a petition bearing the names, signatures, and student identification numbers of at least five percent (5%) of the total membership of the Students' Union as of the following February 1 requesting a plebiscite on a given Students' Council-approved question is submitted to the C.R.O., then a plebiscite shall be held on that question, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
8. Where a petition bearing the names, signatures, and student identification numbers of at least fifteen percent (15%) of the total membership of the Students' Union as of the following February 1 requesting a referendum on a given Students' Council-approved question is submitted to the C.R.O., then a referendum shall be held on that question, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
9. Students' Council shall have the authority to call a plebiscite or referendum without a petition.
10. Where the C.R.O. receives a valid petition or where Students' Council initiates a referendum or plebiscite, then the referendum or plebiscite in question shall be held on the dates of the next general election not occurring within thirty (30) days of receipt of the valid petition or initiation by Students' Council of the referendum or plebiscite in question.
11. At least twenty-eight (28) days in advance of the plebiscite or referendum, the C.R.O. shall:

Nov 15/05 – Section 5 effective retroactively from May 1/05

Mar 7/05 (DIE) - Effective Retroactively - See DIE Board decision for details

Jan 11/05 – Implemented May 1/05

Aug 17/04 (IRB)

Feb 3/04

Apr 30/03

June 18/02 (IRB)

May 2/01

Feb 02/99

MINUTES

2005-08

External Policy Committee

Tuesday, November 22, 2005

CALL TO ORDER: Meeting called to order at 5:26 p.m..

ATTENDANCE: Kawanami, Crossman, Power, Lewis, Berghoff

ITEMS OF BUSINESS: (a) Report Of The Vice-President (External):
The Committee received a report from the VPX. Topics covered included the U-Pass, Roll It Back Ralph Campaign, and a Parkland conference attended by the VPX.
(c) Review Of Existing Policies:
i. Tuition Levels And Regulation Political Policy:
The VPX presented her draft of the new policy, which was ammended and passed as follows:

WHEREAS the Government of Alberta has shown an increased awareness of the importance of post-secondary education in our province; and

WHEREAS the Government of Alberta has the duty to fund the cost of a post-secondary education system that has the capacity for all eligible individuals to participate given the increased importance of an educated populace and the growing demands of an emerging knowledge economy; and

WHEREAS the current tuition levels and costs of obtaining a post-secondary education do not reflect the values of a public post-secondary education system; and

WHEREAS it is essential that Government of Alberta craft a policy recognizing the need to alleviate the financial burdens borne by Alberta's students and families in accessing the post-secondary education system.

BE IT RESOLVED THAT The Students' Union, the University of Alberta advocate for a tuition policy that:

- a) provides long-term, sustained base operating funding for our universities that will be protected from negative changes in our government's financial situation;
- b) protects tuition from increasing due to fluctuations in funding grants to the university from the government;
- c) ensures tuition levels are predictable;
- d) has as its primary indicator of affordability and accessibility the ability of individual students to pay without having to resort to financing options;
- e) provides for the fact that tuition is only one of the costs when pursuing a post-secondary education;
- f) ensures that no student will ever be denied the opportunity to pursue a post-secondary education because of their inability to pay.

BE IT FURTHER RESOLVED THAT The Students' Union, the University of Alberta lobby the Government of Alberta to legislate a policy on tuition fees that:

- a) provides strict guidance to an institution's ability to set tuition, including annual and ultimate limits on the maximum amount of tuition fees that can be levied on students; and
- b) requires post-secondary institutions to provide to the Board of Governors of the institution, the Auditor General of Alberta and the Minister of Advanced Education a detailed and verifiably transparent public plan on how additional tuition revenues will be spent.

Kawanami/Crossman moved that the External Policy Committee recommend that Students' Council rescind the current political policy "Tuition Levels and Regulation" and replace it with this policy.

(4-0-0)

(b) New Policies

i. Income Contingent Loan Repayment Policy:

Discussion of this item was postponed until January.

(d) Discussion:

i. Loan Policy:

Discussion of this item was postponed until January.

(e) Other Business:

No other business was discussed.

ADJOURNMENT:

Kawanami/Crossman moved to adjourn.

(4-0-0)

Meeting adjourned.

THE STUDENTS' UNION OF THE UNIVERSITY OF ALBERTA

POLITICAL POLICY STATEMENT

Policy Number:

Effective Date: **April 6, 2004**

Page **1** *of* **2**

Expiration Date: **April 30, 2007**

Responsibility for Policy:

Academic Affairs Board/External Affairs Board

Subject Matter

- *Category:* **POLITICAL POLICY (GENERAL)**

- *Specific:* ***Tuition Levels and Regulation***

- *Topic:*

WHEREAS Albertans ought not to have their access to post-secondary education restricted for financial reasons;

WHEREAS the benefits of an educated population and of an accessible system of education are reaped largely by society as a whole;

WHEREAS the state of Alberta's economy and public finances is among the best in Canada;

WHEREAS the present level of investment by the provincial government in post-secondary education is among the lowest in Canada;

WHEREAS tuition in Alberta has been climbing at rates well in excess of inflation for more than a decade and is now among the highest in Canada;

WHEREAS government controls on tuition levels have been steadily eroded during this time;

WHEREAS no system of student finance can eliminate all financial barriers to Post-Secondary Education;

WHEREAS the fact that all Canadian jurisdictions require from University undergraduate students an upfront payment of a portion of the cost of their education puts Canada in a minority of industrialized countries;

WHEREAS the current upfront payment tuition model poses a financial barrier to accessibility;

BE IT THEREFORE RESOLVED THAT the Students' Union, University of Alberta, consider the present levels of tuition to be unacceptably high and support decreases in these levels;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support an immediate freeze on existing tuition levels as a necessary first step in an equitable and fair system of financing for undergraduate education;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support firm, provincially legislated controls on tuition to reflect society's interest in accessible education;

Policy History:

	Reference/Vote	Board/Committee	Date of Council Approval
Created	2003-25/10g	Students Council	April 6, 2004

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support an increase in base government funding to Alberta's Universities, such that the present quality of undergraduate education can be preserved and enhanced in the absence of tuition increases;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support a meaningful exploration of alternatives to the requirements that undergraduate students pay a portion of the costs of their education in advance of the completion of their studies;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta support of a meaningful exploration of alternatives to the current upfront payment tuition model.

