

STUDENTS' COUNCIL LATE ADDITIONS

Tuesday, August 21, 2007
Council Chambers 2-1 University Hall

LATE ADDITIONS (SC 2007-09)

- 2007-09/6 **GENERAL ORDERS**
- 2007-09/6i **ERUVBETINE MOVES THAT** upon the recommendation of the Council Administration Committee, Students' Council adopt the following document entitled "Appendix 3: Councillor Remuneration" to replace the existing Appendix 3 in its Standing Orders.
- Please see document LA-07.09.01
- 2007-09/7 **INFORMATION ITEMS**
- 2007-09/7l Michael Janz, President - Report
- Please see document LA-07.09.02
- 2007-09/7m Discipline, Interpretation and Enforcement (DIE) Board- Ruling
- Please see document LA-07.09.03
- 2007-09/7n WoW 2007 Volunteer Application
- Please see document LA-07.09.04

APPENDIX 3: COUNCILLOR REMUNERATION

Executive Excluded

1 All voting members of Students' Council, including the Undergraduate Board of Governors Representative but excluding any member of the Executive Committee, shall be considered payees with respect to Councillor remuneration.

Base Rate

2 The annual base rate shall be equal to \$500.00.

Disbursement

3 Remuneration shall be calculated and dispensed at the end of each instalment period:

- (a) May – August,
- (b) September – December, and
- (c) January – April.

Council Remuneration

4 Payees shall be eligible to receive up to the annual base rate for serving on Students' Council.

- (a) A proportional amount of the annual base rate shall be dispensed to payees at the end of each instalment period provided that they attend every meeting of Students' Council.
- (b) Payees who are not in attendance for one (1) meeting of Students' Council during an instalment period shall only be eligible for one half (1/2) of the proportional amount of the annual base rate for that instalment period.
- (c) Payees who are not in attendance for two (2) or more meetings of Students' Council during any instalment period shall not be eligible for any of the proportional amount of the annual base rate for that instalment period.
- (d) Payees are required to submit a report to the Speaker of Council for each instalment period.
 - i. The report shall be no longer than one thousand (1000) words.
 - ii. The report shall include but is not limited to the payee's committee work, motions presented, research conducted and student outreach activities.
 - iii. Payees are not eligible for any proportional amount of the annual base rate for that instalment period until such a report is received no earlier than fourteen (14) days in advance of and no later than fourteen (14) days following the final day of the instalment period.
- (e) Payees shall be considered present for the purposes of Councillor remuneration
 - i. at the first meeting of Students' Council they fail to attend, or
 - ii. during a leave of absence taken for the purpose of running in a General Election.

Committee Remuneration

5 Payees shall be eligible to receive up to the annual base rate for serving on at least one Standing Committee of Students' Council, with the exception of the Awards Committee.

- (a) Payees who are removed from any Standing Committee of Students' Council shall not be eligible for any of the proportional amount of the annual base rate for that instalment period, regardless of any other Standing Committees of Students' Council on which they serve.
- (b) Payees who resign from a Standing Committee of Students' Council shall still be eligible to receive the proportional amount of the annual base rate for that instalment period provided they are still serving on at least one Standing Committee of Students' Council.
- (c) Payees who do not submit the report as outlined in 4(d) are not eligible for any proportional amount of the annual base rate for that instalment period.

Chair Remuneration

6 A payee shall receive remuneration in the amount equal to two thirds (2/3) of the annual base rate for serving as the Chair of at least one Standing Committee of Students' Council, with the exception of the Awards Committee.

Proxies Excluded

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7 Proxies are not eligible to receive remuneration, but satisfy the attendance requirement of the payee at meetings of Students' Council and Standing Committees of Students' Council.

Maximum Payment

8 A payee shall not receive an amount greater than eight thirds ($8/3$) of the annual base rate in an academic year.

Attendance Definition

9 To meet attendance requirements, a member must be present for both roll calls at a meeting of Students' Council.

ERUVBETINE moves the following amendments.

Appendix 3: 4-d-iii read: "Payees are not eligible for any remuneration until such a report is received by the final day of the instalment period."

Appendix 3: 4(c) read: "Payess who do not submit the report as outlined in 4(d) are not eligible for any remuneration."

ERUVBETINE moves that upon the recommendation of the Council Administration Committee, Students' Council adopt the following document entitled "Appendix 4: Councillor Mentorship Program" into its Standing Orders.

APPENDIX 4: COUNCILLOR MENTORSHIP PROGRAM

Participation

1 Any voting member of Students' Council, including the Undergraduate Board of Governors Representative but excluding any member of the Executive Committee, may sign up to participate in this program, such a volunteer henceforth referred to as mentor.

