



Students' Society of McGill University
Association étudiante de l'Université McGill

Office of the Speakers
Bureau de Présidents du Conseil

Referendum Question Regarding Reform of the Judicial Board to Comply with Quebec Law

Whereas, Constitution Article 30.1 states:

“There shall be a body entitled the Judicial Board which shall be the final authority on:

- the interpretation of the Constitution and Bylaws of the Society;
- the interpretation and legality of all motions passed by Council;
- the interpretation and legality of all procedures, questions and results of all referenda and elections;
- the interpretation and legality of the constitutions of all Society activities, clubs and functional groups;
- the interpretation and legality of any other groups as requested.”

Whereas, Constitution Article 30.3 states that “The Judicial Board shall have the power:

- to declare invalid any act of Council, the Executive Committee or the General Manager which violates this Constitution and Bylaws;
- to declare invalid any act of a Society activity, club or functional group which violates this Constitution and Bylaws or its own constitution;
- to declare invalid any referendum or election that violates this Constitution and Bylaws;
- to order the placing of a referendum question on a ballot in cases of undue procedural delay.”

Whereas, Constitution Article 30.4 states “All decisions of the Judicial Board shall be binding on the parties involved, and there shall be no appeal from such decision;”

Whereas, Quebec legislation requires that the Board of Directors must be the highest governing and decision-making power of an organization such as the SSMU;

Whereas, the current SSMU Constitution is therefore not in compliance with Quebec law;

Whereas, this question has been reviewed by the SSMU’s legal counsel and the current Judicial Board justices;

Resolved, that the Constitution Article 30.1 be amended to read “There shall be a body entitled the Judicial Board which shall have authority to adjudicate on matters of” instead of “There shall be a body entitled the Judicial Board which shall be the final authority on,”

Resolved, that Constitution Article 30.3 be amended to read “The Judicial Board may recommend rulings to the Legislative Council” instead of “The Judicial Board shall have the power,”

Resolved, that Constitution Article 30.4 be amended to read “Rulings of the Judicial Board do not have the effect of binding judgment until ratified by the Board of Directors. Every final written



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decision of the Judicial Board must be presented to the Board of Directors within two (2) weeks of said decision, accompanied by any preliminary decisions rendered at the request of either party or as the result of a motion that the Judicial Board heard. As a general rule, decisions of the Judicial Board shall be considered final and shall be ratified by the Board of Directors. Notwithstanding the above, the Board of Directors remains the final authority of the Society and may, at the request of a party to the proceedings:

- hear an appeal of the final decision if the appeal, complete with all relevant documentation, is filed with the Chair of the Board of Directors no more than seven (7) days after the final written reasons are released by the Judicial Board. Preliminary decisions may be considered in the context of an appeal of the final decision, but may not be appealed independently or before the final decision has been released by the Judicial Board.
- overturn the decision of the Judicial Board by a 4/5 majority vote of Directors, if it concludes, upon reviewing the decision in its entirety, including the reasons for appeal, that the decision of the Judicial Board was manifestly unreasonable, contravened the Judicial Board's procedures or the SSMU's Constitution or Bylaws, or was motivated by discrimination as understood under Section 10 of the Quebec Charter of Human Rights and Freedoms."

Submitted by:

Emily Yee Clare, VP University Affairs
Kady Paterson, Education Representative
Maggie Knight, President
Dylan Doyle, Arts Representative
Alexander Kunev, Engineering Representative



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Referendum Question Regarding Judicial Board Procedural Accountability

Whereas, Constitution Article 30.2 states “The Judicial Board shall follow principles of natural justice, including equity and good conscience. The Judicial Board may establish its own rules of practice;”

Whereas, in recent years the Judicial Board’s internal rules of practice have not been easily available to the student population;

Whereas, there are no specifications as to by what method or under what circumstances the Judicial Board’s internal rules of practice may be changed or what notice must be given to SSMU’s legislative bodies or members;

Resolved, that Constitution Article 30.2 be amended to read “The Judicial Board shall follow principles of natural justice, including equity and good conscience. The Judicial Board may establish its own rules of practice, subject to ratification by the Legislative Council, and must file such rules with the General Manager and make such rules publicly available to all members of the Society.”

Submitted by:

Emily Yee Clare, VP University Affairs
Kady Paterson, Education Representative
Maggie Knight, President
Dylan Doyle, Arts Representative
Alexander Kunev, Engineering Representative



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Referendum Question Regarding Composition of the Judicial Board

Whereas, Constitution Article 31.1 states “The Judicial Board shall consist of five (5) members of the Society who have completed at least four (4) full-time semesters in the Faculty of Law, or equivalent, appointed by the Nominating Committee, who shall serve a term of one year, or until their successors are appointed (whichever is later);”

Whereas, Constitution Article 31.2 states “No member of Council, past or present, may sit as a member of the Judicial Board;”

Whereas, Constitution Article 31.3 states “The Judicial Board shall not sit with fewer than three (3) members;”

Whereas, law students are not the only SSMU members with the ability to be fair and objective;