Policy History:

	Reference/Vote	Board/Committee	Date of Council Approval
Created	2003-25/10g	Students Council	April 6, 2004

Proposed: Tuition Levels and Regulation

WHEREAS the Government of Alberta has shown an increased awareness of the importance of post-secondary education in our province; and

WHEREAS the Government of Alberta has the duty to fund the cost of a post-secondary education system that has the capacity for all eligible individuals to participate given the increased importance of an educated populace and the growing demands of an emerging knowledge economy; and

WHEREAS the current tuition levels and costs of obtaining a post-secondary education do not reflect the values of a public post-secondary education system; and

WHEREAS it is essential that Government of Alberta craft a policy recognizing the need to alleviate the financial burdens borne by Alberta's students and families in accessing the post-secondary education system.

BE IT RESOLVED THAT The Students' Union, the University of Alberta advocate for a tuition policy that:

- a) provides long-term, sustained base operating funding for our universities that will be protected from negative changes in our government's financial situation;
- b) protects tuition from increasing due to fluctuations in funding grants to the university from the government;
- c) ensures tuition levels are predictable;
- d) has as its primary indicator of affordability and accessibility the ability of individual students to pay without having to resort to financing options;
- e) provides for the fact that tuition is only one of the costs when pursuing a post-secondary education;
- f) ensures that no student will ever be denied the opportunity to pursue a post-secondary education because of their inability to pay.

BE IT FURTHER RESOLVED THAT The Students' Union, the University of Alberta lobby the Government of Alberta to legislate a policy on tuition fees that:

- a) provides strict guidance to an institution's ability to set tuition, including a annual and ultimate limits on the maximum amount of tuition fees that can be levied on students; and
- b) requires post-secondary institutions to provide to the Board of Governors of the institution, the Auditor General of Alberta and the Minister of Advanced Education a detailed and verifiably transparent public plan on how additional tuition revenues will be spent.

MINUTES

2005-06

Audit Committee

Thursday November 24, 2005

ATTENDANCE: Theresa Chapman
Prem Eruvs
Bryce Kustra
Chris Young

CALL TO ORDER: 12:35 pm

NEW BUSINESS:

- Kustra/Eruvs move to approve the agenda. (3-0-0)
- Young/Chapman move that Meyer Horowitz is found by the Audit Committee to be in compliance with SU rules and regulations. (4-0-0)

The review of the Meyer Horowitz Profit & Loss statement was fairly mundane, partly because the department was performing above expectations. There were some anomalies in budgeting, notably cost of good sold and admissions, but the incidents were minor and appeared to result from either a brief oversight or the fact that the committee didn't know what was running through the budgeters head at the time.

- The committee once again tackled credit card statements. During the past few meetings we have been frustrated as to how to tackle the Internal PR budget line. While we have found no reason to believe there has been financial abuse, we have had troubles establishing boundaries of appropriateness due to a somewhat ambiguous definition. As such, the committee will begin tracking total Internal PR expenses by staff members in order to establish that they are not abusing this ambiguity.
- Kustra/Young move to adjourn. (3-1-0)

NEXT MEETING: Tuesday, November 24 in SUB 6-06

ADJOURNMENT: 1:30 pm

The Students' Union, The University of Alberta
Access Fund Committee

02 November 2005 @ 17:33 - SUB 426

Report to Council (AFC 2005-04)

First I must apologize for the lateness of my report. Oops.

The fourth meeting of the Access Fund Committee went down on November 2nd at 5:30, marking the first meeting during the school year. Omer Yusuf, Jason Tobias, Prem Eruvs, Sylvia Shamanna and Suneil Khanna were in attendance, as well as Jane Lee and Kaelan Maher, the director and associate director of the Access Fund. As always, I'll remind Council that these two individuals are essential for the function of AFC, not to mention that they are also quite awesome individuals.

This meeting dealt with the latest dispersal of the AF, which has been one of the largest ever seen by the AF. Jane and Kaelan feel that this is likely because more people know about the AF, and also people felt that they were 'punished' by applying in the later winter terms last year, where they were prorated and received a reduced bursary. Rather than a form of punishment, this was a case of us running out of money. Hoorah! In any case, we decided to prorate all the applicants by 15%, and pull money from the last dispersal period to stay within the AF budget.

The two policy changes with regard to computer costs and certifications/examination are a result of the AFC belief that we should emulate the policies set by Canada Student Loans.

Because of the increased demand the AF was facing, we speculated some possibilities, such as reducing the amount of money we put into the endowment fund. We then discussed the idea of putting more money in the endowment fund. Finally, we thought about leaving the endowment fund alone, and just collecting the interest. Jason graciously agreed to crunch some numbers and make a few proposals.

Finally, we looked into a new way of prorating individuals according to their needs. Rather than a blanket reduction of 15% across the board for all applicant, we hope to create groups of individuals according to their needs,

and prorate as we see fit (as an example, we would prorate all individuals with a short-fall of \$3000 by 20%, and individuals with \$12,000 by 5%). Because we can only give out \$3000 to an individual per year, we will be addressing high-need students more effectively by giving them a less reduced (larger) bursary of the \$3000 they are eligible for.

Last bit, although we've been given to okay to run AFC with councillors only by the Students' Union, Jane cautioned that there is a lot of politics that behind the operation of the AF and university. Particularly, we feel that that it is important to give the university an opportunity to be informed on the policies we set. As such, we will be inviting a representative from the university to attend meetings as a non-voting. There is a chance that they may take us up on that invitation.

That's really it. Sorry guys, I don't have much more to say.

