

STUDENTS' COUNCIL

Tuesday January 10, 2006
Council Chambers 2-1 University Hall

ORDER PAPER (SC 2006-18)

2006-18/1 CALL TO ORDER

2006-18/2 SPEAKER'S BUSINESS

2006-18/2a Announcements - The next meeting of Students' Council will take place on January 24, 2006.

2006-18/2a (i) Nomination forms are available for Executive, BoG, and Council positions for next year, and that the nom pack can be picked up from 2-900 SUB.

2006-18/2a (ii) BSA and UASUS intend to create Faculty Association Membership Fees
Please see document SC 06-18.01

2006-18/3 APPROVAL OF THE ORDERS OF THE DAY

2006-18/4 PRESENTATIONS

2006-18/4a General Manager, Bill Smith presenting on the Travel Cuts Law Suit.

2006-18/5 NOMINATIONS

2006-18/6 REPORTS

2006-18/6a Graham Lettner, President
Please see document SC 06-18.02

2006-18/6b Mathieu Johnson, Vice President (Academic)
Please see document SC 06-18.03

2006-18/6c Samantha Power, Vice President (External)
Please see document SC 06-18.04

2006-18/6d Justin Kehoe, Vice President (Student Life)
Please see document SC 06-18.05

2006-18/7

BOARD AND COMMITTEE REPORTS

2006-18/7a

Discipline, Interpretation and Enforcement Board – December 7, 2005
Decision 9: Langstone vs. Students' Council

Please see document SC 06-18.06

2006-18/7b

Executive Committee – January 5, 2006

Please see document SC 06-18.07

2006-18/7b (i)

The Executive Committee recommends that Bill #23 **be read a first time.****Bill #23 – Responsibilities of Students' Council (sponsor; TOBIAS)**

Principles (first reading)

- 1) All decisions pertaining to the governance of the Students' Union are ultimately the purview of Students' Council.
- 2) In its effort to serve students, Students' Council has a legal obligation to act in:
 - i. the best interest of the Students' Union
 - ii. accordance with The Alberta Post Secondary Learning Act
 - iii. accordance with all other applicable Federal and provincial laws or regulations
- 3) Any decision of Students' Council or Students' Union bylaw which does not meet the terms set out in point 2 is of no effect.

2006-18/7c

Budget and Finance Committee

2006-18/7c (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.

2006-18/7c (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 06-18.08

2006-18/7d

Student Affairs Committee – November 22, 2005

Please see document SC 06-18.09

2006-18/7d (i)

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

Please see document SC 06-18.10 (Current and Proposed)

2006-18/7e

Bylaw Committee

2006-18/7e (i)

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 06-18.11

2006-18/7e (ii)

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.
3. 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 06-18.12

2006-18/7e (iii)

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 06-18.13

2006-18/7f

Council Administration Committee – November 22, 2005

Please see document SC 06-18.14

2006-18/7f (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.

2006-18/7f (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.

2006-18/7f (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.

2006-18/7g External Policy Committee – November 22, 2005

Please see document SC 06-18.15

2006-18/7g (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 06-18.16 (Current and Proposed)

2006-18/7h Audit Committee – December 2, 2005

Please see document SC 06-18.17

2006-18/7i Access Fund Committee – November 2, 2005

Please see document SC 06-18.18

2006-18/7j University Policy Committee: Dare to Discover – The Students' Union response to the first draft of the Vision Document.

Please see document SC 06-18.19

2006-18/7k Awards Committee

Please see document SC 06-18.20

2006-18/8

QUESTION PERIOD

2006-18/9

GENERAL ORDERS

2006-18/9a

MOTION BY KIRKHAM, ORDERED THAT Students' Council rescind the "Tobacco Ban" political policy.

Please see document SC 06-18.10 (Current)

2006-18/9b

JOHNSON MOVED THAT Students' Council approve the Political Policy "General Election Forum".

Please see document SC 06-18.21

2006-18/9c

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.

2006-18/9d

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.

- 2006-18/9e** **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.
- 2006-18/9f** **KUSTRA MOVED THAT** Students' Council approve the following referendum 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. 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).
- 2006-18/10** **INFORMATION ITEMS**
- 2006-18/10a** Votes and Proceedings – November 29, 2005
Please see document SC 06-18.22

To whom it may concern,

This letter is to serve as notice that the University of Alberta Science Undergraduate Society (UASUS) intends to hold a referendum to implement a Faculty Association Membership Fee for the Faculty of Science that would begin collection in the Fall 2006 semester. If approved, it would be included in the regular student fees that are collected.

As dictated by Student Union's (SU) Bylaw #8451 6b "Notice of the intent to create a Faculty Association Membership Fee must be forwarded to the Students' Union and the Office of the Registrar by January 15 of the year in which the fee is to be included as a part of the overall fee assessment." This referendum will follow Student Union bylaws and will be held at the same time as the UASUS general elections in March.

This letter is intended to serve notice that the Students Union and the Office of the Registrar may need to prepare for the possibility of including a fee for all Undergraduate Science students in the Fall 2006 semester. We will inform all parties on the results of the referendum as soon as they are available. If you should have any questions in the months to follow, please contact Brendan Trayner at the contact information noted above.

Sincerely,

Brendan Trayner
VP Finance
UASUS

Greg German
President
UASUS

Cc. Kristy Hollingshead-Rumsey, Records Administration Advisor
Cc. Gregory Harlow, Speaker, Students' Council

President's Report

Meeting date: Thursday, January 5, 2006

EXECUTIVE SUMMARY:

For the remainder of the year my report will focus on updating and informing Councilors about the five initiatives the Executive have undertaken. They are as follows: Campus Community, Coalition Building, Communication & Marketing, Academic Advocacy, Non-academic Advocacy. Each task force is chaired by a member of the Executive. Councilors should expect to hear frequent reports on our progress, and we expect to hear continuous input and comment from councilors.

SPECIFICS:

- Coalition Building Task Force

I chair this task force. Our mandate is to identify and develop key relationships with all kinds of communities and persons currently outside of the scope of the external portfolio in order to realize four distinct outcomes. These coalitions will provide the Students' Union with opportunity to engage in,

- a) Raising the Students' Union's profile and credibility
- b) Increasing the Students' Union's access to information from other parties
- c) Influencing key decision makers
- d) Capitalizing on business opportunities

The membership of the task force is as follows: Don Iveson, Chris Samuel, Sarah Colpitts, Juliana du Pree, Colin Robertson, and Bill Smith. We are meeting weekly until the end of February at which point I hope to have finished our work and have the resources needed to realize these coalitions incorporated into the upcoming budget. At this time, I am interested in adding two councilors to the project; if any councillors would like to be a part of this task force, please talk to me offline.

- Overall Project

Each Executive is meeting weekly with their task force and placing their particular project as a top priority. Each Executive member will frequently update Council on their progress and will be very interested to hear Council's input as a whole, as well as the thoughts of individual councilors. Please take every opportunity to provide constructive critique and comment to any or all of the Executives.

- PAC MoU

Bill Smith, Justin Kehoe and I have met twice now with Bob Kinasewich to discuss the MoU for the PAC proposal. Progress is being made, and I believe both sides see eye-to-eye on many, if not all, of the important issues. I hope to have this ready for the next meeting of Council.

- U-Pass

The provincial government has made the first steps towards committing to help fund the U-Pass project. Currently the City, University, Students' Union and provincial government are working out details of the agreement. There is cause for optimism at this point in the discussions, though a pass is by no means inevitable.

- Tuition Strategy

Samantha Power and I have been meeting with the University to discuss terms of a joint lobbying strategy aimed at the provincial government. We aim to incorporate both the need for a focus on affordability as well as a need for sustainable operating funding into a position that the Students' Union and the Board of Governors can both adopt. This would allow us to focus our collective clout solely on the provincial government, which, in a time of much discussion and instability in government, has the potential to pay large dividends for students and for the University.

Mathieu Johnson VP(Academic)
Report to Students' Council
Jan 5, 2006

Follow-up on Past Projects

Surveys: With the final statement you will be hearing about this from me I think. All survey data is up on www.su.ualberta.ca/surveys.

Ongoing Projects

Academic Advocacy Road Map Taskforce:

The fundamental assumption of the academic portfolio of the Students' Union is that it is in existence to improve the quality of the academic experience of its members. However, there is a poorly articulated sentiment that the academic quality of an undergraduate degree at the U of A is not what it should be, and in fact has declined in the past 10-15 years.

In response to this the executive feels that there is more the academic portfolio of the SU could be doing to improve the quality. When looking at the four cornerstones of Students' Union activities (business owner, service provider, building operator, student advocate) the assumption is that the academic portfolio would further its mandate the furthest by being a more effective advocate. This is accentuated by the new resources in the advocacy department targeted towards external advocacy, which have lead to a more focused and consistent advocacy message and more effective communication with the media. A taskforce was then struck to determine how the academic portfolio of the SU should be advocating.

Team: Mat, Justin, Graham, Amanda, Zita, Chris Henderson, Mustafa Hirji, Don Iveson

Additional resources: Sam Power, Bill Smith, Jason Tobias, Catrin (chair of UPC).

Objectives: To answer these questions.

- How should the academic portfolio serve students through advocacy?
- How has the academic portfolio served students in the past and what tools does it currently have at its disposal?
- What changes should be made to the tools and the implementation of the tools at the academic portfolio's disposal?

- If new monetary resources are required that must be decided by February 10th.

Timeline:

December 20: Meeting of Main team to determine scope and focus of the future academic portfolio. Including balance of advocacy and representation.

January 10: How should the academic portfolio serve students through advocacy?

January 27: How has the academic portfolio served students in the past and what tools does it currently have at its disposal?

February 10: How changes should be made to the tools and the implementation of the tools at the academic portfolio's disposal? (Must discuss resourcing).

February 14: Meeting of executive (perhaps Don as well) to determine principles to send to BFC

February 22: Have final principles to BFC

COUNCIL REPORT JANUARY 6, 2006 VICE PRESIDENT EXTERNAL

EXEC RETREAT: The Exec afternoon retreat on December 2nd resulted in several projects being put together to improve areas where the SU traditionally fails. I'm in charge of the Building Campus Community task force. This will evaluate how we engage the student campus and how we can better connect with student groups and other UA campuses in order to create a better network of involved students.