Whereas, diverse perspectives can contribute to stronger deliberations on student petitions;

Whereas, the workload of conducting Judicial Board hearings is substantial, and currently it would be difficult for the Judicial Board to undertake two petitions simultaneously;

Whereas, this question has been reviewed by the SSMU’s legal counsel and the current Judicial Board justices;

Resolved, that Constitution Article 31.1 be amended to read “The Judicial Board shall consist of five (5) members of the Society who have completed at least four (4) full-time semesters in the Faculty of Law, or equivalent, and two (2) members of the Society who have not held any campus political position, appointed by the Nominating Committee, who shall serve a term of one year, or until their successors are appointed (whichever is later);”

Resolved, that Constitution Article 31.3 be amended to read “The Judicial Board shall not sit with fewer than three (3) members, of whom the majority must be members who have completed four (4) full-time semesters in the Faculty of Law, or equivalent.”

Submitted by:

Dylan Doyle, Arts Representative
Alexander Kunev, Engineering Representative
Maggie Knight, President
Emily Clare, VP University Affairs



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Referendum Question Regarding the Composition of Council

Whereas Article 4.1 of the SSMU Constitution currently reads:

Council shall be composed of the following:

- *The executive officers as described in Section II of the Title elected in accordance with this Constitution and Bylaws;*
- *One (1) councilor elected by and from each Faculty or School for every two thousand students (2,000) or part thereof to a maximum of four (4) councilors in accordance with the procedures set out by that constituency;*
- *Three (3) councilors elected by and from the Society's activities, clubs and functional groups in accordance with this Constitution and Bylaws;*
- *Three (3) councilors elected by and from the undergraduate student members of the Senate, excluding the President and Vice-President (University Affairs), in accordance with this Constitution and Bylaws;*
- *One (1) councillor elected by and from students living in McGill residences in accordance with the procedures set out by that constituency;*
- *The First Year Councillor;*
- *The Speaker (non-voting) chosen in accordance with this Constitution and Bylaws;*
- *The General Manager of the Society (ex-officio, non-voting).*

Whereas, some student societies representing the students of a School, including the Architecture Students' Association and McGill Environment Students' Society, are officially recognized as departmental societies of faculty-level student societies and therefore are already represented by student representatives on Council;

Whereas, the only change from current practice that passing this question will cause is the removal of the Architecture Councillor seat, to which the Architecture Students' Association has assented, as they are now represented by the Engineering Undergraduate Society;

Whereas, it has become common practice to employ two Speakers of Council to ensure a higher standard of procedure;

Whereas, the Recording Secretary is responsible for taking minutes throughout all Council meetings;

Whereas, all other changes represent clarifications in wording and do not deviate from current practice;

Do you agree that Article 4.1 of the SSMU Constitution be amended to read as follows?

Council shall be composed of the following:

- *The executive officers as described in Section II of the Title elected in accordance with this Constitution and Bylaws;*



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- *One (1) councilor elected by and from each Faculty or School, if that School is not already represented by a faculty-level student association, for every two thousand students (2,000) or part thereof to a maximum of four (4) councilors in accordance with the procedures set out by that constituency;*
- *Three (3) councilors elected by and from the Society's clubs and services in accordance with this Constitution and Bylaws;*
- *Three (3) councilors elected by and from the undergraduate student members of the Senate, excluding the President and Vice-President (University Affairs), in accordance with this Constitution and Bylaws;*
- *One (1) councillor elected by and from students living in McGill residences in accordance with the procedures set out by that constituency;*
- *One (1) councillor from the SSMU First Year Council in accordance with the procedures set out by that constituency;*
- *The Speakers (non-voting) chosen in accordance with this Constitution and Bylaws;*
- *The General Manager of the Society (ex-officio, non-voting);*
- *The Recording Secretary of the Society (non-voting).*

Submitted by:

Maggie Knight, President
Kady Paterson, Education Representative
Ian Clarke, Law Representative
Dylan Doyle, Arts Representative
Carol Fraser, VP Clubs & Services
Emily Clare, VP University Affairs



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Referendum Question Regarding General Assembly Ratification

Whereas, long term projects and agreements should only be entered into by the Student Society of McGill University (SSMU) on the condition that they have broad support among its membership;

Whereas, contracts such as leases and Memoranda of Agreement (MoAs) have a history of being negotiated in private with a few students, involving no or almost no consultation with the larger membership of SSMU, and as a consequence can be dramatically contradictory to the interests of the SSMU or its members;

Whereas, general assemblies allow for open, public discussion, and thus would allow the membership of SSMU to be involved in democratically determining the course of decisions with long-term import;

I support adding the following ARTICLE 28.2 to the SSMU Constitution:

“Ratification by a vote at a Special General Assembly shall be required for the Society to enter into any contract whose term is longer than one year, including but not limited to leases and Memoranda of Agreement (MoAs), except in cases where such contracts relate to the Society's staff, or sub-leases in spaces leased by the Society. The speaker shall call a Special General Assembly on the request of the President for this purpose. At least one week's public notice shall be given for such an assembly. The quorum shall be that indicated in Article 29.4.”