OMer

The Students' Union, The University of Alberta
Access Fund Committee

02 November 2005 @ 17:30 - SUB 426

Order Paper (AFC 2005-04)

1. Call to Order
5:33
2. Approval of the Agenda
Jason/Sylvia
3. Approval of the Minutes
Omer/Sylvia
4. Business Items
 - i. Updates from Jane and Kaelan
 - ii. Pro-rating all applicants
- Prorate by 15%.
 - iii. Jane's motions
 - a. Remove the current provisions for computer and replace with "The Access Fund allows computer costs to match the amount allowed by Canada Student Loans"
Jason/Omer Unanimous
 - b. Change the provision reading "Under no circumstances will the AF cover the costs of Entrance exams or any preparation course for either certification or entrance exams" to read "The Selection Committee will consider certification or examination costs incurred by students, at their discretion"
Jason/Omer Unanimous
 - iv. Longterm budget for AF
 - a. Use of the endowment fund now: pros cons? Should students be paying into a fund that they will not directly benefit from? Time issues? Is this more sustainable. Is the

sustainability worth it?

- b. Prorating in a way where individuals are assessed according to their needs, rather than prorating right across the board. Everyone seems fairly happy with this idea, mostly concerns regarding timing (this year versus next year).
 - Problems with pulling money from Winter2.
 - Try to address the high need individuals
 - Bring up this scheme to the selection committees
 - Try this out for winter1 and winter2.

- c. Sheryl as a university rep
 - Inviting a member of the university to attend future AFC meetings as a gesture of good faith between the Students' Union and the university.

- 5. Next Meetings:
 - Wednesday March 15th, 2005
 - Wednesday April 5th, 2005

- 6. Adjournment
- Prem/Jason
- 6:41

ACCESS FUND POLICIES

August 31st, 2005

1. Formal Policies Concerning General Operations of the Fund

a) Access to application information

(4/09/96) Revised (06/07/05)

In the interest of preserving applicant confidentiality, and allowing the Selection Committee to make decisions without bias on any grounds, complete applications will be available only to the Associate Director and the interviewer, then filed appropriately. Application summaries will contain ID numbers and relevant budget, family size and program information and will be available to Selection Committee members. If an applicant presents a letter with the application, identifying information will be removed.

b) Appeals

(1/04/96) Revised (06/07/05)

Applicants who wish to appeal the committee decision may do so by first making an appointment to see the Director, Student Financial Aid Information Centre. This appointment will explain the committee's decision in detail and allow the Director to explain other funding options if necessary. If the applicant still chooses to appeal, they must do so in writing to the Access Fund Appeals Selection Committee no later than the deadline posted at SFAIC (not more than two weeks after cheques are issued). The appeals will be brought to the Appeals Selection Committee and the decision of the Committee will be final. Students will be notified by mail or e-mail as to the Committee's decision.

c) Appointments

(1/10/96) Revised (07/08/03)

For application interviews, due to the large number of applicants, applicants more than ten minutes late will need to reschedule their appointments. Applicants who miss an appointment without notification prior to the close of business on the day before their appointment, or without valid excuse will not be allowed to apply until the next application period at the interviewer's discretion.

d) Deadlines

(8/4/99) Revised (06/07/05)

The Associate Director – Access Fund will establish a firm deadline for both Access Fund applications and opt outs before the end of the winter term. This deadline will be advertised for at least two weeks prior to the established deadline.

e) Funds not granted

(1/11/96) Revised (06/07/05)

Any money not granted in a given disbursement period will be carried over to the next disbursement period. At the end of the Access Fund year (August 31), any money not granted will be put into the Access Fund internal reserve.

f) Old Application Information

(03/12/98) Revised (21/11/02)

Hardcopy files that have been inactive for four years will be confidentially disposed of (shredded). Selective files should be retained for archival purposes.

g) Opt-out money

(11/09/96) Revised (02/12/97)

Opt-out money not picked up by the end of the semester for which the student has opted-out will be returned to the bursary fund. This date will be no later than the last business day of the final month of the respective term.

h) Past History

(03/12/98) Revised (21/11/02)

The Access Fund will have access to ALL data provided willingly by the applicant on their application for the current period as well as for previous periods. The Selection Committee will be able to consider all information provided in making a decision on the applicant including such items as award history, and any other data the Access Fund may have from current or previous applications.

i) Selection committee composition

(11/09/96) Revised (06/07/05)

The Selection Committee must always be composed of two Access Fund Committee members, as well as the Associate Director as a non-voting member.

j) Appeals selection committee composition

(21/11/02) Revised (06/07/05)

The Access Fund Appeals Selection Committee must be composed of at least two students not on the original Selection Committee in addition to the Director of Student Financial Aid Information Centre, as well as the Associate Director as a non-voting member.

k) Spring/Summer Sessions

(2/04/96) Revised (06/07/05)

Students' Union Access Fund Bursaries will be available to students in the term in which they are registered so long as they have paid Access Fund fees for that term. As in all cases, students who do not meet the criteria may submit a letter explaining their exceptional circumstances. Students who received the maximum bursary approved by the Access Fund Committee in the previous semesters will not be eligible for additional funding during the spring and summer terms. Students enrolled in one of the spring or summer terms will be allowed a maximum bursary of \$ 1500.00 per spring and summer terms. Access Fund Bursaries will be processed in May and in July.

l) Statistics/dissemination or exchange of information

(11/09/96) Revised (06/07/05)

The Director of the Access Fund will respond to requests for information from University, Students' Union and governmental departments. The reason for and purpose of the request will be verified in all cases. Any requests for information that is not public knowledge must be approved through the Vice-President (External) and the Access Fund Committee. The Associate Director will exchange information with Student Financial Aid Information Centre and the University Bursary and Emergency Fund or any other University or government departments in order to verify any information contained on an application, including, but not limited to registration status, GPA, and outstanding amounts owing to the University or governmental agencies the student has indicated an outstanding balance with.

m) Recall

(17/04/96) Revised (06/07/05)

During the selection process, the Committee may choose to have the Associate Director recall an applicant to verify information or to provide further details. A one-week period between Selection Committee meeting and ratification by the Access Fund Committee will allow for these recalls.

n) Conflict of Interest

(9/11/04) Revised (06/07/05)

No individual who has received an Access Fund bursary during a given council year can sit on the Access Fund Committee in the council year. Access Fund Committee members are ineligible to receive Access Fund bursaries in the current council year during their term of service.