CAMPUS CAMPAIGNS: The month of January is always a big one for campaigns. Throughout January we'll have information tables around campus to promote the Roll it Back, Ralph campaign in a lead up to the January 20th tuition decision. I'll list all events below. We're also promoting the federal election.

And in terms of the federal election our efforts include putting on a forum on Jan. 11th; promoting the other forums in town; distributing Elections Canada promotional material; providing a report card on each parties PSE platform. We'll have a federal election page on the website with resources and links to the federal lobby organizations and other groups.

UPASS: On December 6th Stephen Mandel, Carl Amrhein, and Graham approached the Minister of Infrastructure, Lyle Oberg, to help fund the remaining money needed. The meeting went very well and we're waiting to hear confirmation from the Ministry.

PROVINCIALY: We're sending a letter to Klein requesting the "rebate" or whatever for 2006 be put in base operating and remind the Premier of his promise for the lowest tuition and a new tuition policy.

We're waiting to hear about the committees that will be formed as an extension of the provincial review. I'm not going to wait long, they have one more week in my mind.

EVENTS!

Jan. 9th 10am-3pm – SUB info table promoting federal election forum and Roll it Back, Ralph! **Need volunteers!**

Jan. 11th 5:30pm – **Edmonton Strathcona all candidates** forum Myer Horowitz stage

Jan 12th 7-9pm - **Public Interest Alberta's federal election forum.** Royal Alberta museum

Jan. 13th 10am-3pm – SUB info table promoting Roll it Back, Ralph! **Need volunteers!**

Jan. 16th 10am-3pm – Tory Roll it Back Ralph! Info table. **Need volunteers!**
7-9pm **AlbertaVote! Society federal election forum** Red Star pub
(10534 Jasper Ave.)

Jan. 17th 10am-3pm – Education Roll it Back, Ralph! Info table. **Need Volunteers!**

Jan. 18th 10am-3pm – Humanities Roll it Back, Ralph! Info table. **Need Volunteers!**

Jan. 20th 8am-noon – **BoG tuition decision** – Event on SUBstage.

Justin Kehoe, Vice President (Student Life)
Report to Students' Council
January 10, 2006

Submitted: January 5, 2006

Good Evening Council,

Welcome back, and here's to a great 2006! Unfortunately, I will probably not be present at our Council meeting, as I will be busy running AntiFreeze 2006 with Peter Haggard, Associate VPSL, and our amazing team of Coordinators. You're all welcome to come to the Powerplant after the meeting for good times with good people, and check out www.su.ualberta.ca/antifreeze for more information.

Following discussions culminating at our December Executive retreat, major thematic areas needing to be addressed were determined and delegated. My primary area of focus is non-academic advocacy, which has needed improvement in the Students' Union for at least the last several years. Effectively, non-academic advocacy is somewhat disregarded, but I feel that the most logical fit is within the Student Life portfolio. The VPSL is too heavily involved in certain operational work, and is not positioned to be the advocate for students that it needs to be.

I will be leading a task force to define what we want to see from non-academic advocacy, outline the major student issues, and determine some resource allocation principles to sufficiently equip the Advocacy Department and to shift some of the current responsibilities of the VPSL on to other staff. In enhancing this role of non-academic advocacy, Council, specifically the Student Affairs Committee, will play an important role in the development of political policies to guide these efforts and set the priority issues.

Secondarily, but still highly relevant to the development of the Student Life portfolio, I am responsible for assessing the current state of our Student Services and overseeing the progress of several ongoing issues. We have recently welcomed a new Sr. Manager of Student Services, Norma Rodenburg, presenting us with some exciting opportunities to better serve students and strengthen one of the pillars of the Students' Union.

I will have met with Marc Dumouchel, our Tech Support Manager, on Friday to do a final rundown of plans for the webboard. While our legal counsel was delayed due to our request for a higher priority legal opinion, we have been told we should expect to receive the documents by mid-January.

If anyone wishes to discuss anything within this report or elsewhere within the realm of Student Life, feel free to stop by my office or contact me beforehand.

Upcoming:

January 9-13: AntiFreeze
January 11: Workplace Health Promotions Advisory Committee
January 14: AntiFreeze Wrap-up Party @ Powerplant
January 16: Council on Student Affairs

vp.studentlife@su.ualberta.ca

492-4236

D.I.E. Report to Students' Council January 10, 2006

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

Style of Cause: Langstone v. Students' Council (re. Pint Petition)

Ruling # 9

Date heard: Dec. 7 2005.

Appearing for the D.I.E. Board:

Presiding Chair: Alex Ragan

Tribunes: Catherine Lepine, Alan Cliff

Appearing for the Applicant: Andrew Langstone

Intervenors present:

Jason Tobias, Vice President (Operations and Finance)

Stephen Kirkham, Councillor

Rachel Woynorowski, Chief Returning Officer

M. Mustafa Hirji

Amicus Curiae:

M. Mustafa Hirji

Stephen Kirkham

Case summary:

Mr. Langstone's petition question was denied approval by Students' Council because of allegations that, if implemented, it would breach the "fiduciary obligations" of Council. The panel finds that Council must have reasonable evidentiary grounds to believe that a question violates specific provision or federal statutes or regulations before it can deny approval under bylaw 2400. Council is ordered to reconsider the petition question at its next meeting, and Mr. Langstone is given leave to collect signatures in the interim.

SUMMARY OF ALLEGATIONS

Mr. Langstone alleges that his petition question drafted by the bylaw committee pursuant to *Bylaw 2400* s.(5) was wrongfully denied approval by Students' Council. Langstone questions the authority of Council to dismiss petition questions outside of the criteria specified in *2400* s.(4), and asks that his petition question be approved in accordance with s.(5).

FACTS

The applicant submitted a petition question the bylaw committee on October 24th. The Bylaw committee drafted a question, and submitted it to Students' Council at its November 1st meeting. However, as Mr. Langstone did not feel that the question met his intent, he revised his original intent and resubmitted it. Bylaw committee re-drafted the question, and submitted it to Council on November 15th. At that meeting, the question

was ruled out of order by the Speaker based on *Bylaw 2400* s.(4)(b), on the basis that it ostensibly violated Alberta Gaming and Liquor Commission guidelines. The petition question was further revised, and considered at the Students' Council meeting of the 29th of November. At that meeting, Students' Council voted that the revised question did not breach the ALGC guidelines in a manner that would require non-approval under the violation criteria of s.4(b). The question was then, however, ruled out of order by the Speaker on the basis of a possible transgression of the Students' Council's "fiduciary obligation" to the Students' Union. The ruling of the chair was appealed, and Council voted to uphold the ruling.

Vice President Tobias asserted that a legal opinion has been sought, but that the timeline on receiving the brief is uncertain.

While there was no respondent appearing specifically authorized to speak for Council, none of the interveners contested the facts as presented.

RELEVANT LEGAL PROVISIONS

Bylaw 2400 s.5 states that "Students' Council shall [...] approve a question which meets the criteria set out in Section 4."

Under s.6, Students' Council is excused from approving questions which do not meet the criteria under s.4(a) that a question "fully [reflect] the intent" and s.4(b) "not violate any Students' Union law or any federal or provincial statute or regulation."

Bylaw 1500 s.4 limits the Board to interpreting, and considering infractions of "Students' Union Legislation," which is defined in *Bylaw 400*.

The question submitted by bylaw committee to Students' Council on November 29th read:

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).

ANALYSIS

While Vice-President Tobias presented arguments to the effect that implementing the plebiscite question would be massively deleterious to the students' union, there was no compelling reason given to believe that this would in fact violate any specific "federal or

provincial statute or regulation”. While the Board respects the desire of Council to maintain its “fiduciary obligations,” those obligations can only justify non-approval of petition questions when they are sufficiently grievous to constitute a violation of *Bylaw 2400* s.4(b).

It is worth noting that s.4(b) explicitly refers to federal and provincial “statutes and regulation”, necessarily excluding the common law. For a question to be discarded under that criterion, it must be shown that the question violates a specific statute or regulation. “Common law ideas” are insufficient.

It is entirely possible that there exists a provincial or federal statute or regulation reflecting the idea of fiduciary obligation, or otherwise importing the concept. However, neither Council nor the D.I.E. Board is legally qualified to determine definitively whether or not this is the case. Further, ascertaining whether or not this particular question would in fact violate such a restriction is beyond the capabilities of either body.

When Council determines whether or not a question is illegitimate under s.4(b), it must act reasonably. There must be firm grounds on which to believe that the Question, if implemented, would violate SU bylaws or Federal or Provincial statute or regulation, before that question can be denied approval. The standard for acceptable grounds for dismissal are ones of reasonableness: could a reasonable student have come to the same conclusion that the petition question violated federal or provincial statutes or regulations? Questions of straightforward illegality (e.g., a question proposing the execution of a member of the Students’ Union) should not require legal counsel to deny approval. Questions of highly uncertain legality, though, probably will. It is not acceptable that Council deny approval merely on the unsubstantiated suspicion of violation of s.4(b).

While several interveners questioned the procedural justification of the Speaker of Students’ Council in ruling the question out of order, that matter was not addressed directly by the applicant. Insufficient argumentation was heard to rule definitively on the issue.

DISPOSITION AND REMEDY IMPOSED

As Council did not have sufficiently reasonable grounds to believe that the petition question necessarily violated the criterion of s.4(b), it acted wrongly in denying approval to the question.

Council’s failure to approve the question in the timeframe specified by *Bylaw 2400* has caused material harm to the applicant; the time remaining to collect signatures has been depleted. To mitigate this damage, the board grants interim approval to the question submitted on November 29th. Mr. Langstone may, if he so chooses, begin collecting signatures on that question immediately. However, the question will not go on the ballot unless and until it receives the approval of Students’ Council, as well as the requisite number of signatures. In the event that Students’ Council justly denies approval to the question as written, the previously collected signatures will be void.

The Board rules that Students’ Council must reconsider the petition question at its meeting on 11 January 2006. If Council wishes to deny approval on the grounds of

breach of fiduciary obligation, it must have reasonable evidence to suggest that such a breach constitutes a violation of “Students’ Union law or any federal or provincial statute or regulation.” In this case, reasonable grounds would most likely constitute a legal brief indicating that implementing the proposed question would necessarily result in a breach of a particular federal or provincial statute or regulation.

The decision of Students’ Council is, of course, subject to appeal to the D.I.E. Board under *Bylaw 1500* s.4(a).