Submitted by :

Jamie Burnett, Arts Representative to SSMU
Joël Pedneault, Vice-President External
Shyam Patel, Vice-President Finance and Operations
Adam Winer, Clubs and Services Representative



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Referendum Question Regarding the SSMU Health and Dental Plan

Whereas, ASEQ, Alliance pour la santé étudiante au Québec, provides McGill undergraduate students from Canada with health and dental insurance, and provides international students with dental insurance only;

Whereas, the current SSMU Health and Dental Plan fee has not increased since 2005;

Whereas, since 2005, both the overall SSMU Health and Dental Plan coverage and volume of claims made by students have increased;

Whereas, if the current level of the SSMU Health and Dental Plan fee is unaltered, students will see a progressive decrease in overall coverage;

Whereas, keeping the fee at \$184.60 would lead to a decrease in the overall coverage of the current plan offered to students;

Whereas, students may withdraw from the health and dental plan if they already have comparable health and dental coverage;

Do you agree to increase the current SSMU Health and Dental Plan fee by 20% for a total of \$220.00 for full-year coverage in order to maintain the approximate current level of plan coverage?

Submitted by:

Shyam Patel, Vice-President Finance & Operations
Isabelle Bi, Arts Representative
Alexander Kunev, Engineering Representative
Samuel Latham, Management Representative



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Referendum Question Regarding CKUT Existence

Whereas, Radio CKUT is licensed by the Canadian Radio-television and Telecommunications Commission as a campus-community radio station to broadcast at 90.3 on the FM band to the greater Montreal area;

Whereas, CKUT became an independent student activity in 1988 and has served the McGill and Montreal communities with excellence in broadcasting, 24 hours a day 365 days a year, on FM radio and the Internet;

Whereas, McGill undergraduate students have supported CKUT with a fee of \$4.00 each semester since 1988, and whereas any student who pays said fee is automatically a member of CKUT, with all the rights and privileges pursuant thereto;

Whereas, CKUT employs McGill undergraduate students, and includes McGill undergraduate student representatives on its Board of Directors, Steering Committee and Programming Committee, and provides internships and research opportunities for student members related to their academic fields;

Whereas, all undergraduate student members may participate in CKUT's annual general assembly, which is the highest governing body of CKUT;

Whereas, McGill undergraduate student members may participate in the activities and governance of CKUT as listeners, programmers, technicians, and receive training at CKUT in various aspects of radio production;

Whereas, CKUT is consistently voted as the #1 or #2 Radio Station in the Mirror's Best of Montreal Readers Poll;

Whereas, Radio CKUT ran a referendum question in Fall 2011 asking undergraduate students' support for continued existence and 72.3% voted in favour;

Whereas, full-time McGill undergraduate students pay \$4.00 per semester and part-time McGill undergraduate students pay \$2.00 per semester to support the operations of Radio CKUT;

Do you support CKUT continuing as a recognized student activity with the understanding that a majority "no" vote will result in the termination of all undergraduate student fees and membership in CKUT?

Submitted by:

Carol Ellen Fraser, VP Clubs and Services
Shyam Patel, VP Finance and Operations



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Adam Winer, Clubs and Services Representative
Joel Pedneault, VP External



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Referendum Question Regarding CKUT Opt-Out

Whereas, Radio CKUT FM is licensed by the Canadian Radio-television and Telecommunications Commission as a campus-community radio station to broadcast at 90.3 on the FM band to the greater Montreal area;

Whereas, CKUT provides McGill students with news and music programming, radio training, journalism experience, internships, employment, and more;

Whereas, McGill undergraduate students have supported CKUT with a fee of \$4.00 each semester for full time students, and \$2.00 per semester for part time students, since 1988, and any student who pays said fee is automatically a member of CKUT, with all the rights and privileges pursuant thereto;

Whereas, in 2007 the McGill Administration moved the opt out system online without consulting CKUT;

Whereas, unregulated campaigning during the opt-out period negatively impacts all student fee-levy groups, including CKUT;

Whereas, other media organizations on McGill campus, such as the McGill Daily and the McGill Tribune (renewable every five years), are non-opt-outable;

Whereas, radio is a public good and all members and non-members have access to the airwaves as listeners, and may attend events CKUT organizes on and off McGill campus, etc;

Whereas, the costs of running a radio station increase each year and online opt outs significantly reduce student fees to CKUT, jeopardizing the station's ability to maintain the same level of activity and services;

Whereas, CKUT is consistently voted as the #1 or #2 Radio Station in the Mirror's Best of Montreal Readers Poll;

Do you support Radio CKUT's undergraduate fee becoming non-opt-outable to support the operations of Radio CKUT?

Submitted by:

Carol Ellen Fraser, VP Clubs and Services
Shyam Patel, VP Finance and Operations
Joel Pedneault, VP External
Adam Winer, Clubs and Services Representative