2. Formal Policies Concerning the Allocation of Bursaries

a) Allocation of Funds for the purpose of bursaries in each application period (07/08/03)

The funds available each year will be divided between the projected number of granting sessions upon the recommendation of the Access Fund Interviewers. The money available for granting in each year shall be divided into six portions for each competition.

b) Appeals (student loans) (11/12/96) Revised (17/04/96) & (29/11/03)

Applicants who have loan appeals in progress will not be considered for funding unless their appeal has been processed prior to the meeting of the Selection Committee.

c) Concerning information on application form/materials required for application

i. Allowable Income (08/01/98)

All income sources (CPP, Widow's & Orphan's benefit, GST, etc.) must be disclosed on application form.

ii. Application Form (07/08/03)

Applicants who have not completed an application form prior to their appointment will be considered to have missed their appointment.

iii. Books Supplies and Instrument Costs (08/01/98) Revised (21/11/02)

Applicants will be allowed expenses for books, supplies and instruments based on total prices quoted by their faculty for a full course load. Applicants who are not taking a full course load will be allowed the appropriate proportion of this total. Applications more than the maximum quoted by their faculty need to be supported by receipts. ~~Under no circumstances will the Access Fund allow additional expenses for computers or computer-related expense.~~ The Access Fund allows computer costs to match the amount allowed by Canada Student Loans.

iv. Certification/Entrance Exams (07/08/03)

~~Under no circumstances will the Access Fund cover the costs of Certification or Entrance Exams, or any exam preparation course for either certification or entrance exams.~~ The Selection Committee will consider certification or examination costs incurred by students, at their discretion

v. Credit cards (17/4/96) Revised (08/09/04)

The Access Fund will allow Minimum Monthly Payments (MMPs) up to a limit of \$40/month providing the student can demonstrate to the interviewer's satisfaction that the debt was used to cover legitimate academic or living costs that have accrued while registered at the University of Alberta. Legitimacy will be determined by the interviewer.

vi. International Students (07/03/98) Revised (06/01/00)

Applicants who are international students must provide a letter with their application detailing how they had planned on financing their education and living costs and why their original plan is no longer sufficient as well as current bank statements from all accounts in their possession.

vii. Married/Common-law students (11/12/96) Revised (21/11/02)

The financial information, both income and expenses are to include all family members in the household. The full family shortfall, up to the yearly maximum of \$3000 each will be recommended. If both spouses are U of A students, it is in their best interest to both apply. Separate applications should be filled out, but the financial information should be the same on both applications. Each applicant will be recommended one half of the family shortfall. In cases where loans or appeals are in progress, each applicant will receive one half of their living expenses for one month.

viii. Medical Costs

(08/01/98) Revised (06/07/05)

Medical/Dental expenses other than Alberta Health Premiums, University of Alberta Health Insurance Plan and Blue Cross Coverage will require documentation (doctor's note, prescription receipts) as proof for the Selection Committee. The Access Fund will allow Medical/Dental expenses up to a limit of \$500 per individual in the applicant's family per year.

ix. Parental Contributions

(07/08/03)

Applicants who are experiencing a shortfall due to a lack of expected parental contributions must submit either a letter from the applicant's parents or guardians confirming that they are unable or unwilling to provide the expected contribution or a letter from a third party, if a parent or guardian is unable or unwilling to provide such documentation.

x. Required documentation

(07/08/03)

At the time of their interview, applicants are required to submit a completed application form, their student loan Notice of Assessment, their University of Alberta Tuition and Fees Assessment as issued by the Registrar's Office, their University of Alberta ONEcard, and a copy of a pay stub from each job held in the last twelve months. In addition, applicants who are international students are required to submit copies of their bank statements for at least the previous four months. Applicants who do not provide the required documentation may have their applications considered incomplete and may not be eligible for funding at the discretion of the interviewer.

xi. RRSPs

(08/01/98) Revised (21/11/02)

Applicants must report the full value of all RRSPs. A \$2000 RRSP exemption will be allowed for each year out of high school. RRSPs must have been purchased before the commencement of post-secondary studies. For married and common-law applicants, if the applicant and their spouse are both in full-time studies, the total value of the RRSPs will be divided by two.

xii. Student Lines of Credit or Student Bank Loan payments (interest only)

(11/12/96) Revised (21/11/02)

The Selection Committee will allow additional expenses for student line of credit or student bank-loan interest payments. Applicants claiming Student Line of Credit interest payments must provide a copy of their most recent account statement.

xiii. Vehicles

(21/11/02)

Applicants should enter the full value of all vehicles, which includes leased vehicles and if married or living common-law, the value of the spouse's vehicles. For single applicants, a \$5,000 exemption will be allowed and a \$10,000 exemption will be allowed for married or common-law applicants or applicants with dependants, but the Selection Committee will take anything over that amount into consideration.

xiv. Leased Vehicles

(21/11/02)

Applicants with leased vehicles must have taken out the lease on their vehicle prior to the commencement of full-time studies. They must document the amount of monthly payments on the vehicle and provide a copy of the lease agreement including information on the breakability of the lease. The Selection Committee will waive the value of the leased vehicle, providing the above criteria have been met, but the Committee will not take into consideration monthly lease payments above the Access Fund's monthly expense guidelines.

xv. Allowed Monthly Expenses

(8/09/04)

Effective September 2004 the Access Fund living allowances will match those in the annual Canada Student Loans budget chart.