The Board would further remind Students’ Council that it has control over its own bylaws. If the bylaws lead to breaches of fiduciary obligations, or other Bad Things, the correct response is to change the bylaws, rather than ignore them.

RECOMMENDATIONS

The lack of a clearly defined respondent present at the hearing was regrettable. While Councilor Kirkham and Vice President Tobias were able to provide perspective as sitting members of council, neither was designated to speak *for* Council. Council ought to appoint an individual to represent it before hearings of the Board. The panel would remind Council that under *D.I.E. Board Protocols* s.7(b), the board is entitled to “summarily rule against the Respondent where that party or his agent does not appear.”

If Students’ Council does not wish to approve questions that, if acted upon, would breach common law principles or otherwise subject the Students’ Union to liability, it ought to modify the bylaw to include these as grounds for dismissal under *Bylaw 2400* s.6.

When Students’ Council is unable to reasonably reach a definitive conclusion about a question’s compliance with s.4(b), it need not immediately deny that question approval. Instead, interim approval could be granted, pending legal counsel. If Council determines after the fact that the question was, in fact, a violation of s.4(b), it retains its power to reconsider the motion to approve the question.

The panel was surprised that no provision exists in SU bylaws to clarify the “fiduciary obligations” of Council relating both to petition questions and other orders. If Council wishes to refer to such a principle in the future, it should be enunciated clearly in bylaw.

Students’ Council is strongly encouraged to record more rigorous documentation of its meetings. It is not logistically feasible to expect applicants, interveners, and members of the board to go through MP3 minutes to seek background information for rulings on points of order and the like. While Orders and Procedures are certainly useful at times, it is imperative that the D.I.E. board have access to them in a timely manner.

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

Executive Committee Report to Students' Council January 10, 2006

- 1. The following motion was passed at the December 6, 2005 Executive Committee meeting.**
 - a. KEHOE/POWER MOVED THAT the Executive Committee approve a budgeted request not to exceed \$710.00 for the Director, Student Distress Centre to attend the National Peer Support Conference in Prince George BC January 27, 2006-January 29, 2006VOTE ON MOTION 4/0/0 CARRIED

- 2. There were no motions were passed at the December 8 2005 Executive Committee meeting.**

- 3. The following motion was passed at the December 15, 2005 Executive Committee meeting.**
 - a. TOBIAS/LETTNER MOVED THAT the Executive approve expenditure not to exceed \$5,000.00 from the contingency fund for the creation of a full-time marketing assistant.VOTE ON MOTION 4/0/0 CARRIED

- 4. The following motion was passed at the January 4, 2006 Executive Meeting:**
 - a. POWER/LETTNER MOVED THAT the Executive Committee approve a budgeted amount of not to exceed \$2092.00 for the General Manager to attend the ACUI conference March 17-20/06 in Kansas City.VOTE ON MOTION 4/0/0 CARRIED

- 5. The following motion was passed at the January 5, 2006 Executive Meeting:**

TOBIAS/JOHNSON MOVED THAT the Executive Committee approve the following principles be considered for first reading:

 - 1) All decisions pertaining to the governance of the Students' Union are ultimately the purview of Students' Council.
 - 2) In its effort to serve students, Students' Council has a legal obligation to act in:
 - i. the best interest of the Students' Union
 - ii. accordance with The Alberta Post Secondary Learning Act
 - iii. accordance with all other applicable Federal and provincial laws or regulations
 - 3) Any decision of Students' Council or Students' Union bylaw which does not meet the terms set out in point 2 is of no effect.VOTE ON MOTION 4/0/0 CARRIED

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 Aperoch, 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 Aperoch

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.

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

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.

The Students' Union, The University of Alberta
Council Administration Committee

22 November 2005 @ 17:00 - SUB 606

Report to Students' Council (CAC 2005-14)

Council Administration Committee met for the fourteenth time on 22 November 2005 at 17:00. All permanent members of the committee and the Speaker of Students' Council were present, except Councillor Aperocho.

The Standing Orders of Students' Council were amended by adding two new orders with respect to Points of Order. The committee discussed the use of Points of Orders during the 1 November 2005 and 15 November 2005 meetings of Students' Council. After a considerable amount of debate, the committee unanimously approved the amendments to Standing Orders. A Point of Order will only be considered if the member rising on such a point cites the specific rule or piece of legislation and sections that are being violated. Where that rule or piece of legislation is external to the Students' Union, the member must provide the Speaker with a copy of the rule or piece of legislation when rising on the Point of Order.

As part of the mandate of the committee as legislated in Bylaw 4000, the committee discussed the progress of Students' Council legislative agenda. The comments were largely positive and eventually lead to discussions with respect to the Discipline, Interpretation, and Enforcement Board. As it is unclear who officially represents Students' Council before DIE Board, it was decided that a change to Bylaw was in order. Council Administration Committee is therefore recommending a Bill to Students' Council that the Speaker represent Students' Council before DIE Board.

The committee began the process of defining its standing orders with respect to designating documents as strictly confidential pursuant to Bill 14. Several concerns were raised with respect to the ability of the committee to mark new documents as strictly confidential, in particular contracts or agreements that we may not have access to. The concerns stemmed from the fact that there would be a possible inherent conflict between the Executive Committee and Council Administration Committee. Subsequently, the committee unanimously approved a motion to recommend a Bill to Students' Council. The effect of the bill would require that any new contracts or agreements that the Students' Union enters into – and need to be marked as Strictly Confidential – require the approval of Students' Council. This does not preclude the Students' Union from entering into contracts that do not already require the approval of Students' Council as long as they do not need to be marked as Strictly Confidential.

The next meeting of Council Administration Committee will take place in SUB 420 on 17 January 2006 at 17:00.

The Students' Union, The University of Alberta
Council Administration Committee

22 November 2005 @ 17:00 - SUB 606

Votes and Proceedings (CAC 2005-14)

1. Call to Order

The Chair called the meeting to order at 17:05.

2. Approval of the Orders of the Day

Orders of the Day stand approved.

3. Standing Orders of Students' Council [4000(12)(a)]

a. Points of Order

KIRKHAM/KELLY MOVED THAT Standing Orders of Students' Council be amended by adding a new order that reads:

Where a member rises on a Point of Order, that member must cite the specific rule or the piece of legislation and section(s) that contain the rule that is being violated.

CARRIED (UNANIMOUS)

43(1). Points of Order

Where a member rises on a Point of Order, that member must cite the specific rule or the piece of legislation and section(s) that contain the rule that is being violated.

KIRKHAM/KELLY MOVED THAT Standing Orders of Students' Council be amended by adding a new order that reads:

Where a member rises on a Point or Order citing the violation of a federal, provincial, or municipal law, that member must provide a copy of that law to the Speaker at the time the Point of Order is raised.

CARRIED (UNANIMOUS)

43(2). Points of Order

Where a member rises on a Point or Order citing the violation of a federal, provincial, or municipal law, that member must provide a copy of that law to the Speaker at the time the Point of Order is raised.

4. Progress of Students' Council Legislative Agenda [4000(12)(d)]

BERGHOFF/KELLY MOVED THAT Council Administration Committee recommend to Students' Council the adoption of a Bill with the following principles:

- i. The Speaker shall represent Students' Council before the Discipline, Interpretation, and Enforcement Board.

CARRIED (UNANIMOUS)

5. Strictly Confidential Designation [500(1)(1), 500(2)(3), Bill #14, 2005-14.01]

BERGHOFF/SCHNEIDER MOVED THAT Council Administration Committee recommend to Students' Council the adoption of a Bill with the following principles:

- i. 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.
- ii. Students' Council shall be provided with a complete copy of the final draft of the contract or agreement.
- iii. Upon the recommendation of Students' Council, CAC will mark the contract or agreement as Strictly Confidential.

CARRIED (UNANIMOUS)

The meeting adjourned at 19:20.

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

<i>Policy Number:</i>	<i>Effective Date:</i> April 6, 2004	<i>Page</i> 1 <i>of</i> 2
	<i>Expiration Date:</i> April 30, 2007	
<i>Responsibility for Policy:</i>	Academic Affairs Board/External Affairs Board	
<i>Subject Matter</i>	- 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-**

Audit Committee

Tuesday, December 2, 2005

ATTENDANCE: Chapman, Eruvs, Kustra

CALL TO ORDER: 12:35

ITEMS OF BUSINESS:

- Eruvs/Kustra motion to approve the agenda (3-0-0)
- The committee received a brief presentation from Eugene Lee and Rose Yewchuk of APIRG regarding drafts of the Audit and Annual Report. After lengthy discussion and a question and answer session, the committee decided to postpone the vote on the dispersal of APIRG's DFU until the final Audit and Annual Report have been released and until some concerns regarding long term planning and accounting practices have been answered to the committee's satisfaction.
- Motion by Kustra/Eruvs to audit the Powerplant in January (3-0-0)
- An important item of business was absent from the Nov. 24 minutes submitted to council. In our never ending effort to find an effective way to deal with the Internal PR budget line, the committee sent a formal recommendation to the Vice-President Operation & Finance, requesting that during his rewrite of the Student Union's Operating Policies, he write an Internal PR Operating Policy.

NEXT MEETING: TBA

ADJOURNMENT: Meeting dispersed at 2:01pm.

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.

Dare to Discover- The Students' Union's response to the first draft of the Vision Document

We have decided to make short comments on all sections in the order they appear in the draft document, and also to answer the questions posed at the end.

VALUES

Ever since its founding in 1908 as the Province's first postsecondary institution, the University of Alberta has been guided by values that have both focused our aspirations for continuous positive contributions to society and growth. We believe in:

- A commitment to engaging with all our communities in order to better serve and promote the public good
- Integrity and principles of ethical conduct built on the foundation of academic freedom.
- A diverse and inclusive collegial community valuing free and open inquiry with respect for each individual
- Pride in our history and traditions that serves to strengthen our optimistic embracing of present and future challenges
- A collegial commitment to inspire each other to be the best we can be and to support each other as we seek our highest levels of achievement

Values

Notably absent in these values are two things: education and innovation. Most importantly, the values of this university need to specifically include a mention of students, and not only the collegial and research community-whereby it is unclear whether students are included in said 'collegial community'- and a clear commitment to the improvement, dissemination and creation of knowledge.

Therefore:

- The value of education and therefore a commitment to enhance the opportunities to access the resources of this university for potential students from all walks of life.