2 Any Students' Union member may participate in this program, such a student henceforth referred to as mentee.

3 All requests for participation shall be handled through the Students' Union website and/or email.

4 Requests to participate in a given meeting of Students' Council must be received by the Thursday prior to the meeting.

Advertising

5 This program shall be advertised at least once each Fall or Winter term through the student newspaper.

Processing Requests

6 First attempts shall be to pair mentees with mentors from the same faculty, but if this is not possible, then mentees shall be paired randomly with available mentors for the requested meeting of Students' Council.

7 A mentor may have only one mentee for any given Students' Council meeting.

Mentor Responsibilities

8 After being paired with a mentee, the mentor shall be responsible for:

- (i) establishing contact with the mentee prior to the scheduled Students' Council meeting,
- (ii) enlisting another eligible mentor as a replacement if unable to carry out the responsibilities to the mentee,
- (iii) attending the scheduled meeting of Students' Council with the mentee, and
- (iv) familiarizing the mentee with the role and proceedings of Students' Council.

ERUVBETINE moves that upon the recommendation of the Council Administration Committee, Students' Council read Bill # 2 for a first time:

Any document containing all motions passed by a standing committee shall fulfill the requirement for a document titled "Summary of Proceedings" as outlined in Bylaw 100-16(1)d.

Bylaw 100-16(1)

The chair of each standing committee shall, after each meeting of the committee, submit to Students' Council a report including

- (a) any decisions made by the standing committee acting under authority delegated to it by Students' Council,
- (b) any recommendations made by the standing committee to Students' Council,
- (c) any standing orders adopted by the committee, and
- (d) a document titled "Summary of Proceedings" summarizing the activities of the standing committee at the meeting in question.

ERUVBETINE moves that Students' Council read Bill # 3 for a first time:

Members of a standing committee referred to in Bylaw 100-15(2) shall refer to Students' Council appointed, quorum counting members of that standing committee.

Other references to members of standing committees in Bylaw 100 shall refer to Students' Council appointed, quorum counting members of that standing committee. (example Bylaw 100-15(5)).

Bylaw 100-15(2)

No meeting of a standing committee shall occur unless

- (a) every member of the standing committee has received at least seventy-two hours notice of the meeting, or
- (b) every member of the standing committee consents to the meeting taking place.

Bylaw 100-15(5)

Any member of a standing committee may designate any member of Council as his/her proxy for any portion of his/her term, provided that the member of Council so-designated fulfills the eligibility requirements to serve on the standing committee in question.

President Report

Students' Council: August 21/07

Michael Janz

president@su.ualberta.ca

Meetings Attended:

Coffee with the GSA

Karen Wichuk

Planning the EAS Launch

Deb Holloway

Marketing discussions Re: ESA

Campaigns Planning

Budget Submission discussion

Signed the U-Pass Distribution Memo (www.ualberta.ca/upass)

Marcia Lang, Strategic Advisor to the President

EAS

Lunch with Residence Services (Family Reunion much)

Peter Goldring MP Edmonton East

Lorne Babiuk New VP Research with the University

Provost Dr. Carl Amrhien

Doug Dawson: Housing, Powerplant, and Coke Contract

Safewalk Training

Rahim Jaffer Pancake Breakfast

Infolink training

New Prof Orientation

Student Group planning

Jim Bohun

Samantha Power: Revolutionary Speakers Series

Breakfast Television

Grilling at the SU BBQ

Meeting with all of the Service Directors to wish them well

Caus Teleconference

New Professor Orientation Social

Summary:

As people are returning to campus I'm having the opportunity to speak to the 'Movers and Shakers' of the university and really get pushing on my goals. It absolutely astounds me sometimes how slow governance can be and how many people need to be consulted and coddled for a project or initiative to take place.

There are many great things going on as the back to school season gets going. I hope as council you take these opportunities to get out in the community as often

as possible and let people know about what council is and what council does. Outreach does not have to be a formal process, it could be as easy as you volunteering to hand out handbooks at WOW and letting everyone know about student governance!

The CAUS Budget submission is going to be very exciting. The government needs to hear from us what our thoughts are surrounding post secondary education. I posted on the Students' Council facebook group the Draft Executive summary for discussion and I would strongly encourage all of you to contribute to the process. Mr Stelmach wants to hear from you:

www.budgetconsultation.alberta.ca!

COUNCIL: WHO IS YOUR SPORTSCENTRE SU 'EMPLOYEE OF THE WEEK'?