d) Concerning bursary amounts

- i. Maximum bursary** (26/02/97) Revised (06/07/05)
The maximum bursary allowed per student is \$3,000.00 per academic year (September 1 - August 31), to be reviewed on an annual basis by the Committee at the August meeting.
- ii. Minimum Bursary** (08/01/98) Revised (07/08/03)
No bursary under the amount of \$100.00 will be granted by the Access Fund.
- iii. Maximum Lifetime Limit** (06/01/00) Revised (21/11/02)
The maximum lifetime limit allowed per student is \$6,000.00.
- iv. Maximum Limit for Students in non-degree/designation programs** (29/11/03)
The maximum bursary granted to a student in a non-degree/designation program is not to exceed the cost of that student's classes.
- v. First and Second Year Students** (07/08/03)
Applicants in the first or second year of a program who are applying to the Access Fund for reasons other than unexpected emergency expenses will have their bursary pro-rated based on the lifetime maximum allowed under Access Fund guidelines and the number of years remaining in the applicant's program.
- vi. Graduating Students** (06/07/05)
Students who apply in the term in which they are graduating and who have reached the yearly maximum but not the lifetime maximum may be granted an amount up to the lesser of their assessed financial shortfall or the lifetime maximum, at the discretion of the Selection Committee.
- e) Concerning Eligibility**
- i. Audits** (07/08/03)
Applicants being audited by the Students' Finance Board must provide the Access Fund with documentation regarding the audit and steps that have been taken to comply with the auditor. An audit may be grounds for denying an applicant funding; however, the Access Fund Selection Committee will make decisions on these applications on a case-by-case basis and take individual circumstances under consideration.
- ii. Concurrently enrolled students** (07/08/03)
If courses being taken at other institutions are leading towards a degree from the University of Alberta, all living and educational costs will be taken into consideration by the Access Fund. If courses being taken at other institutions are leading towards a degree from another institution, the Access Fund will take into consideration all costs for courses taken through the University of Alberta.
- iii. Defaults** (17/04/96) Revised (26/07/00)&(21/11/02)
Applicants with previous student loan defaults must provide documentation describing the reasons why this default occurred and steps taken to remedy the situation. Technical defaults will not be held against the applicant. A previous student loan default may be grounds for denying an applicant funding; however, the Access Fund Selection Committee will make decisions on these applications on a case by case basis and take individual circumstances under consideration. In no circumstances will a student with a previous default on an Emergency Student Loan be granted a bursary.
- iv. Differential Fee Faculties** (07/08/03)
Students in differential fee faculties offering bursaries to students entering certain programs will be required to apply for and be notified of their faculty bursary status prior to submitting an application to the Access Fund.

iv. Student Contribution

(07/08/03) Revised (06/07/05)

All applicants must have prior to the start of the school year, \$1350 in savings, or must, during the course of the year be contributing at least \$1350 towards their educational expenses through part-time work. This requirement may be waived for the following students:

- (a) Those students studying in one of the following faculties or programs: Dentistry, Medicine or Rehabilitation Medicine;
- (b) Those students with a dependant under the age of twelve (12) where the applicant is the primary care-giver of that dependant;
- (c) Those students with medical circumstances that prevent them from working—including but not limited to: chronic/temporary illness, disability, or recovery from a medical procedure.
- (d) Those students on or returning from a practicum or unpaid work experience at the discretion of the selection committee.

v. Students on exchange

(07/08/03)

Costs incurred in connection with academic exchanges above the costs that would have been incurred had the applicant not participated in the exchange will not be considered allowable expenses. Under no circumstances will the Access Fund cover debts incurred as the result of exchanges or study abroad experiences.

vi. Students who opted out

(17/04/96) Revised (03/12/98)&(21/11/02)&(29/11/03)

In all cases, students who opt out will not be eligible for an Access Fund bursary during the year in which they have opted out. This policy will be advertised widely to avoid confusion and misinformation. Students who are assessed for the whole year will be required to pay into the Access Fund for both terms.

3. Working Guidelines

a) International Students

(no formal policy developed)

International Students in severe financial need early in their program may be denied funding by the Access Fund. This guideline is based on consultation with the International Centre, which related the low probability of such students completing their program, and the fact that international students, prior to coming to study in Canada, must document ability to cover the cost of their program. However, in such cases, the Access Fund Selection Committee may decide to grant a bursary which is pro-rated over the remaining years of the program. This guideline may be waived for students who have high shortfalls due to emergency or unexpected expenses.

b) Students not living at home

(15/01/98)

Given that the Access Fund is a last resort bursary, the AFB expects student to have done all they can to reduce their expenses. If a student is not living at home to reduce their costs, they must provide a reasonable answer in response to the question of why they do not live at home. In the past, acceptable reasons have been:

- that their parents live out of town (although if the town is accessible by public transportation such as St. Albert and Sherwood Park this answer is not sufficient)
- abusive home environment
- student has child/spouse
- student has several siblings that make it a very difficult environment in which to study
- parents are divorced/separated and student cannot adapt to either one of the new residences

- student is a returning student who has been in the workforce for several years
- parent(s) do not want the child living with them anymore

The Associate Director must use his/her judgement in assessing whether the student could reasonably be expected to live with his/her parents to reduce living expenses. If the AD - AF is unsure of the adequacy of the reason given, he/she should request that the student include a short letter with their application, addressed to the Selection Committee, explaining why they have not chosen to live with their parents in order to reduce costs.

c) Trips home (passed as policy originally in 1996/1997? reaffirmed January 08, 1998)

Return trips home are not to be included in an applicant's shortfall as expenses excepting for trips arising out of exceptional circumstances (ex. familial medical emergencies).

d) Financial Plan

(29/11/03)

The Selection Committee may choose not to grant a bursary to an application if it believes there is little or no likelihood that the applicant will be able to secure funding to complete their program.

e) After degree or second-entry students

(31/08/05)

After-degree or second-entry students who have no previous accumulated debt or no dependents will then be placed in an end of year consideration file at the discretion of the Access Fund Selection Committee.

THE STUDENTS' UNION OF THE UNIVERSITY OF ALBERTA

POLITICAL POLICY STATEMENT

Policy Number:

Effective Date:

Page 1 of 1

Expiration Date: April 30, 2009

Responsibility for Policy:

University Policy Committee

Subject Matter - *Category:*

POLITICAL POLICY (GENERAL)

- *Specific:*

General Election Forum

- *Topic:*

Class Consideration

WHEREAS the Students' Union is founded on the basis of democratic representation, which fundamentally depends on informed voters making the correct choice of representatives;

WHEREAS General Faculties Council policy states that "One outcome that should be expected from a program of undergraduate study at the University of Alberta is an informed understanding of and a desire to participate in the intellectual, cultural, social and political life of local, national and global communities";

WHEREAS attending a live forum of candidates is one of the best ways to actively garner information about candidates;

WHEREAS the University of Alberta is a commuter campus where the only available time to attend a forum for many students is during regular class time hours;

WHEREAS in 2006 there are approximately 9000 students attending class from 12:00-1:00 on Mondays, yet the Horowitz theatre only seats 720 students;

WHEREAS it is unfair that over 9000 students are refused instruction so that 720 may go to the general election forum;

WHEREAS there are multiple forums and methods by which students may garner information on candidates;

WHEREAS the general election forum generally runs from 12:00-3:00;

BE IT RESOLVED THAT the Students' Union not support cancellation of classes from 12:00 to 1:00 for the purposes of students attending the general election forum;

BE IT FURTHER RESOLVED THAT the Students' Union support the implementation of a process by which a student is not penalized for attending the forum from 12:00 – 3:00 and not class;

WHEREAS no student should have to choose between being involved in their democratic process and their academics;

WHEREAS the general election forum is the best attended and most recognizable part of the SU campaign process, in large part due to cancellation of classes from 12:00-1:00 for the purpose of attending the forum;

BE IT RESOLVED THAT the Students' Union support the continued cancellation of classes from 12:00-1:00 for the purpose of students attending the general election forum.