VISION

Our vision is to inspire great achievements through learning, discovery and citizenship in a community committed to building one of the world's great universities by nurturing the human spirit and contributing to public good.

Again, we would like to see more inclusiveness.

- Our vision is to inspire great achievements through learning, discovery and citizenship by engaging a community committed to building one of the world's great universities by nurturing the human spirit and contributing to public good.

MISSION

In the context of Alberta's prairie and northern values, the University of Alberta gives a national and international voice to Alberta innovation, taking a lead role in placing Canada at the global forefront. The far-reaching scope and celebrated quality of the

University's programs enhances student and staff opportunities as well as Alberta's economy and society.

Within a vibrant and supportive learning environment, the University community discovers, disseminates, and applies new knowledge through learning, life-long learning, research and creative activity, community involvement, and partnerships.

The phrase "In the context of Alberta's prairie and northern values" has caused some discomfort, especially in conjunction with the goal of an environment that supports free and open inquiry. The values of the University of Alberta should be the values of a University and not the values of a geopolitical entity, as there are potential clashes.

Also, it is unclear which global forefront Canada will be placed at- the global forefront of business? The global forefront of knowledge? Quality of life? The language in this section was unclear and did not resonate with us.

CORNERSTONES TALENTED PEOPLE

Recruit the best students from Alberta, Canada and the world.

Create a dynamic, discovery-based learning environment by aiming for a mix of undergraduate and graduate students typical of leading public research universities and by attracting post-doctoral fellows, researchers and visiting faculty from around the world.

Improve access for excellent rural, aboriginal and non-traditional students through partnerships with colleges and by linkages with high-schools throughout the province.

Step up the recruitment and retention of outstanding and diverse academic staff through endowed professorships, competitive start-up funding, attractive career support and by celebrating and rewarding exceptional achievement.

Retain and recruit the best staff by fostering a culture of excellence, a healthy workplace, and progressive career opportunities and by rewarding leadership and outstanding accomplishments.

Enhance the global perspective and intercultural climate at the University by celebrating and drawing on the diversity within the university community

In this section, we would like to add the importance of structural flexibility to attract innovative staff, especially in the area of interdisciplinarity and cross-appointments. As long as there are severe institutional barriers that punish innovators as soon as they go off the beaten path, the University of Alberta will not attract potentially great innovators and pioneers.

Secondly, students would like to see active recruitment by current students or alumni taking place all over Canada and the world.

LEARNING, DISCOVERY AND CITIZENSHIP

Create an exceptional and life-changing university experience for students through curricular and extra-curricular offerings which integrate learning, discovery and

citizenship to develop the intellect, educate leaders, enhance a global perspective and achieve clearly defined learning outcomes.

Engage students to improve retention, enhance graduation rates, and inspire high achievement through mentorship, and peer-based activities such as clubs, athletics, and social events.

Foster discoveries and scholarship that are transformative and at the cutting-edge by rewarding quality over quantity, creating “steeple of excellence”, and enhancing crossdisciplinary initiatives.

Increase the impact of university discovery and scholarship on public policy, and enhance social, cultural and economic dividends by celebrating and rewarding achievements in knowledge translation

Reward and recognize faculty who excel in innovative teaching, ground-breaking scholarship, and contribute to community and nation building as public intellectuals and professionals.

Inspire students, faculty and staff to engage in activities that develop leadership, foster social and moral responsibility, and contribute to the development of civil society and our democratic institutions

Even though mentorship, clubs and peer-based activities are an integral part of university life, they are not as integral as volunteering and community service activities.

Again, innovative teaching and ground-breaking scholarship often involves the integration of research and innovation between faculties, and true *interdisciplinary* research rather than merely crossdisciplinary research. This integration of knowledge will also prove helpful in making the University a better source for advice on policy issues.

Also, the importance of providing studying abroad or internship abroad experiences for students were found to be missing from this section.

CONNECTING COMMUNITIES

Engage alumni in a life-long relationship with the University for mutual benefit, and enlist their support to achieve the University of Alberta’s vision and to assist us in connecting to communities around the world.

Build strong partnerships with the Government of Alberta, the Capital region, the city of Edmonton, Camrose, and other municipalities around the province, to fulfill our responsibility as Alberta’s university.

Strengthen our connections to the Government of Canada and other provinces to fulfill our obligations as a national university with global connections.

Foster excellent relationships with Capital Health and other provincial health organizations, the Post-secondary sector, Business, and Government to advance mutual goals, provide opportunities for our students, and translate our research outcomes.

Enhance relationships with other nations to create learning opportunities for students, research collaborations that address global challenges and initiatives to foster mutual understanding, global peace and prosperity.

Promote community pride and ownership of the university through physical and intellectual openness and by creating opportunities for dialogue and discussion.

What is lacking overall in this section is any discussion about connections to *people*. In addition to government, business groups and special interests, connections need to be made to citizens, students, and faculty all over the country and world.

Also, in paragraph 3, there are some notable omissions-in our opinion, it should read:

- Strengthen our connections to the people of Canada through the Government of Canada and its provinces and territories to fulfill...

The most notable omission, however, happens in the total lack of mention of providing international learning experiences for our own students. Not only do we need to bring the world here, we also need to send *our students* out into the world. Therefore:

- Provide students with critical international learning experiences such as study abroad programs and internships to foster the development of global perspectives and understanding.

Also, the integration of alumni could go further than the vague statement of “support”, or monetary donations. Alumni can be very useful when it comes to integrating knowledge and the working world, and could be a valuable resource for instructors who want to connect the teaching and learning experience to the real world.

Additionally, we think that alumni could serve well in a role as ambassadors for the University of Alberta, spreading the word and recruiting future students and instructors alike.

ORGANIZATION AND SUPPORT

Develop an endowment comparable to the best public-research universities in the world.

Secure resources to provide the best education and to support world-class research and knowledge translation.

Provide bursaries and scholarships to increase affordability for all students and offer competitive fellowships to attract the best graduate students.

Build and enhance class-rooms, laboratories, libraries, museums, and extracurricular, social and residential facilities to provide a transformative university experience.

Set priorities and continue to invest in world-class research infrastructure.

Establish high standards of service, improve communication between units, enhance collaboration, discourage “silos”, implement transformative ideas, revise organization to respond to external changes, and promote administrative effectiveness and good governance.

We strongly support the formation of an endowment and the provision of bursaries and scholarships to students. Additionally, the list about including the university’s facilities should include all the different types of facilities students learn and study in and not be biased towards certain faculties and departments. Currently, studios, physical education facilities and others are not mentioned.

Questions

1. What will distinguish the world's great universities from excellent institutions in the twenty-first century and what strategies will be required to advance the University of Alberta into that league? Should we and why?

The answers to this question focused around four main themes: Community, Outreach, Integration of knowledge, and international experiences.

A Great Community

- Improve and expand student residences to make this campus a more closely-knit community instead of a commuter campus
- Install cohort options
- Work at the better integration of foreign cultures and international students
- Ensure the Edmonton community feels connected to and has a stake in the University of Alberta

Outreach

- Bring in international students from a diverse variety of backgrounds and countries
- Build relationships with other universities

Integration of Knowledge

- Expand Community Service Learning
- Make available Co-ops to more students
- Provide Hands-on experiences
- Expand Interdisciplinary Programs
- Reward Student Volunteers

International Experiences

- Expand scholarships for study abroad programs
- Expand exchange opportunities, especially outside the western world
- Integrate exchanges more smoothly into the academic experience

2. What is the purpose of an undergraduate and graduate education in the twenty first century? What steps should we take to ensure students are receiving exceptional preparation to excel and be responsible citizens in this interconnected global environment?

The emphasis of the answer to this question varies according to what faculty or even department one speaks of. On the one hand, all undergraduates expect -or hope- to acquire some or all of the hard skills and knowledge base necessary to work in a field of their study, as demanded by their industry. On the other hand, these skills are often more than what is visible at first glance. In our view, the purpose of an undergraduate education is to provide students with the ability to:

- Think critically
- Connect and integrate knowledge from different disciplines
- See different perspectives on the same issue

- Communicate effectively both orally and on paper
- Conduct useful research on a topic of their choice
- Be imaginative, innovative and creative in their problem-solving strategies

The strategies for this goal can be found in our answer to question 1.

3. Alberta lags behind other provinces in the percentage of students who pursue postsecondary education. What should the University of Alberta do to improve Alberta's record? What kind of students should we attract – rural, urban, national international, undergraduate versus graduate, mature, part-time etc.

Financial inaccessibility is one of the main problems in attracting students to a post-secondary education. Apart from expanding the scholarships and bursaries currently in place, the university can make an effort to convey to both the public and the government the importance of affordability. This will also help to attract non-traditional students such as mature students, or part time students, and lead to more students being willing to take on the additional investment of going to graduate school.

Additionally, the university should actively recruit students in the same manner other universities do, by employing their current and past students as ambassadors.

4. What strategies should we adopt to recruit and retain the best faculty in a period when the global competition for top talent is intense? How do we support faculty so their research discoveries and scholarship are in the top ten percent of all the knowledge generated worldwide? Is this important and why?

As we stated under the above heading of “Talented People”, innovative research often comes up against institutional barriers. These barriers should be minimized, and innovative and group research should be supported and rewarded. We agree with a “quality over quantity” approach, but wonder what it means for scholarship to be “in the top ten percent of all the knowledge created worldwide”.

Additionally, we believe that researchers need adequate support, be it from graduate students or undergraduates as in the existing arts initiative, and cutting edge facilities to realize their full potential.

5. How do we increase translation of university research into public policy, private industry, and societal dividends that improve the quality of life? In what ways can the University of Alberta support the government's twenty year plan and four pillars?

We think that increased connections with outside organizations, such as Capital Health, can be very beneficial. Also, an emphasis on interdisciplinarity and connectivity between the university's faculties and departments would lead to the integration of fractured knowledge which prepares scholarly results for practical applicability. To that end, cross-appointments of professors and the expansion of interdisciplinary programs are strongly suggested.

6. How should the University of Alberta strengthen its relationships with alumni, the city of Edmonton, other municipalities, the province of Alberta, Canada and the world? What strategies should the University adopt to play a leadership role provincially, nationally and internationally in challenges of importance to Alberta, Canada and the world?

As stated above, alumni can have a greater role than donors. It would be beneficial for students to be able to meet professionals, ask strategic career-related questions and make connections for the future.

