

SSMU Legislative Council Meeting #2

1) Call to Order

8:12pm

2) Attendance

The attendance was circulated.

3) Adoption of the Agenda

There was a motion to move item 4f. before item 4a. and another motion to move health and dental plan from 4f. to 4b. A third motion was put forward to add "Motion re: SSMU statement regarding occupation." These motions passed with a 2/3 majority and were added to the agenda.

4) New Business

4a. Referendum Question Re: CKUT Opt-Out

Vice-President Fraser said that this motion requires CKUT to put forward referendum questions about the nature of its fee. This question has been created not only in consultation with, but CKUT have drafted this together with McGill mandates.

Councillor Chaini said that this is not an existence question?

CKUT referendum from the gallery answered Kaitlyn Mac works as funding and outreach coordinator, they will be acknowledging existence and rewrote a couple of things in consultation with them. They are attempting to become non opt-outable like other two media outlets McGill Daily and Tribune.

A motion to previous question passed.

With 23 in favour, 1 opposed, and zero abstentions this passed.

4b. Referendum Question Re: SSMU Health and Dental Plan Referendum Question

Vice-President Patel said that the whereas clauses were amended to read of \$184.60 for full-year coverage and provides international students with dental insurance of \$98.00 for full-year.

The resolved clause asks "Do you agree to increase [the plan] by \$35.40 (19.2%)"

Vice-President Patel said that this question is being brought forward because the AISEQ plan, which provides student health and dental plan to undergraduate students, has had increased claims for the past few years. There was significant increase for a few reasons. There have been many more incentives that have been introduced. We have noticed that students are using the plan more readily and that has increased the amount of claims. AISEQ has provided an analysis of the health and dental plan. The report provides a breakdown of claims from 2006-2011. That is for both health and dental. It is clear that students are using the plan more, hence the increase. Many students support an increase according to a survey, saying that the coverage is useful overall. Brittany the program manager is here, and she may like to add something.

Brittany said that AISEQ works with student associations all across the country and it is important that this is refreshed so that this is put forward to students.

President Knight asked about the health and dental and international students. She asked if there is a separate amount for health only.

Vice-President Patel said that the amount has been provided overall and the dental will also increase, but there is not a specific amount for that. It's hard to predict both separately. The breakdown would be roughly \$130 for health and \$90 for dental.

Councillor Clarke asked, referring to the survey, whether there was any clear majority for students who wanted an increase.

Vice-President Patel said that 344 students participated in the survey. 89% of respondents answered yes.

Councillor Qin asked what will happen if the question fails at referendum. She asked if the price would be kept the same or if students would not get the full year of their coverage.

Vice-President Patel said that we would have to cut coverage substantially.

Vice-President Knight asked that if they will just be insufficient to cover what it is currently.

President Knight asked if we could table this until later tonight to find the specific amounts for each coverage.

Vice-President Patel said it's best to leave it as is because it's difficult to project very specifically. There is a cushion amount, and it might be \$217.

President Knight asked if this was approved by the Deputy Provost's office.

Vice-President Patel said that it was.

Councillor Kunev asked that he quickly review the process we went through and the three options we had for the plan.

Vice-President Patel said that different alternatives and figures were discussed. He would have to explain the whole way the plan works for him to understand that. Because of the last referendum, SSMU has a refund accounting model where the surplus is kept by its funds, and is the student health and dental plan fund set aside so that that's where it will go. That fund has to be used to cover the deficit. After this year the fund will evaporate completely and would not be able to cover anything for next year. If they were to not increase it right away there would be at 3 levels, 0% increase in SSMU funding, 5%, 10%, and the committee decided not to go with any percentages of funding and decided to go with funding increase of 0% and increase funding to \$20.

This motion passed, by a vote of 21 for, 3 opposed, and 0 abstentions, and will be voted upon by the SSMU in referendum.

4c. Referendum Question Re: Reform of the Judicial Board to Comply with Quebec Law

Chair Tong said that there are friendly amendments.
President Knight explained that these amendments were recommendations by the SSMU's legal Council.