Janz: Don Iveson. Don has been our Advocacy Director over the past 25 Months and I have been nothing but impressed with his work. He has been pulling crazy hours this past week to ensure that his department is ready for his successor. He has been a long time friend of the student movement and he is departing on the 31st of August to bigger and better things. Just as he is packing his bags, we are unpacking boxes of U-Pass stickers and the SU is ready to go on distribution. I think the successful completion of this project was Don's biggest coup. Thank you for all of your hard work Don. High Five!

Discipline, Interpretation and Enforcement (DIE) Board

Ruling of the Board

Style of Cause: Nicol vs. Eruvbetine (Ruling #1, 2007/2008)

Date heard: August 17, 2007

Appearing for the D.I.E. Board:

Presiding Chair: Guillaume Laroche, Chief Tribune

Tribunes: Dane Bullerwell, Tribune

James Koizumi, Tribune

Appearing for the Applicant: Scott Nicol, SU Councillor

Appearing for the Respondent: Prem Eruvbetine, Chair, CAC

Observers present: Steven Dollansky, VP External, SU
Rachel Woynorowski

Case summary:

Councillor Scott Nicol alleges that proper notification for a Council Administration Committee (CAC) meeting was not given by the Chair, Councillor Prem Eruvbetine. Councillor Nicol seeks that the ensuing meeting of CAC on August 15th, 2007 be found null and void. The Board declares the CAC meeting held on August 15th, 2007 null and void due to the violation of bylaw 100, s. 15.2, and imposes that all references to and records of a CAC meeting on August 15th, 2007 be purged from the official record.

SUMMARY OF ALLEGATIONS

Councillor Scott Nicol (Applicant) alleges that proper notification for a Council Administration Committee (CAC) meeting was not given by the Chair, Councillor Prem Eruvbetine (Respondent). Councillor Nicol seeks that the ensuing meeting of CAC on August 15th, 2007 be found null and void.

FACTS

1. A CAC (Council Administration Committee) meeting was called for 1800h on August 15, 2007.
2. Notice was sent to the Council Administration Assistant by Mr. Eruvbetine with the following time stamp: August 12, 2007 11:34:08 PM.
3. Notice was sent to Council members by the Council Administration Assistant with the following time stamp: August 13, 2007 11:09:32 AM.
4. CAC is a standing committee per Bylaw 100 s.12(4).
5. All members of Students' Council are CAC members per Bylaw 100 s.12(4).
6. Bylaw 100 s.15(2) reads as follows:
"No meeting of a standing committee shall occur unless
(a) every member of the standing committee has received at least seventy-two hours notice of the meeting, or
(b) every member of the standing committee consents to the meeting taking place.
7. The August 15, 2007 meeting of CAC was not listed on the committee's meeting schedule.
8. Notice was personally given to the chair both by e-mail and instant communication by Mr. Nicol that CAC would be in violation of the 72 hour rule and a request was made that the meeting not be held at this time.
9. A CAC meeting was held on August 15, 2007. The meeting was called to order at 1817h.

These facts are supported through documentation received by the Board and are not contested by the respondent.

RELEVANT LEGAL PROVISIONS

Bylaw 100 states:

12. Standing Committee Membership
 - (4) The Council Administration Committee consists of
 - (a) five members of Students' Council as permanent members, and
 - (b) all members of Students' Council except the Speaker and the General Manager.
15. Functioning of Standing Committees
 - (2) No meeting of a standing committee shall occur unless
 - (a) every member of the standing committee has received at least seventy-two hours notice of the meeting, or

(b) every member of the standing committee consents to the meeting taking place.

ANALYSIS

The central question that must be answered in this issue is whether the term “member” at section 15.2 of Bylaw 100 refers to permanent members or regular members in the specific context of the Council Administration Committee (CAC). The Board finds that the term refers to the entire membership of CAC, not simply permanent members. Section 12.4.b of Bylaw 100 clearly defines the membership of CAC as including all members of Students’ Council, except the Speaker and the General Manager. Consequently, in reading section 15.2.b, the Board finds that the membership that must give consent for a meeting to be held without 72 hours notice is in fact all members of Students’ Council, except the Speaker and the General Manager.

The respondent suggested that “member” in section 15.2 must be read as “permanent member,” since to interpret “every member” to mean *all* members (permanent, voting, and non-voting) would require that all 42 councillors agree to a meeting without 72 hours notice, which is unworkable. There may be circumstances where a plain reading of a bylaw would lead to such a ridiculous result that we could only assume Council never intended the bylaw to be read in that way. This, however, is not such a case. While perhaps difficult, it is not logically impossible for all members of Council to consent to an emergency meeting, and the threshold for departing from a plain reading of a bylaw is very high.