7. What steps should we take to expand our resource base to provide students with a high quality learning experience and faculty and staff with an outstanding working environment in which they can make significant contributions to the overall goals of the institution and the province?

Again, much of the answer to this question has already been stated somewhere above, mainly under the four main themes in our answer to question 1. We also greatly support the creation of an endowment such that all of the above goals can be realized in the future.

THE STUDENTS' UNION OF THE UNIVERSITY OF ALBERTA

POLITICAL POLICY STATEMENT

<i>Policy Number:</i>	<i>Effective Date:</i>	<i>Page</i> 1 <i>of</i> 1
	<i>Expiration Date:</i> April 30, 2009	
<i>Responsibility for Policy:</i>	University Policy Committee	
<i>Subject Matter</i> - <i>Category:</i>	POLITICAL POLICY (GENERAL)	
	- <i>Specific:</i> General Election Forum	
	- <i>Topic:</i> 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
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Created

STUDENTS' COUNCIL VOTES & PROCEEDINGS

Tuesday November 29, 2005
Council Chambers 2-1 University Hall

VOTES & PROCEEDINGS (SC 2005-16)

- 2005-16/1 CALL TO ORDER
- The meeting was called to order at 6:00 p.m.
- 2005-16/2 SPEAKER'S BUSINESS
- 2005-16/2a Announcements - The next meeting of Students' Council will take place on December 6, 2005.
- 2005-16/2a (i) Jamaal Montasser resigns from the External Policy Committee
- 2005-16/2a (ii) Heather Wallace resigns from Students' Council
- 2005-16/2a (iii) Shad Thevenaz resigns from the Bylaw Committee
- 2005-16/3 APPROVAL OF THE ORDERS OF THE DAY
- KIRKHAM/LETTNER MOVED to approve the orders of the day.
- Main Motion: CARRIED
- 2005-16/4 PRESENTATIONS
- 2005-16/4a Presentation given by Dr. Carl Amrhein and Mr. Philip Stack on Tuition.
- 2005-16/4a KEHOE/JOHNSON MOVED TO postpone item 4b to the next meeting of Students' Council.
- Main Motion: CARRIED
- 2005-16/5 NOMINATIONS
- 2005-16/5a POWER/KIRKHAM MOVED THAT Students' Council appoint Andrew Kwan and Florence Cheng as Depute Returning Officers for the 2005-2006 year.
- Speaker's List (mm): Power (CRO: Rachel Woynorowski)

Main Motion: CARRIED

2005-16/5b

LEWIS/PAYNE MOVED THAT Students' Council appoint a member to the External Policy Committee.

LEWIS nominates SHAMANNA: SHAMANNA accepts.

Councillor Shamanna appointed to the External Policy Committee.

2005-16/5c

POWER/TOBIAS MOVED THAT Students' Council ratify the following appointments to the Discipline, Interpretation and Enforcement (DIE) Board effective immediately: Dane Bullerwell, Joel David, Kanchana Fernando, James Koizumi, Amanda Nielson, Scott Nicol and Saarah Shivji.**POWER/KIRKHAM MOVED TO** amend the main motion by adding the words "And to nominate Kanchana Fernando as the Associate Chief Tribune".**Amendment to main motion: CARRIED****Main Motion: CARRIED***Speaker makes item 7e (i) a Special Order*

2005-16/7e (i)

LEWIS/KIRKHAM MOVED THAT Students' Council approve the proposed petition question below:
Do you support the elimination of the plebiscites and referenda process of the Students' Union?

Speaker's List (mm): Tobias

Main Motion: CARRIED*Speaker makes item 7e (ii) a Special Order.*

2005-16/7e (ii)

LEWIS/KIRKHAM MOVED THAT Students' Council approve the proposed petition question below:
Do you support that the Students' Union only collects or approves fees distributed to a particular entity where the control of that entity corresponds to the financial contribution by students?**Main Motion: CARRIED***Speaker makes item 7e (iii) a Special Order.*

2005-16/7e (iii) LEWIS/KIRKHAM MOVED THAT Students' Council approve the proposed petition question below:
 Do you support the elimination of all dedicated fees* currently levied by the Students' Union?
 *Student Involvement Endowment Fund
 Eugene L. Brody Fund
 Access Fund
 Refugee Student Fund
 CJSR-FM Fund
 Golden Bear and Panda Legacy Fund
 Campus Recreation Enhancement Fund
 Student Legal Services of Edmonton Fund
 Alberta Public Interest Research Group Fund
 Gateway Student Journalism Fund

CROSSMAN/KELLY MOVED TO amend the main motion by taking Eugene L. Brody Fund of the list.

Point of Order: Lewis – “Mr. Speaker I don’t think this amendment matched the members intent because his intent was to eliminate all dedicated fees and Eugene L. Brody is a dedicated fee, this would not reflect the intent of the member.

Speaker: You may be right Councillor, but I think that is exactly the debate that we’re here to have today and so on this one, that’s the only reason I can see why we’re all sitting here today. Your Point of Order is not well taken.

Speaker’s List (am): Crossman, Kirkham

Amendment to main motion: DEFEATED

Point of Order: Chapman – “Is it possible that this question is violating good faith because rescinding so many different funds would therefore put in jeopardy a great majority of what the Students’ Union actually is here for. Many of the services provided through these funds are integral to the services provided to students and we’re therefore rescinding a whole bunch of different services to students”.

Speaker: Point of order not well taken. It’s very controversial what the Students’ Union does.

Speaker’s List (mm): Lettner, Kirkham

Main Motion: CARRIED

Speaker makes item 7e (iv) a Special Order.

2005-16/7e (iv) LEWIS MOVED THAT Students’ Council approve the proposed petition question below:
 Do you support the establishment of a dedicated fee, levied by the Students' Union, subject to the following conditions?
 a. The fee would be assessed to each undergraduate student at \$10.00 per term.
 b. The fees collected in that term will be awarded to one randomly selected undergraduate student.

Point of Order: Tobias – “Under provincial statute (in the late additions), under Part 2 “Gaming and Provincial Lotteries”, which is from the Liquor and Gaming Act (Province of Alberta). Section 20 (i) “an applicant for a gaming license that authorizes a gaming activity under section 207 (i) (b) or (f) of the Criminal Code (Canada) must be a charitable or religious organization”. Under certain circumstances the Students’ Union is capable of meeting criteria we’re actually running a Casino come February so in certain cases we are actually able to squeeze under charitable organization for very specific instances and for very specific funding situations. Where this question comes into exception is in Section 20, part 2, which states that proceeds from the gaming activity will be used for a charitable or religious object or purpose approved by the board. Currently this motion implies that all of the proceeds for this raffle, it’s not actually a lottery under provincial statute, it’s a raffle, and I’ve got the background documentation which comes right before that. For this particular raffle the proceeds are not going to a charitable/religious purpose, they are going directly into the pockets of undergraduate students, therefore I would argue that this is illegal”.

Point of Order, on the Point of Order: Chapman – “This isn’t taking about a lottery, this could be argued that it’s a scholarship and we do collect dedicated fee units from students to support scholarships”.

Speaker: Point of Order on the Point of Order, not well taken. There is nothing procedurally wrong with what the Vice President (Operations & Finance) is attempting to accomplish at this moment.

Speaker: The chair is in agreement with the Vice President (Operations & Finance) that this would be a violation of Part 2 of the Gaming and Provincial Lotteries Act. Specifically Section 20 (2) and rules the question out of order on those grounds.

KIRKHAM/LEWIS APPEAL THE decision of the chair.

Kirkham: Thank you Mr. Speaker. Notwithstanding the documents that have been placed before us, and I'd like to thank Mr. Tobias for being prepared and adding to the Late Additions, it's very useful. The problem stems from the fact that in the question that's being approved before us there is not notion of a lottery, a raffle or any sort of gaming that is being done here. Although one may logically infer that. The best example I'd like to draw is one that Councillor Chapman brought up is the way we dish out scholarships and bursaries on campus that we basically award or collect money. An award that might either be for academic achievement or financial need. Well both of those are specific more or less tangible items that can be used as reasons for giving out money there's nothing saying not having a reason is amount to something being a lottery. If, for example, we apply for a scholarship that was available and there was no criteria other than actually applying for it and having someone being randomly selected from those, is it suddenly a lottery because there is no criteria for it? Well no, there isn't. Just like there is a certain limited number of scholarships and everyone applies has to have a GP of 3.5 or above and that's the only requirement then a certain number of those people are randomly selected from that subject because there is no notion of a lottery, the intent was not a lottery, it's not worded as a lottery. It's unfortunate that this point of order has been raised and has been ruled as well taken. And it is unclear whether it is. Now, if you want to say "Yes, this is a lottery and there's no doubt it's a lottery", great it's a lottery. As Mr. Tobias said, it would actually be dealt with as a raffle not as an actual lottery. It's unclear whether or not profits from a raffle actually have to go to a non-profit group and in this case it's going to the Students' Union, which in this could issue a scholarship in turn for this monetary value, so I don't see any legal limitation there that ties our hands explicitly from being able to carry out the content of this question.

Tobias: Mr. Speaker, if I may again draw Council's attention to the last page of their Council package. Under Provincial Law actually you can only get a Gaming License for a bingo, a pull ticket scheme, a raffle or a casino. Lotteries are strictly under the purview of the provincial government and specifically the lottery board I believe. And in any case it's clearly outlined here that a raffle license authorizes a lottery scheme in which tickets or bonds are sold for a chance to win a prize. That's exactly what we are offering here Mr. Speaker and I think my point of order still stands based on that definition.

Lewis: Just very briefly Mr. Speaker. Under section 20 (i) (b) the very last words are "or purpose approved by the board". It would be the responsibility of the Students' Union, I believe, where this petition question passed, to convince the board that this is a reason to be approved and because that's outlined in law that is something that would be legal for us to try and obtain permission. And that makes this questions legal and I believe is the petition questions was passed it would make it the responsibility of the Students' Union to obtain that permission.

Thevenaz: We talked a lot about scholarships and how some scholarships are random. I just want to point out to Council that even a scholarship is random. There is a minimum entry requirement to apply for it. Almost every scholarship, I mean even if it's not, this is the entire student population we're talking about and it's just a random selection of just one student. It's the same as an entire town, because our campus is basically the size of a town and not only that, we're forcing students to proceed with this gambling activity. It's ridiculous, personally.