There were no questions. Debate began on this motion:

Zach Newburgh U3 middle east studies said he has several concerns about this particular referendum question because the Judicial Board is enshrined in democracy in which there was a court system established to ensure that. This referendum question seeks to destroy that value in the Students Society of McGill University. This would be down voting democracy and democratic process. Zach said he had long conversation with Maggie Knight and said that in receiving legal advice and information there is quite a bit to say on this. One might have heard the questions he had about whether suspending the Judicial Board contravenes Quebec law. If individuals choose that they would like more information and would like it in writing. The Board of Directors, after receiving advice on this matter, should consider whether they are sure the information they have is accurate. It seems that the Board of Directors have a choice. They can administer the affairs of the society or they can choose to let other bodies manage the affairs. The Code states that the Board manages the affairs as a legal person and manages for that purpose. It may manage and delegate certain powers to those organs. You can indicate what you would like. It is questionable as to whether it is in violation of Quebec law or not. There seems to be nothing that legitimizes the point of SSMU's legal Council. Zach is wondering why an individual who is not a lawyer would be fit in any way to adjudicate on any matters. The perambulatory clause states that it is in violation of Quebec law but that is up in the air. He suggests that we clarify this issue by allowing the memorandum to be made public. President Knight said this would violate the solicitor/client confidentiality, but the solicitor can waive that right. He said he would be very careful and would hesitate on this matter because this seems to violate a particular act on which we have no evidence.

President Knight said that she will attempt to keep her points to the point. She has responded to Mr. Newburgh's concerns with further clarifications provided by legal Council and he said that the former SSMU President and General Manager have not given her any reason not to rely on legal Council. She said it is frustrating that the speaker originally raised the legality of the Judicial Board with her. They have already met with the concerns and concerns with meeting about this were not out of her joy in incurring legal costs but what she understands to be due diligence in protecting the SSMU.

Vice-President Clare said in addition to their legal Council they have had six students look over it as well, which is not legal advice.

Brendan Steven from the gallery said he is not a lawyer or a law student but at least it is clear that since no one has expertise in these matters it is not clear what is at hand. The fact of the matter is that the Council could be walking into a legal suit instead or walking away from one.

Councillor Crawford said that in the general tone of the debate there is a lot of prefacing about legality, though no one here has legal degrees, yet there is lots of speculation.

Councillor Clarke asked if the category of the lawyer's information has moved from discussion material to legal information or legal advice.

President Knight said not formally, but he said he has no concerns about this going forward.

Councillor Chaini said that we have to make sure that the student body understands this. If we do pass this and really simply explain why we want to do this, students may not vote in favor of this question.

Vice-President Pedneault said that he will strike a voluntarist chord and say that this is not illegal, and is the right thing to do. This mirrors the Concordia student union and it is possible that the Board of Directors delegate to the judicial board but it cannot delegate those powers.

Councillor Kunev said that he appreciates the comments but Mr. Newburgh is not a lawyer. Making a connection with a couple of laws is not ok and if we don't know how to do this it is not legal advice. We did have a Board of Directors meeting and some points may have been addressed there. There was a bylaw review session right away and another Board right away. Furthermore, this is far from limiting the independence of Judicial Board. This is questioning that the Judicial Board needs to be totally independent. In general, the Council should exercise discretion.

Councillor Clarke has a question for the movers. He said in the second resolved clause it says that all decisions should go to the Board of Directors. He asked if this is a mistake.

President Knight said that we should agree in principal to keep as much things as possible in discussion at Council. That was discussed and there seemed to be no problem with that.

Councilor Fletcher asked if the 4/5 majority rule for the Board of Directors to overrule the Judicial Board would maintained to be ruled in Council.

Carob from the gallery said that his question is for the President. He asked for some rationale as to why the Council should remove the word "must" and the implications of the discussions of the Board meetings and bylaw review.

President Knight said she is not qualified to give a detailed analysis and it was a drafting choice to make the question as clear as possible.

He asked whether that means the Board of Directors is not the highest?

President Knight said that it's not that it must be, but that it is her understanding.

Another question for the President, he asked whether in the last Resolved statement, though this is a hypothetical question, if time comes when the Board wants to overturn the decision of the Judicial Board, will they seek legal Council? He

would assume that they would not overturn something that is not illegal. How would they address issues when they are not lawyers?

President Knight said that's the reason why we have a lawyer on retainer. They will obviously be presenting the constitution and Councillors should speak in the best interest of the Society.

Zach Newburgh said that he cares a lot about the Society and before anyone chooses to vote he would like us to ask how many have spoken to the legal Council.

President Knight asked as a point of personal privilege if Councillors felt that the legal Council should not be trusted.