Policy History:

Reference/Vote

Board/Committee

**Date of Council
Approval**

Created

STUDENTS' COUNCIL VOTES & PROCEEDINGS

Tuesday November 15, 2005
Council Chambers 2-1 University Hall

VOTES & PROCEEDINGS (SC 2005-15)

- 2005-15/1 CALL TO ORDER
- The meeting was called to order at 6:00 p.m.
- 2005-15/2 SPEAKER'S BUSINESS
- 2005-15/2a Announcements – The next meeting of Students' Council will take place on November 29, 2005.
- 2005-15/2a (I) New Councillor Orientation on November 21, 2005 at 6:00 p.m. in Room 6-06 SUB. An information session on the procedures of Council. If you are interested in attending please contact aasc@su.ualberta.ca.
- 2005-15/3 APPROVAL OF THE ORDERS OF THE DAY
- KIRKHAM/CROSSMAN MOVED TO approve the orders of the day.
- Main Motion: CARRIED
- 2005-15/4 PRESENTATIONS
- 2005-15/4a TOBIAS/CROSSMAN MOVED TO table the presentation until Bill Smith arrives.
- Motion to table: CARRIED
- 2005-15/6 REPORTS
- 2005-15/6a Graham Lettner, President
- 2005-15/6b Mathieu Johnson, Vice President (Academic)
- 2005-15/6c Samantha Power, Vice President (External)
- 2005-15/6d Justin Kehoe, Vice President (Student Life)
- 2005-15/6e Jason Tobias, Vice President (Operations and Finance)

2005-15/6f

Adam Cook, Undergraduate Board of Governors Representative

TOBIAS/CROSSMAN MOVED TO lift from the table, the presentation on SU Budget.**Motion to lift from the table: CARRIED****2005-15/4****PRESENTATIONS****2005-15/4a**

Bill Smith, General Manager and Jason Tobias, Vice President (Operations and Finance) give a presentation regarding the SU Budget.

LEWIS/KIRKHAM MOVED THAT Students' Council re-consider the approval of the order paper.**Motion to re-consider: CARRIED****LEWIS/KIRKHAM MOVED TO** add item 7b (ii) to the order paper.**Motion to add item 7b (ii): CARRIED****Main motion to approve the order paper: CARRIED****2005-15/7****BOARD AND COMMITTEE REPORTS****2005-15/7a****Executive Committee****LETTNER /POWER MOVED THAT** based on the recommendation of the Executive Committee, Students' Council adopt the following elements, to apply to a Memorandum of Understanding regarding the proposed Physical Activity Complex (PAC), to potentially be negotiated between the Students' Union and the Faculty of Physical Education and Recreation:

- 1) There shall be an advisory committee whose mandate shall encompass the planning, design and management of the PAC
- 2) The committee shall be comprised of students and faculty representatives and may also include representatives from other groups who have a financial stake in the PAC.
- 3) The undergraduate student composition of the advisory committee shall be based upon the undergraduate student contribution to the project.
- 4) The Students' Union may participate in specified business and service arrangements within the PAC.

Speaker's List (mm): Lettner

KIRKHAM/LEWIS MOVED TO amend the main motion by adding new point 5 "A final draft of the MoU will be approved by Students' Council before it is signed"

Speaker's List (am): Kirkham

Amendment to main motion: FRIENDLY

Speaker's List (mm): Kirkham

COOK/KIRKHAM MOVED TO amend the main motion by striking the words "advisory" (from points 1 and 3) and changing to "governance"

Speaker's List (am): Cook, Khanna, Lettner, Lewis, Kelly

Amendment to main motion: CARRIED

LEWIS MOVED TO amend the main motion by adding the word "financial" before "contribution" in point 3

Amendment to main motion: FRIENDLY

Speaker's List (mm): Power

CROSSMAN/KAWANAMI MOVED THAT Students' Council refer the main motion back to the Executive Committee

Speaker's List (ref): Crossman, Lettner, Lewis

Motion to refer: DEFEATED

Main Motion: CARRIED

2005-15/7b

Bylaw Committee

2005-15/7b (i)

LEWIS/KELLY MOVED THAT Bill #14 be read a first time.

Bill #14 Access to Students' Union Information Amendment Bill (sponsor; KIRKHAM)

Principles (1st Reading)

1. Every Students' Union document or record is strictly confidential that has been specifically designated as such in the Standing Orders of Students' Council.
2. Strictly confidential information is available to those individuals specifically designated in the Standing Orders of Students' Council
3. Signing a non-disclosure agreement will no longer be a requirement that must be completed prior to assuming office.
4. No member of Students' Council, the Executive Committee, The Discipline, Interpretation, and Enforcement Board, or a committee thereof may access confidential or strictly confidential information until they have signed a non-disclosure agreement.
5. The SU is forbidden from entering into any agreement that would require it to be strictly confidential.