Point of Order (on appeal): Kirkham – “Under Standing Orders #43: the law being referenced of being used to declare something illegal must be presented to the chair. This has been done so that the Gaming and Provincial Lotteries Act has been provided. However, the problem is it has been extended as to basically what we’ve been debating on is if this constitutes a requirement for a gaming license. Unfortunately that gaming license as said in Section 20 (i) is referenced in Section 207 (i) or (f) of that Criminal Code of Canada. Unfortunately the code of that section has not been included here. Therefore we cannot make a relevant judgement on whether or not this would actually be a lottery or not. I’m trying to bring up the Criminal Code right now to find that section. That’s basically what the questions is and unfortunately we do not have that law in front of us”.

Speaker: Point of order not well taken. Having said, this is a fairly valiant effort to comply with the new Point of Order provisions which are quite stringent themselves in terms of expecting people to bring legislation to Council to argue on these points. Well I agree it would be nice if we had all of the particular provisions in front of us, which might be referenced by this. I think that a level of thoroughness not actually envisioned by the Standing Order and I’d hope that we could leave it at that.

**Shall the decision of the chair stand as the judgement of the assembly:
SUSTAINED**

Main Motion: Declared out of order.

Speaker makes item 7e (v) a Special Order.

2005-16/7e (v)

LEWIS/KIRKHAM MOVED THAT Students’ Council approve the proposed petition question below:

Do you support forbidding The Students' Union, The University of Alberta, from referring to itself by any name other than its full legal name?

Point of Order: Lewis – “Mr. Speaker, even though this is my motion I’m going to suggest this motion is in bad faith. Particularly that it would serve no practical purpose besides forcing is to change all of our signage and it really doesn’t benefit anyone and I don’t think there was good faith coming from the member and proposition of this question”.

Speaker: The chair finds the point of order not well taken. While I agree that this is essentially an empty question, it causes no harm to the organization except for the wasting of \$2,000 which I agree is deplorable but nonetheless allowed under the existing rules of our legislation and because it has no negative impact on the organization, and because the scope for referenda is no way limited at this time, except it being illegal or bad faith, I don’t think that this would meet the threshold.

Under Standing Orders, a 15-minute recess was taken.

JOHNSON/PAYNE APPEAL the decision of the chair.

Johnson: Mr. Speaker, while I agree with you that the bar should be raised very high on what is bad faith. When I reasonably look at this petition question I ask myself why a person would put this question forward and when I reasonably think about the situations on this campus I can see no identity crisis that the Students' Union faces with miss-matching their name with somebody else's. I see no problem with the Students' Union using the words Students' Union as opposed to Students' Union, University of Alberta. I see how it would inconvenience the SU by causing us to spend money creating new signage, not only that, but limiting our ability to creating on our communications and marketing towards students. And when I think about these altogether the only conclusion I come to is that an individual has created this question out of bad faith to inconvenience the SU.

Kawanami: I think we need to keep in mind that there is a difference between stupid and illegal or in violations. We can all talk about the wisdom of some of these motions but the solution is that is to change the rule, it's not to pretend the rule says something it doesn't. I think Council is well on the way to changing the rules on a number of motions that have already passed first reading or appear on the order paper, so I tend to agree with the Speaker in this particular instant, while we may debate over the wisdom of this particular question, I think if we start imputing bad faith too broadly it gets to be too arbitrary and I think we should caution against that.

Lewis: Mr. Speaker, we've already ruled a question out of order because it was illegal, that's fine, we also have the ability given to us by DIE Board to rule questions out of order based on the fact that they are in bad faith. I think it's very clear that this questions was submitted to abuse the process because it serves to practical purpose and I think the only reason it was submitted was to slow down the process, bog down the process and abuse the process. And I think that Students' Council should rule against the will of the chair and strike the question down.

TOBIAS/BLAIS MOVED THE previous question.

Motion to move the previous question: CARRIED

**Shall the decision of the chair stand as the judgement of the assembly:
OVERTURNED**

Main Motion: Declared out of order.

Speaker makes item 7e (vi) a Special Order.

2005-16/7e (vi) LEWIS/SCHNEIDER MOVED THAT Students' Council approve the proposed petition question below:
Do you support giving the Discipline, Interpretation, and Enforcement Board of The Students' Union, The University of Alberta, the authority to examine and bring into compliance the legislation of The Students' Union, The University of Alberta with applicable provincial legislation?

Point of Order: Tobias – “Mr. Speaker, if I may call Councils attention to the Post Secondary Learning Act enclosed in your Council Late Additions, specifically section 95, part 1 “The business and affairs of a student organization of a public post-secondary institution, such of the U of A, must be managed by a Council”. This in effect, Mr. Speaker, would mean that some of the affairs of the Students Association would be managed by DIE Board which is explicitly a no-no under the PSL Act”.

Speaker: The Chair finds that the point of order is well taken. If this question were to pass it would essentially delegate to DIE Board the interpretation of the Post-Secondary Learning Act and it would also then give DIE Board the ability to essentially force the organization to comply it’s interpretation of the PSL Act. That would be an improper delegation and a violation of substantive law.

Main Motion: Declared out of order.

Speaker makes item 7e (vii) a Special Order.

2005-16/7e (vii) **LEWIS/SCHNEIDER MOVED THAT** Students’ Council approve the proposed petition question below:
Do you support requiring that all contracts entered into by The Students’ Union, The University of Alberta, be available for viewing by undergraduate students?

KUSTRA/PAYNE MOVED TO amend the main motion by adding the word “future” before the word “contracts”.

Point of order: Kirkham – “This violates Bylaw 2400, Section 4, subsection A. The intent of the member was not for future contracts, but for all contracts entered into by the Students’ Union, University of Alberta. Therefore it violates as it does not reflect the intent of the member”.

Speaker: The Chair would argue that if this goes through as is, it would essentially be, once again, a violation of the law because it would force us to divulge existing contracts which would then place the Students’ Union in a situation where it would be in breach of the contract law and again, under Robert’s Rules this would be out of order. This amendment effectively saves this question in the chair’s mind. Since we’re assuming that the member acted in good faith he could not have possibly have intended the organization to act illegally. I think it’s only fair to interpret this original petition in that light. Point of order not well taken, amendment is still in order.

Speaker’s List (am): Kustra, Kirkham

KIRKHAM/LEWIS MOVED TO amend the amendment by striking the word “future” and replace with “except the General Manager’s contract and the Single Source Beverage Agreement”.

Speaker’s List (am to am): Kirkham, Tobias

Amendment to the amendment: DEFEATED

LEWIS/PAYNE MOVED TO amend the amendment by striking the word “future” and replace with the words “all contracts which would be illegal for viewing”.

Speaker’s List (am to am): Lewis, Kawanami, Bill Smith (GM)

Amendment to the amendment: DEFEATED**Amendment to the main motion: DEFEATED**

Point of Order: Lewis – “Mr. Speaker, this question as it currently reads is illegal and you already told us why”.

Speaker: No I do not believe I did.

Lewis: After having defeated that amendment, this question is illegal because it would force us to divulge contracts that within the contracts it would be illegal to divulge.

Point of Order, on the Point of order: Kirkham – “Standing Orders number 43, he did not state which law is being violated”.

Speaker: Point of order, on the point of order is well taken.

Lewis: It's the section in Bylaw 2400 that will not allow us to violate any provincial statute.

Speaker: Which section?

Lewis: I believe it is section 4 B

Speaker: Bylaw 2400, Section 4 B says “Where a member wishes to circulate a petition, that member shall submit to Bylaw Committee, the intent of the question and Bylaw Committee shall approve, within 7 days, a question which if carried and acted upon, would not violate a Students' Union law or Federal or Provincial statute or regulation”. This question (Do you support requiring that all contracts entered into by The Students' Union, The University of Alberta, be available for viewing by undergraduate students?), lacking the proposed amendments, I'd have to find your point of order well taken and it would be a violation of contract law and it would force us to break particular secrecy clauses that we have or confidentiality clauses we have in existing contracts, therefore is illegal and thrown out.

Main Motion: Declared out of order.***Speaker makes item 7e (viii) a Special Order.***

- 2005-16/7e (viii)** LEWIS/KIRKHAM MOVED THAT Students' Council approve the proposed petition question below:
Do you support directly electing the two undergraduate student representatives to the Board of Governors for two-year terms that overlap by one year?

Main Motion: CARRIED***Speaker makes item 7e (ix) a Special Order.***

- 2005-16/7e (ix)** LEWIS MOVED THAT Students' Council approve the proposed petition question below:
Do you support implementing a mandatory hot lunch program to all undergraduate students at a cost of no more than \$60.00 per term?

Point of Order: Lewis – “Mr. Speaker for many of the same reasons that we decided to rule 7e (v) out of order, I think this is another question brought forward by a member in bad faith, brought forward to abuse the process and brought forward to bog down the process and I would like to see Students’ council rule this out of order and get it off of here”.

Speaker: one more time.

Lewis: My point of order is that this question was submitted in bad faith with the intention of abusing our referendum process.

Speaker: The Chair finds your point of order not well taken. Well a hot lunch program at \$60 may be a really stupid thing to do. Moreover the chair is not certain how you can provide a lunch for \$60 per person, per month. Nonetheless I do not think it falls outside the mandate of the Students’ Union if the SU chooses to do such a thing. And just based on this question in it of itself, the chair does not see bad faith written on this. This would be a legitimate viewpoint I think, so your point of order is not well taken.

TOBIAS/LEWIS APPEAL THE decision of the chair.

Tobias: So what the member is proposing here Mr. Speaker, is a mandatory hot lunch program to all undergraduate students at a cost of no more than \$60 per term. So let’s assume that 26,000 undergraduates here at the U of A, which means that we’d be collecting approximately 1.56 million dollars per term. If we assume a 13-week term with 5 days in every week so basically everyday you’re in class, you’re entitled to your hot lunch. That works out to 92 cents, per student, per day. Now currently in SUB Mr. Speaker, we see traffic approximating pretty much the entire population of campus. We’ve got fairly consistent numbers that show that most people on campus go through SUB at least once during the day. Approximately 300 of the approximately 26,000 people stop at L’Express per day Mr. Speaker. An if you’ve ever seen the line up at L’Express I think you’ve noticed now significant that line up can get and indeed how significant all the line ups at all the food vendor outlets in SUB can get. So that begs the question, if we are indeed to provide a hot lunch at 92cents, per student, per day for 26,000 undergraduate students Mr. Speaker, how on earth could we possible accommodate that kind of capacity within our current infrastructure, without say, renting QUAD for the entirety of the semester? Basically what I’m getting to Mr. Speaker is that, although this maybe a nice idea, it’s in fact physically impossible for us to do without making some major changes that would be well outside the realm of even our ability to raise fees, change our infrastructure. We simply do not have the resources to implement this and because there is absolutely no way for us to implement this and I’m pretty sure that the member submitting this never intended for this to become an absurdity because of course you can never have anything that will result in an absurdity. Either this question is in bad faith or it’s in bad faith, I can’t really decide which Mr. Speaker.