Zach said he was in no way saying that.

Vice-President Clare said that the memo was circulated in confidential session. The Council has read the memo. As to who has spoken to the lawyer, three or four members of this Council have spoken to him, in addition to the general manager.

Zach asked if that memo will be released publically.

President Knight said it is against lawyer's recommendation to release that and is not sure that it would be beneficial. She has had further written correspondence and the legal Council said that he can clarify for Mr. Newburgh all of the legal concerns though it does not necessarily make sense for the SSMU to continue this discussion.

President Knight asked the General Manager whether in her experience there is any reason to question the competency of the legal Council or its advice.

General Manager Gervais said absolutely not.

Councillor Bi said that as a concerned student she likes thing to be done in a timely manner and sending things back to the Judicial Board or representing any decision for 21 days. She said we only have 15-16 weeks in a semester and asked if it would be possible to have a quicker response. This might have to move from semester to semester and executive to executive.

President Knight said that it could be amended.

Vice-President Clare asked that we specify ten (10) business days. That was a friendly amendment.

Councillor Clarke said that it may not always be appropriate for the Legislative Council to look at J-Board decision and a lot of Councillors may not understand the decision. He asked whether there will be a conflict of interest policy that could be enforced to influence unbiasedness in their decisions.

President Knight said that she will be working on the conflict of interest policy to be a little more wide-ranging and this seems to be the best compromise we could come up with to protect against abuses of power by members of the upper Board.

Vice-President Clare made a motion to previous question. This motion passed.

The motion clearly passed.

4d. Referendum Question Re: Judicial Board Procedural Accountability

President Knight said that commas were substituted from semi-colons.

Councillor Clarke asked why this resolution is needed, he said this was in concerns that the Board was publishing.

President Knight said that the current constitution currently states that they can change rules themselves but this is in the spirit of accountability. The J-Board would still write its own rules that would be submitted.

Vice-President Patel said that he would like to speak in favour for this motion. He said that President Knight has done an incredible job and served the Society well by putting so much work into this.

The motion to previous question passed.

By a vote of 24-0-0 this motion passed.

4e. Referendum Question Re: Composition of the Judicial Board

President Knight said that while it can be valid to have J-Board comprised of non law students they should not be campus politicians who could change the vote based on their interests.

Councillor Bi asked if two other members of the Society in the J-Board may act as liabilities to be swayed because of their faculty association.

President Knight answered that the nominating committee receives applications and should find out if justices have conflicts of interest that they see as a problem but there is nothing keeping law students from having conflicts of interest.

President Knight said this is not at all her opinion, but some have said that J-Board is a plot of the LSA to overrule the SSMU. This stipulation says two other members of the society, but it does not preclude them also being law students.

Councillor Kunev said that he feels less confident about the two other people but asked what training the justices usually have. He asked how students would have sufficient training to be a justice right away.

President Knight said this is not a matter that has to be passed, but this is at the discretion of the nominating committee. There would be the necessity of a majority that would be convened, but the Judicial Board has the training they receive in law school.

Councillor Clarke said he's conflicted. He said University of Alberta has no law students on the Judicial Board, and you don't need legal training to understand natural justice. He said that our J-Board has developed procedures where they are fighting legal case based on natural justice. With that in mind he does not know how effective it could be or whether we are supposed to be dependent on natural justice.

Vice-President Fraser said perhaps this referendum question should be posed to address non law-student input. That would be addressed by the previous understanding that they put forward. It is up to the next Council whether the justices should know about case law. That is up to debate for next year.

Councillor Fletcher said that including non law faculty members should increase representation but J-Board is not a representative Body, this Council is a representative Body. Case law tradition might create potential conflicts of interests and bad precedent.

President Knight said that more knowledge of campus issues and environment may be important. Undergrads do not have a lot of experience in understanding case law. She said she is concerned that ability of SSMU to recruit a higher number of law students. This year, they were able to recruit 5 but only 5 applied. Increase in 2 members would make two Board of three each simultaneously. There could be more than one case concurrently.

A gallery member said that his Councillor is not present but anyone that is part of a faculty level student association should not be part of the judicial board. Perhaps it would be important to add that no one on the judicial board should be part of a departmental student association in the past. He asked how that would be interpreted.