Speaker's List (mm): Lewis/Kirkham, Kawanami, Lewis, Lettner

KIRKHAM/SCHNEIDER MOVED TO amend the main motion by striking the work "agreement" and replace with "contract: in point 5

Amendment to main motion: FRIENDLY

Speaker's List (mm): Lewis, Chapman

KIRKHAM/KELLY MOVED TO amend the main motion by striking point 3

Speaker's List (am): Kirkham, Lewis

Amendment to main motion: CARRIED

CROSSMAN/KELLY MOVED THAT Bill #14 be divided such that points 1, 2, and 4 are Bill #14 A (Access to Students' Union Information Amendment Bill) and point 5 will become new point 1 in Bill #14 B (Strictly Confidential Contracts)

Speaker's List (am): Crossman

Point of Order: Lewis – "I appreciate the points the councillor is trying to make but I don't believe it is a point of parliamentary inquiry that the speaker would be answering"

Speaker: Point of order well taken. Points of Parliamentary Inquiry deal with procedural issues

Speaker's List (am): Kirkham

Amendment to divide main motion: CARRIED

Bill #14 A: CARRIED, unanimous consent

KIRKHAM/SCHNEIDER MOVED THAT Bill #14 B be read a first time.

Bill #14 B – Strictly Confidential Contracts

Principle

1. The SU is forbidden from entering into any agreement that would require it to be strictly confidential.

Speaker's List (mm): Kirkham, Kawanami, Lewis, Lettner

KIRKHAM/TOBIAS MOVED TO amend the main motion by adding new point 2 which reads "If there are more than two parties entering into such contract any portions not related to the SU could be marked as "strictly confidential"".

Speaker's List (am): Kirkham, Kawanami

Amendment to main motion: DEFEATED

Speaker's List (mm): Kirkham, Crossman, Power, Cook, Schneider

CHAPMAN/KHANNA MOVED TO amend the main motion by replacing it with the new phrase "Confidentiality Agreements may only be entered into by the SU upon the approval of Students' Council, upon Council being informed of the general benefits/costs of the agreement. Said agreements must be advantageous/beneficial to students and adhere to the principles of the Students' Union.

Speaker's List (am): Chapman

Amendment to main motion: DEFEATED

LEWIS/KIRKHAM MOVED THE previous question.

Motion to move previous question: CARRIED

Main Motion: DEFEATED, 10/11 (*note division)

2005-15/7b (ii)

LEWIS/KIRKHAM MOVED THAT Students' Council approve the following petition question:

Do you support that Students' Union bars charge \$2.00 for all pints of draught beer, effective May 1, 2006 through April 30, 2007, subject to the following conditions?

1. Students' Union bars will sell draught beer in pint volumes whenever alcohol is being served.
2. Students' Union bars may sell other volumes of draught beer at any price.
3. Students' Union bars will continue to carry their existing selection of draught beers.

Point of Order: Tobias – "Mr. Speaker, I'd like to argue that this motion is in fact out of order because it would, although no put us in breach of something that is strictly codified in provincial legislation as we spoke to last meeting, it would put us in contravention of what our University regulations, namely those set out by the Alcohol Policy Review Committee. I would argue that we have just as much of an obligation to live by those rules, as we have an obligation to live by any other set of Laws of the Land. And on the basis I'd ask that you rule this out of order".

Speaker: The chair asks for more clarity. Specifically what rules we're going to be in violation of.

Tobias: Basically selling pints of beer at \$2 each is what they call "Inducement to Intoxication". We basically set out prices in conjunction with APRC.

Point of Order: Lewis – "I respect the Vice President Operations and Finance's point of order, you ruled this out of order last meeting, why go through this a second time?"

Speaker: Point of order not well taken, I haven't had a chance to rule yet.

Tobias: Mr. Speaker, I apologize if I wasn't exactly clear. Last meeting I made the point of order based upon the Alberta Gaming and Liquor Commissions guidelines, which we're also bound by. You ruled because there is a certain realm of interpretation that you could go through there that my point of order was not well taken. I accept that. I didn't say anything about APRC at that time, I'm saying it now with an obligation to live by their rules and we're not allowed to set our prices in such a ways that would encourage over consumption or would encourage inducement to intoxication, as they so call it.

Speaker: Because you do not have the actual rule here today I'm going to have to rule that your point of order is not well taken. Idea of what's legal or not is too vague.

Speaker's List (mm): Lewis, Tobias

Point of Order: Lewis – "Mr. Speaker, one, he's not actually debating the 3 things we're allowed to debate, two, if he doesn't have any supporting documentation there's no reason for him to be wasting Councils time".

Speaker: Point of order not well taken. He is making comments related to the intent of the petition and I think it is in scope.

Point of Order: Tobias – “If we continue to sell all of our selections of draught beer at \$2 that puts us in breach of provincial bylaw because although not all of our beers cost 42 a pint, some of our beers cost more than \$2 a pint and selling alcohol below cost for anything other than a short duration of time, other than the purpose of a very short “special” I believe is illegal and is a breach of provincial law”.

Point of Order: Chapman – “The point of order is addressing a legal concern but the petition question doesn’t actually restrict SU bars from selling beers at a price proportional to the price of pints, it’s just allowing its flexibility”.

Speaker: (to Tobias) Is this your understanding?

Tobias: What we pay for the beer, that’s what the cost is so when I say selling below cost that would mean we buy a pint of Guinness for approximately \$2.10 and then we’d be selling it at \$2 which means we’d be selling it below what it cost it to buy it and that is illegal.

Speaker: The chair rules to invite comments from the floor that would provide some illumination on the VPOF’s point of order. Will this motion (petition question) make us sell at less than cost?

Lewis: The question submitted by the member is that all draught beer is to be sold for \$2 whether over \$2 or not at cost.

Speaker: In that case, the chair’s very minimal understanding of the law is that you cannot sell alcohol at less than cost. In that respect, on the advice of the Bylaw Committee chair who drafted this question, the chair rules that the point of order is well taken.

KIRKHAM/LEWIS APPEAL THE decision of the chair.