The Board rejects the respondent’s further claim that the meeting was held in an emergency and should therefore be exempted from the Bylaw 100. The Board finds no sufficient grounds to believe that the outcome of the meeting, if annulled, would result in serious injury to CAC, Students’ Council, or the Students’ Union. Indeed, contrary to Chair Eruvbetine’s claims of an emergency, the motion directing CAC to discuss Council procedures has no imposed time limit (from August 7th 2007 Students’ Council meeting Votes and Proceeding):

ERUVBETINE/ GAMBLE MOVED THAT Students’ Council direct the Council Administration Committee to review Council procedures and incorporate them into the standing orders and submit them for approval.

Objection on Amendment
Speakers List: Eruvbetine
Amendment: CARRIED
Main Motion: CARRIED

The respondent informed the Board that there is pending SU legislation which, if passed, could lead to inconsistencies or gaps within SU legislation if the recommendations of CAC are not put before Council. The Board can only trust that Students’ Council, in its wisdom, would not pass legislation that would result in serious problems within SU bylaws. Hypothetical legislative possibilities do not constitute an emergency.

It is established that Chair Eruvbetine called a meeting of CAC to order on August 15th without having given 72 hours notice, and CAC member Scott Nicol informed the Chair that he opposed the meeting being held. Therefore, not all members of the standing committee gave consent, and the Board finds that section 15.2.b of Bylaw 100 was violated.

DISPOSITION AND REMEDY IMPOSED

The Board declares the CAC meeting held on August 15th, 2007 null and void due to the violation of bylaw 100, s. 15.2. This gathering of councillors was not a meeting of the Council Administration Committee. The Board further imposes that all references to and records of a CAC meeting on August 15th, 2007 be purged from the official record, such as CAC's online minutes database. This includes the order paper for the Students' Council meeting scheduled for August 21st, 2007, which must be modified as follows:

- 1) Item 2007-09/5c (the minutes of the purported CAC meeting) must be deleted from the meeting agenda.
- 2) All CAC motions and recommendations that were passed at the meeting of August 15th, 2007 and reported in CAC Chair Eruvbetine's report to council must be removed from the report.

Should another Council Administration Committee meeting be held in due process before the August 21st meeting, official records may be kept of this meeting. If a CAC meeting is not held, Students' Council's motion in regards to CAC is outstanding at the time of the August 21st, 2007 Students' Council meeting.

RECOMMENDATIONS

The Board recommends that the Chairs of all Students' Union standing committees give 72 hours notice to all committee members, in compliance with Bylaw 100 s. 15.2.a as to avoid any potential conflicts. Failing 72 hours notice, it is the responsibility of the Chair of the committee to ensure that all members, whether attending the meeting or not, give consent for a meeting of the standing committee. The Board reminds all members of Students' Council that expediency must not trump due process in the day-to-day functioning of the Students' Union. If legislated meeting requirements are found to be undesirable or unworkable, the Board recommends amending the legislation to render it desirable and workable.

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 Student's Union legislation. If anyone has any questions regarding the D.I.E. Board, feel free to contact the Chief Tribune, Guillaume Laroche, at ea@su.ualberta.ca .



WoW 2007 Volunteer Application

WoW is our first week to kickoff a great year by welcoming new and returning students with an array of programs including Beer Gardens, Pancake Breakfasts, a giant movie theatre in Quad, and much more! But as amazing as WOW is, its ability to be awesome rests in your hands; as volunteers, you make it all happen. It's your passion to help out and have a good time that ensures the success of our events.

Your reward will be:

- A FREE T-SHIRT!
- The chance to get involved and meet other volunteers with a passion to participate!
- Great fun, and a wrap-up party that will astound the senses!

Volunteer Contact Info:

Name: _____

Faculty: _____

Phone: _____

Email: _____

Best way to contact me: Phone - or - Email

I want to help out with the following:

- | | |
|---|--|
| <input type="checkbox"/> Arts & Crafts | <input type="checkbox"/> Poster Madness |
| <input type="checkbox"/> Info Booth/Handbook Distribution | <input type="checkbox"/> Pancake Breakfast |
| <input type="checkbox"/> Pancake Breakfast Preparation | <input type="checkbox"/> Beer Gardens Security
(Must have SIPS) |
| <input type="checkbox"/> Campus St. Jean BBQ | <input type="checkbox"/> Sleeping Bag Drive In |
| <input type="checkbox"/> Taste of the U | <input type="checkbox"/> Random Stuff on the Spot |
| <input type="checkbox"/> WOW Headquarters | |
| <input type="checkbox"/> Inflatables | |

Please drop this form off at the SU Office SUB 2-900 or any Info Desk, or email your information to avpsl@su.ualberta.ca. If you have any questions, please contact Chris or Mike at 492-4236.