President Knight said that "past" means ever and previously it stated no member of Council and expanding faculty associations or school level executive should be on the judicial board. However, being a VP Finance or communications of departmental association does not preclude ability to be a judicial Board Justice but that would be at the discretion of the nominating committee. The idea is to rule out campus politicians who are extremely active and there was a discussion that departmental association VPs may not be extremely active. It is important that there are no inappropriate members. The clause was indented to introduce an additional level of safeguard. She would like to amend it to say faculty level or school level. In the second resolved clause amend to read "no faculty, school, or departmental student association council" was friendly amended.

Councillor Crawford asked Councillor Clarke that if this passes, does he think it would be reasonable to expect a training program or something to give them adequate expertise on this Board, or is that really unworkable.

Councillor Clarke said that his experience in law school is that it would be very confusing. He can see the first couple of hearings not going so well but after that it would be ok.

President Knight said that many Boards have non-law students because there is no law school at every University. If policies are clear they should be available to average McGill Students.

Councillor Clarke said that if we have bylaws that the average student does not understand it will be hard to find students to serve this.

Councillor Lessard asked about the utility of 31.2. He asked why it is necessary to put in students who are not elected and why are they unable and said that the best way to structure the judicial board.

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President Knight said it's not intended to be restrictive in terms of restricting the pool but restricting the process. They are trying to avoid strange conflicts of interest.

Councillor Kryluk said that it's so specific that there are so many faculties and people who like to get involved get involved a lot. She does not think it's appropriate for department association people to be precluded from participation.

Councillor Paterson said that PSSA is probably bigger than her faculty and she understands in the smaller departmental case but in big ones it's a big deal.

Councillor Kunev made a motion to strike the word "past or" and move the word to "no present member of Council." That was considered unfriendly.

Councillor Bi asked for a straw poll to see about feelings about his amendment. All that would be in favour of this amendment.

President Knight said this is a bad idea because she would be eligible to be on the J-Board.

Councillor Crawford moved to previous question. Councillor Kunev withdrew his amendment.

Councillor Chaini said that someone in their first year should not be prevented from being on the Board. This would mandate nominating committee to bind them to these specific rules.

President Knight said that the constitution would state no member of these bodies could be part of the Judicial Board. This discusses that the nominating committee will deal with this constitution. President Knight said that it might be a suggestion in the constitution, but it could be unbinding.

President Knight said that the discretion of the nominating committee is unclear.

Vice-President Clare said that for the second resolved clause, is it implied that only participation in McGill groups counts.

President Knight said this is only related to the Society's activities here. Nowhere else does it specify that people may not have been involved in other things on other campuses.

Councillor Chaini asked whether someone on Council would be able to apply. President Knight said this would preclude the valid application of anyone on Council, or part of a faculty or development association. She said that we are only looking for two people per year. She made a motion to address Vice-President Clare's concern and enter "McGill University" before "faculty..."

Vice-President Pedneault said that Councillor Clarke mentioned earlier that natural justice is what we follow. There are two rules that natural justice is concerned with (according to Wikipedia, consultant for all things worldly): rule against bias (setting precedents so that no one is politico), and right to a fair hearing.

A motion to previous question passed.

With a vote of 18 for, 2 against, and 1 abstention this motion passed.

Vice-President Clare motion to suspend the rules to amend the agenda to Notice of Motion 4f. This passed.

4d. Notice of Motion Re: Equity Policy Amendments

Vice-President Clare said that as equity commissioner last year, there were a lot of complaints about the current equity policy. This should be more consistent in its recommendation as a decision-making body. If you have any questions please let her know.

Equity commissioner Ryan said that to clarify the memo, the changes are specific to the policy and a shorter synopsis should be made to the changes being made. This is from a feminist organization. These changes address the lack of appeals process, transparency, dealing with potential conflicts of interest, oppressing complaints brought to equity officers, and that final decisions should come to this Council. This Council is not trained in equity and these issues should add detail to the policy itself and the changes at SSMU. He said he is highlighting some major changes in language and structure. Under the sub-heading "changes to scope," it is now outlined in the policy that if the complaint has to do with criminal offenses, the equity officers may serve as a resource to the appropriate channels. This should make it clear that SSMU cannot intervene directly in criminal cases but can serve as a resource. If there is any Counsel needed there should be changes. Current structure of equity sometimes involved in conflicts of interest or recommendation makers. Current structure of equity officers revised to two equity officers, one member of the equity committee, and one member of the SSMU Executive committee. There was a flushing out of solid but vague outline of complaints. There was a general lack of procedure, ambiguity, who can make recommendations or not and sections nine to eleven outlines an equity violation or concern and claimant and respondent are able to come with a support person. Section 10 outlines procedure for informal resolution and friendly arbitration. Full records must be kept submitted by both claimant and respondent for the General Manager of the SSMU. he said that appeal can be made to the body not original complaint. All recommendations of equity officers be treated as binding unless by 2/3 majority of SSMU council.