Kirkham: Mr. Speaker, first, it is not common knowledge. I would argue that it is common knowledge that it is okay to sell liquor below cost, why? Filthy McNasty’s Wednesday nights at 5 o’clock, sells liquor, pints of beer, for \$1. Here we’re proposing to sell pints of beer for \$2. I don’t pretend that Filthy McNasty’s has some sort of “magical” deal with all the “magical” breweries because it’s all beer that we somehow don’t know about in some secret bar deal. Clearly they’re selling it below cost. They’re an establishment that has been around a long time. We can assume that the AGLC is being negligent here when bars are acting like this and it’s packed every Wednesday night. We have to assume that AGLC has taken reasonable precautions to enforce their own guidelines just like we’re trying to be reasonable here with interpreting our common knowledge of the legislation that exists. Therefore, I would argue that it is not illegal based on that same anecdotal evidence that you ruled it was illegal. I’d argue that it’s not illegal to sell at below cost. Additionally, in the 264 page AGLC Handbook that I have here in front of me that I analyzed one month ago when we first were

looking at this issue. This is a month ago on the October 25 meeting of Bylaw Committee I believe, downloaded it, no internet now, still had a copy. There was actually no mention of it being illegal to sell at below cost. The only mention of anything was having it at a "special" below cost and advertising that special. So this is how Filthy McNasty's gets away with it. They don't advertise \$1 pints. People just happen to show up and by word of mouth they get this special. So the key here is that the only limitation here is advertising a special rate. First off, this would not be a special rate, it's a permanent across the board for a year. If anyone wants to argue that it's a special rate for a year, fine it's a special rate for a year, we just don't advertise it. We would still be conforming with SU legislation. Nowhere in this question does it say that the SU shall advertise \$2 pints, that's fine. If we're going to be breaking the law by advertising it, we just won't advertise it. There's no problem there.

President: Mr. Speaker, upholding your decision, in favour. All we can do here and this is what I can advocate for is that we pass this motion. We don't have the necessary documents in front of us to refute or sustain. I think Councillor Baniulis had the best idea in the beginning in that "I'm going to vote in favour so I can bring it back and reconsider it at another time when we have some more evidence"

Point of Order: Kirkham – "Sorry I'd just like to clarify here, the President said he was speaking in favour, isn't he actually speaking opposed? Because it's an affirmative vote I just want it to be clear when people eventually vote on it, if they're speaking in favour or opposed by upholding the rule of the chair".

Speaker: Point of Order not well taken.

President: What I advocated for in action I'm going to vote for in consequence.

Lewis: Mr. Speaker, the only actual physical evidence that has been presented to you and us this evening is the evidence in the AGLC Handbook which does not indicate selling pints of beer for under cost on a normal every day occasion is illegal. We have absolutely no evidence that this is illegal and therefore there is no reason why, one, we should rule this out of order, and two, that we should get rid of the petition that was submitted by an honest student trying to make a change to the way the SU operates.

Tobias: Mr. Speaker, the reason that the AGLC Guidelines don't specifically say that you can't sell alcohol below cost indefinitely. Well it's because that would lead to what we've come to know in Council as an absurd conclusion, which is, if you follow this business policy your business goes out of business. I think that's important to note when talking about the legalities of the situation. I don't think that AGLC ever said someone's going to run a business for the sake of subsidizing public drunkenness. Just to note, Council, this is foolishness. Uphold the ruling of the chair.

Shall the decision of the chair be sustained? SUSTAINED, 10/8

2005-7b (ii)

Removed from the Order paper.

KIRKHAM/BLAIS MOVED TO adjourn.

Motion to adjourn: DEFEATED, 8/12

2005-15/7c

External Policy Committee

2005-15/7c (i)

KAWANAMI/LEWIS MOVED THAT upon the recommendation of the External Policy Committee, Students’ Council approve the amendments to the Political Policy “Board of Governors”.

WHEREAS student representation on the Board of Governors is not proportional to the contribution of students to institutional revenues in the form of tuition.

WHEREAS the quality of education received by undergraduate students is directly impacted by decisions made by the Board of Governors.

BE IT RESOLVED THAT The Students’ Union, The University of Alberta, lobby the provincial government to increase undergraduate student representation on the Board of Governors to be proportional to students’ contribution to institutional revenues.

Point of Order: Kelly – “Quorum?”

Speaker: Point of order well taken.

Quorum is re-established.

Speaker’s List (mm): Kawanami

Council repealed political policy (Board of Governors) and pass the new political policy (Board of Governors)

Speaker’s List (mm): Lettner, Lewis

Main Motion: CARRIED

LEWIS/CROSSMAN MOVED TO adjourn.

Motion to adjourn: CARRIED

This meeting of Students’ Council was adjourned at 9:48 p.m.

ATTENDANCE (SC 2005-15)

Faculty/Position	Name	Early Attendance	Late Attendance	Division
President	Graham Lettner	√	√	X
VP Academic	Mathieu Johnson	√	√	
VP External	Samantha Power	√		√
VP Finance	Jason Tobias	√	√	X
VP Student Life	Justin Kehoe	√	√	X
BoG Undergrad Rep.	Adam Cook	√	√	X
Agriculture, Forestry and Home Economics	Miranda Baniulis	√	√	X
Agriculture, Forestry and Home Economics	Amanda Rajotte	√		

Arts	Catrin Berghoff	√	√	√
Arts	John Chandler	√		
Arts	Michelle Kelly	√		√
Arts	Bryce Kustra	√		
Arts	Cameron Lewis	√	√	√
Arts	Tim Schneider	√	√	√
Arts	Shad Thevenaz			
Arts	Heather Wallace			
Augustana	Jonathan Friesen			
Business	Chris Young			
Business	Ryan Payne			
Education	Lillian Patz			
Engineering	Brian Ceelen	√	√	
Engineering	James Crossman	√	√	X
Engineering	Prem Eruvs	√		√
Engineering	Jamaal Montasser			
Law	Kyle Kawanami	√	√	X
Medicine and Oral Health Sciences	Suneil Khanna	√		X
Native Studies	Matt Wildcat			X
Nursing	Nadia Ickert	√	√	√
Faculté Saint-Jean	Joseph Blais	√	√	√
Open Studies	Sabine Stephan			
Physical Education and Recreation	Philip Goebel			
Science	Sheena Aperocho	√		
Science	Jack Gordon	√		
Science	Abbeir Hussein	√		
Science	Stephen Kirkham	√	√	√
Science	Sylvia Shamanna	√	√	X
Science	Omer Yusuf	√	√	x
Science	Yuan Hao			

Science	Chris Le	√		
Science	Theresa Chapman	√	√	√
General Manager	Bill Smith	√		
Speaker	Gregory Harlow	√	√	

Guests of Council:

Position	Name
Chief Returning Officer	Rachel Woynorowski
The Gateway	Ross Prusakowski
Bellerose Comp. High School	IB Students interested in Council