Kirkham: Thank you Mr. Speaker. I appreciate Mr. Tobias's comments and possible instead of rising on the point of order and saying that it's not physically possible something that might be more beneficial would be increasing the monetary value for example, by an amendment to hopefully make it plausible and a great analogy I'd like to draw here is the U-Pass, but kind of in a different light. Yes, there was a referendum 2 years ago to basically approve a U-Pass for \$60 per term. Even if it's \$120 per term or whatever monetary value it's at, it would be mandatory, just like this, for every single one of the 26,000 undergrads on this campus to purchase that U-Pass. Now, what happens if every single one of those 26,000 people take the bus to and from the University? It'd not physically possible, even with increase in services by ETS, ETS could not physically handle 26,000 students coming to and from the U of A everyday using their U-Pass. The same thing is occurring here, 26,00 people would not be able to eat lunch through the hot lunch program each and every day. Well we approved the U-Pass, we'll probably be approving yet another U-Pass later on this term. So if you're going to vote this down because it's not physically possible that we can't service those 26,000 people, then we're going to have to vote down the U-Pass too because ETS will not be able to service those 26,000 people. You have logistics, you have limitations, if monetary constraints is the issue here, then we should simply increase the funding by an amendment.

Khanna: I'd like to take a stab at this. I'd like to direct your attention to document SC 05-16.05 "DIE Board Report to Students' Council November 29, 2005" on the last page of that document it says that "The Board cites the 2004-2005 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 result of a referendum, would cause the eventual implosion of the organization. Council is authorized to not pursue the directive any further". We can't afford this, it can't be done, I think our organization would implode, I mean, this is in bad faith.

Kawanami: I know I said this on a previous motion, but I think we need to keep in mind the difference between stupidity and bad faith. If we're going to just equate stupidity with bad faith it leads us down a dangerous road. We've been pursuing funding in conjunction with the University, in conjunction with the City to try and do the unfeasible with the U-Pass. You could make a compelling argument that Student Nutrition is an equally compelling goal to affordable transit. I'm not sure of the weight of that. I recognize Councillor Khanna's point but to me, if we're going to use the U-Pass analogy, which seems to be cropping up. I think implied in that is if we can't get a hot lunch program for \$60, then its not offered, sort of similar to the U-Pass arrangement. And I think we need to keep in mind the analogy that if we're going to declare this in bad faith we have to take a retroactive look with what we're doing with ETS and should ETS come back up again. I'm not saying this is an intelligent motion, I'm not saying this is an efficient or effective use of SU resources but as the current rules stand we can't really kibosh this. And keep in mind that as we pointed out earlier, I'm not sure of the merits of spending too much time arguing over this, given that we're either in the process of passing motions or will be in the process of passing motions that can retroactively tube referendum questions for all sorts of reasons, so those are my thoughts on that.

Kelly: Not to rain on anyone's parade but ETS considerations and U-Pass considerations taken under account here, don't bring into consideration Councillor Khanna's point about SU implosion. Specifically ETS is not the SU. Whether or not it's feasible, etc. It has nothing to do with the sustainability of the SU and in this case it does.

Crossman: Thank you very much Mr. Speaker I think that the Vice President (Operations & Finance) made a very compelling argument in opposition to what's being discussed. In this referendum question I think that the facts and figures presented by the Vice President would make an excellent "No" campaign were this ever to get to referendum.

SCHNEIDER/HUSSEIN MOVED THE previous question.

Motion to move the previous question: CARRIED

**Shall the decision of the chair stand as the judgement of the assembly:
SUSTAINED, 16/10**

Main Motion: CARRIED

Speaker makes item 7e (x) a Special Order.

2005-16/7e (x)

LEWIS/PAYNE MOVED THAT Students' Council approve the proposed petition question below:

Do you support the establishment of a mandatory universal bus pass subject to the following conditions?

- a. A fee would be assessed to each undergraduate student at no more than \$500 per term.
- b. Undergraduate students would be prohibited from arriving on campus by any means other than public transit.
- c. This program would only come into effect upon a "heads" result of a coin toss conducted by the Discipline, Interpretation, and Enforcement Board.
- d. The process in (3) would be repeated until a "heads" result occurs.

Point of Order: Lewis – "Mr. Speaker, the implied term in Bylaw 2400 allows us to rule something out of order that was submitted in bad faith. Mr. Speaker, this is absolutely, positively ridiculous".

Speaker: Councillor, the chair finds your point of order well taken. The chair would also like to point out this is also in violation of various provisions in the Post-Secondary Learning Act regarding the Board of Governors control over access to this institution.

TOBIAS/KUSTRA APPEAL THE decision of the chair.

Speaker's List (app): Tobias

**Shall the decision of the chair stand as the judgement of the assembly:
SUSTAINED**

Main Motion: Declared out of order.

Speaker makes item 7e (xi) a Special Order.

2005-16/7e (xi)

LEWIS/PAYNE MOVED THAT Students' Council approve the proposed petition question below:

Do you support the establishment of a mandatory fee not to exceed one bicycle per day to provide hourly transportation to undergraduate students between Campus Saint-Jean and the Augustana campus?

Point of Order: Johnson – “I think that under Bylaw 2400 implied a point of bad faith. I would say that the provision of a fee of one bicycle is absurd and intended to make a mockery of the process and therefore is in bad faith”.

Speaker: The chair rules your point of order well taken. The chair also notes that the original wording of the petition question, as submitted, as “one penny farthing” and that’s a legitimate consideration as well considering that we’re dealing with bad faith provisions here. It seems very clear to the chair that this question was submitted in bad faith.

KELLY/TOBIAS APPEAL THE decision of the chair.

Speaker’s List (app): Kelly, Chapman, Kawanami, Hussein

**Shall the decision of the chair stand as the judgement of the assembly:
SUSTAINED**

Main Motion: Declared out of order.

Speaker makes item 7e (xii) a Special Order.

2005-16/7e (xii) LEWIS MOVED THAT Students’ Council approve the proposed petition question below:

Do you support establishing frisbeetarianism as the official religion of The Students' Union, The University of Alberta, and implementing a mandatory tithe of 10% to support frisbeetarian activities, such levy to be substantiated by income tax records and collected as part of the Students' Union fee?

KIRKHAM OBJECTS TO THE consideration of the question.

Shall the main motion be considered? DEFEATED

Speaker makes item 7e (xiii) a Special Order.

2005-16/7e (xiii) KIRKHAM MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

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).

Speaker’s List (mm): Kirkham

KEHOE/HUSSEIN MOVED TO amend the main motion by striking out the words “\$2.00 for all pints of draught” and insert the words “the lowest price legally possible” and strike the words “subject to the following conditions” and all the following conditions, including the definition of a fluid ounce.

Speaker's List (am): Kehoe, Shamanna (Andrew Langstone)

KEHOE/BLAIS MOVED TO limit debate on the amendment to 3 addition speakers.

Motion to limit debate: CARRIED.

Point of Order: Lewis – "Mr. Speaker, as much as I appreciate the good nature behind the Councillors point of information. I don't believe this has anything to do with the question at hand, which is a petition question about beer".

Speaker: Point of order well taken.

Speaker's List (am): Kehoe

Amendment to the main motion: WITHDRAWN (friendly)

Point of Order: Tobias – "Thank you Mr. Speaker. Councillors, if you look in your Council packages, late additions, there is a letter addressed to Mr. Justin Kehoe from Dima Utgoff who is the director of Residence Services and the chair of the Alcohol Policy Review Committee. Mr. Speaker, I will not speak to the proposed business model and the viability thereof that we've spoken of this evening. If you look at the letter, the letter very clearly states which University Policy and in turn which AGLC Policy is in breach".

Point of order on the Point of order: Kirkham – "Unfortunately University Policies do not fall under the purview of the Students' Union. So if there is a specific section of legislation that is being violated it would be helpful if that section be noted and the actual law referred to".

Speaker: I ask that you reserve your point of order at this time because I don't think we've heard enough from the Vice President to be able to rule.

Tobias: If I could explain into particular why this letter is of any importance at all to the assembly. Our liquor license is not the same liquor license that a bar on Whyte Avenue has. A bar on Whyte can expect to be inspected by one of the City of Edmonton's 4 liquor inspectors at any given time, possibly even once a year. On the other hand a bar operated on this campus, of which there are only 2, we're under a different class of liquor license and actually we're under the University's liquor license. There is no possibility that we can be under any other liquor license because the University owns the space and they have the sole ownership of this liquor license. So basically the only interpretation of the law that matters are one width when it comes to this liquor license is the University's interpretation.

Speaker: So Mr. Vice President, you're alleging that a law would be broken by this question, you need to tell the assembly what law is going to be broken.

Tobias: Basically AGLC Policy #6.2.3 states that: "liquor prices may vary from day to day and "happy hours" are acceptable, however liquor sale activities must not promote intoxication". And then he goes on to talk more specifically about the University Policy that would be breached and he concludes his letter with "as stated above, this practice would certainly lead to increased cases of intoxication and is therefore a violation of AGLC and University Policy". Now we could go to court Mr. Speaker, but in the mean time, the only people that really have any authority to enforce this on campus are the people that have written us this letter.

Point of order on the point of order: Kirkham – "Standing Order 43 requires that the legislation be brought forward. The argument I'm hearing from Mr. Tobias is that this motion would be in violation of a provision in the AGLC Handbook in guidelines that state that the University controls our liquor license and we must abide by any policies that the University sets forth. I would like to see the quote in the AGLC Handbook that for Class "C" licensees that they may set their own policies and any bars operating under that Class "C" license will be subject to those policies".

Speaker: Point of order, on the point of order is not in order. The chair does not hear the Vice President making that argument. What the chair hears is the rule that would be in violation of is 6.2.3 "liquor prices may vary from day to day and "happy hours" are acceptable, however liquor sale activities must not promote intoxication" and the letter is simply one indicator that he would point the assembly towards that would indicate perhaps we would be in contravention of this. The letter is not definitive on this, it is not the law, it may simply be an indicator showing that we would be violating the law.

Tobias: Absolutely Mr. Speaker. This is an indicator of how the provincial law could be interpreted and will be interpreted by the APRC, should we take these steps and I would assume that the logical end to this, should we pursue this end Mr. Speaker, would be that we would essentially lose our right to run our bars. So of course the option is always open for us to sue the University but I'd suggest that's perhaps not what we want to be discussing this evening.

Speaker: The Chair is not prepared to make a decision on this. The chair feels that there is to some extent a judgement call involved here and that Students' Council is best situated here to make this judgement call. I would suggest for the members to fully debate here whether or not they feel that this would ultimately bring the organization into violation of the law. Now, I just want to say that it is your job tonight, if you believe this question would violate this rule, then you should toss it out, if you do not believe that it would violate this rule, then at least you should not defeat it on this ground.

The Chair poses the question to the assembly.

Kustra: Wants to direct Council's attention to the date of the letter, which clearly indicates the previous version of the question. And that the questions in front of us is more flexible and less conducive to their definition of illegality by AGLC Policy.

Johnson: I just want to point out how explicit this letter is, it says "pricing beers at no more than \$2.00 per serving, per bottle promotes drinking to intoxication". These are the people who review our bars, review our practices and decide whether or not we are in compliance with the law. They have reviewed this possible practice, they have looked at it as \$2.00 per serving and even bring it down to a bottle, which is less than a pint and said they feel it would break the law. They are the people who are going to interpret it and have told us how they would interpret it.

Kirkham: Unfortunately the Vice President (Academic) is wrong. AGLC decides what is a promotion to intoxication, not the University's APRC. However, much they would like to believe they do, they don't. Although, yes, they have control over the Class "C" License. It does not stop us from getting our own liquor license. Although, yes, they have control over policies surrounding this University, they don't supersede in any length of the imagination the policies set for by the AGLC. The laws of the land sort of speak lies with the AGLC. Your decision here, honestly I understand from the political nature that this letter may have some weight and Students' Council brought up an excellent point where this is clearly in response to a previous question that was involved around the entire legalities of selling beer below cost. Bylaw Committee has fixed that from the new intent of the member and is bringing forward a question that should alleviate those concerns. Our focus here should be whether or not this is promotion of intoxication based on the guidelines set forth by AGLC based on evidence I tried to disseminate in my introduction. Bars sell at far below \$2.00, bars sell large quantities of beer that turn out per pint, less than \$2.00. This situation goes on and has gone on for years, decades. The AGLC has done nothing to stop it, therefore we can generally assume that it is implicit that it's not a promotion of intoxication. And even if it is, it's AGLC's place to state whether or not it's promoting intoxication. If it is, fine, in May or June when AGLC comes to the University and says "This is a promotion of intoxication", then we change it. Why? Because their guidelines supersede our Bylaws that's why we have a referendum, 4 months from now the road AGLC says "this is a promotion of intoxication" fine, we stop, we don't do it, the law supersedes any actions we give on ourselves.

Kehoe: The AGLC states that liquor sales must not promote intoxication. Which Councillor Kirkham has provided some anecdotal evidence of some establishments within the city of Edmonton that do sell alcohol at a similar volume at lower costs. I'm not entirely comfortable of accepting that anecdotal evidence of proof that those practices are following AGLC Policy and that AGLC inspectors are in turn keeping a close eye on absolutely everything and by the fact that that practice continues to on. I wouldn't be comfortable as accepting that as proof, that AGLC condones those practices and it's entirely possible that if the University were to state a complaint to AGLC that they could rule that this practice would be promoting intoxication. Therefore violating their policy. I'm more comfortable trusting in the judgement here of the chair of APRC then on anecdotal evidence, elsewhere in the city of Edmonton based on some knowledge of the AGLC.

Chapman: In 6.2.3 it says really explicitly what exactly would be the promotion to intoxication. It talks about 2 for 1's, free liquor. What we have here is a student trying to improve Students' Union businesses.

Bill Smith (GM): I appreciate Andrew Langstones creativity and persistence. The letter from Dima makes me nervous. Legalities can be criminal, civil, AGLC or the University's. The moment we receive a letter from senior administrators that they would interpret something to be a violation of AGLC regulations, that changes the grounds for us. Unfortunately we're in a situation where policing is provided by the University through 5-0, so the moment somebody on one of those busy nights we'd see with \$2.00 pints, the moment someone comes out of the bar and does something stupid, gets pulled over by 5-0. I'd suggest we're in serious trouble and don't forget a constant dial-up between Dima Utgoff and AGLC. They know each other well and their relationship is very close. Dima's letter changes things for us on a legal level. I think Students' Council needs to exercise prudence on this level.

Shamanna: I appreciate the concerns, but in the letter there is not definition of promotion to intoxication. It's very vague. It's also the bar staff whose responsibility is not to serve intoxicated patrons. This is advice from the University, not legal advice. At this time we can't rule as legality until we here from AGLC we can't rule out of order.

KIRKHAM/BLAIS MOVED THE previous question.

Motion to move the previous question: CARRIED

Point of Order: DEFEATED, 11/13

Point of Order: Khanna – "Bad Faith?"

Speaker: Point of order not well taken, the member's intent is in good faith.

Point of Order: Khanna – "Fiduciary Responsibility"

Speaker: Chair asks the General Manager to define fiduciary obligation to the assembly.

Bill Smith (GM): Fiduciary duty, as I understand, is the duty to subjugate all other interests in favour of the best interest of the organization and whose interests you serve. That's admitting to any conflicts of interests, or any motive other than the best interest of the corporation you serve.

Chair invites other definition of Fiduciary Obligation.

Lewis: Our fiduciary responsibility is to the health of the Students' Union and doing what is best for the SU, best for the members as well.

Kawanami: Wisdom of exercise? Not our best interest to solicit their ideas of fiduciary obligation

Chair: There are two interests here. Fundamental pull on direct democracy vs. representative democracy and where the loyalties shall lie legal obligations are crystal clear. Can delegate through referendum but responsible for those acts. Can air on sides of democratic or legal. The Chair chooses legal. In this situation it'd be best to have a lawyers opinion on this matter. There is sufficient evidence before me in my mind. Specifically the existence of the rules, and more importantly the letter from the University which I do believe does not constitute law in any sense, but is a definite indicator that a major player that deals with this kind of stuff on a frequent basis. In their opinion would violate the law and if correct, obviously a breach of our fiduciary obligation. Given that, the member can re-submit this question. I'm recognizing time constraints are involved. Given the circumstances the chair finds Khanna's point of order well taken and rules 7e (xiii) out of order.

SHAMANNA/LEWIS APPEAL THE decision of the chair.

Shamanna: Find ruling based on evidence before us. The letter is not a legal document, although it's a strong opinion, it's not a legal opinion. In terms of fiduciary responsibility I don't think selling beer will run us into the hole. Based on the fact that the member has submitted this 3 times and no one has sought legal advice, we owe it to the member to pass it.

Kelly: It's not the best interest to ignore this opinion. It's almost guaranteed that AGLC will take Dima's opinions as their own.

Point of order: Lewis – "The debate is legal, not on fiduciary obligation".

Speaker: Point of order not well taken, the question of fiduciary responsibility goes beyond that.

Crossman: We have 3 questions to ask ourselves: Have we been able to identify the law? No. Do we have solid legal interpretations? No. Do we have possible courses of action? Yes, uphold the motion, and pass the bill of retroactivity.

Point of Order: Lewis – "You're ruling this out of order on Bill 16, my question is what law or bylaw are we ruling this out of order?"

Speaker: Point of order not well taken. Common Law (the body of judicial decisions). An example would be DIE Board rulings.

**Shall the decision of the chair stand as the judgement of the assembly:
SUSTAINED**

Point of Parliamentary Privilege: Kirkham – "Because we're bound by Bylaw, we're legally bound to approve six more questions, can we ask 5-0 to stay longer?"

Speaker: Not well taken, unfortunately 5-0 needs to go, we will reconvene on the 3rd floor of SUB at 10:20 p.m.

Quorum, not established. Meeting de facto adjourned Thursday December 1, 2005 at 6:20 p.m.

ATTENDANCE (SC 2005-16)

Faculty/Position	Name	1 st Roll Call	2 nd Roll Call
President	Graham Lettner	✓	
VP Academic	Mathieu Johnson	✓	✓
VP External	Samantha Power	✓	✓
VP Finance	Jason Tobias	✓	✓
VP Student Life	Justin Kehoe	✓	✓
BoG Undergrad Rep.	Adam Cook	✓	✓
Agriculture, Forestry and Home Economics	Miranda Baniulis	✓	✓
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	Al-Amyr Sumar		
Augustana	Jonathan Friesen		
Business	Chris Young		
Business	Ryan Payne	✓	✓
Education	Lillian Patz		
Engineering	Brian Ceelen	✓	✓
Engineering	James Crossman	✓	✓
Engineering	Prem Eruvs	✓	
Engineering	Jamaal Montasser		
Law	Kyle Kawanami	✓	✓
Medicine and Oral Health Sciences	Suneil Khanna	✓	✓
Native Studies	Matt Wildcat		
Nursing	Nadia Ickert		
Faculté Saint-Jean	Joseph Blais	✓	✓

Open Studies	Sabine Stephan	✓	
Physical Education and Recreation	Philip Goebel		
Science	Sheena Aperoch	✓	✓
Science	Jack Gordon	✓	✓
Science	Abbeir Hussein	✓	✓
Science	Stephen Kirkham	✓	✓
Science	Sylvia Shamanna	✓	
Science	Omer Yusuf		
Science	Yuan ✓Hao		
Science	Chris Le	✓	✓
Science	Theresa Chapman	✓	✓
General Manager	Bill Smith	✓	✓
Speaker	Gregory Harlow	✓	✓

Guests of Council:

Position	Name
President of RAC	Chad Fletcher
Chief Returning Officer	Rachel Woynorowski
The Gateway	Ross Prusakowski
Student at large	Andrew Langstone
Student at large	John Travolta