Vice-President Clare said that this was reviewed by the SSMU's legal Counsel also and if we think he is of sane mind he should have a good policy.

Chair Tong said this serves as the first reading. Any debate will be at the next meeting of Council on March 1st.

4e. Referendum Question Re: the Composition of Council

President Knight said this referendum questions seeks to deal with the out-of-dateness and lack of clarity regarding the composition of this Council. There has historically been architecture seat and ASA is not under engineering. According to constitution, there should be representative from McGill School of Environment but there is already a representative from Arts and Science Councils. This was worked on primarily by Councillor Clarke and herself. This will include school representatives only if that school were not representatives. If nursing were to get a seat on MSS they would lose their seat on Council to prevent redundancies. Other changes are made to say add the general manager, recording secretary, and two speakers as non-voting members. She does not think this is controversial but feel free to discuss.

Councillor Fletcher asked if BASiC is in this, as they would like to be represented. President Knight said that they are an inter-faculty association which is somewhat a special case and she is not sure if they want to relinquish their representation with AUS and SUS. This was shown to the BASiC President so that she would be able to draft a separate motion to that effect.

Councillor Bi asked if the three Councillors from society's clubs and services are represented by clubs and services representatives. President Knight said that clubs and services have concerns which are distinct from any faculty-based Council even though they are also represented by faculty-level reps.

President Knight said that she would like to amend this to add a representative from athletics right before "First Year Councillor" to read "One (1) Councillor Elected by and from the Students' Athletics Council in accordance with the procedures set out by that constituency."

Senator Crawford moved to previous question.

This referendum question passed.

By a vote of 21-0-0 this question will be put to referendum.

4f. Notice of Motion Re: Interest Group Committee Policy on Travel and Charity Based Clubs

Councillor Chaini read out the Resolved Clauses:

This notice of motion will have its second reading at steering and last meeting March 1st. Councillor Chaini said to see her or Councillor Winer for more information.

Council-initiated motions

4h. Motion Regarding SSMU Council Statement On James Building Occupation
Vice-President Pedneault said that he does not assume that this represents everyone's views but hopefully it will be modified as we see fit.

Senator Crawford made a motion to recess for five minute recess to read the letter. The recess was granted.

Debate and Questions:

Crawford said that this motion fosters a climate of dialogue following these events. It indicates the legitimacy of direct action tactics and talks about difficulties of student representatives because of 6th floor partiers. Democratic practices were contravened in terms of the consultation and that should be part of the process moving forward.

Vice-President Pedneault read the statement that was published by faculty association presidents. He thought much of what they have to say is very legitimate, but he has his own thoughts. He said a statement from Council should modify this and suggest avenues for how to move forward. He has a couple of amendments to modify what it's saying. It would say after the first paragraph "Professor Mendelson's Office" is ultimately responsible for the decision not to recognize the outcome of last fall's referendum questions. He said he would like to extend encouragement to this body to say something at the end of this letter about taking concrete actions to respond the events.

Councillor Clarke asked what Vice-President Pedneault's reservations were. Vice-President Pedneault said that the way they discussed the process of the occupation was not entirely accurate. Something we need to do today is show a bit of realism in terms of our stance and trying to address the letter.

President Knight said it's important to recognize that the letter of the Presidents recognizes the effectiveness of direct action in certain circumstances. Gallery members said that presidents had condemned the occupation but that is not necessarily true.

Councillor Paterson said she's not comfortable with the statement in the third paragraph "reasoning and effectiveness" in reference to occupations. She said they have worked in the past in some cases but not necessarily for others. The University's proceedings are being hindered and people publically associated with the administration. The rest of it she is not overly concerned with but she does not think it would sit right with her constituents to leave that part as it is.

Councillor Kunev said that we haven't taken into consideration what the members of the gallery asked for at this Council. Two hundred students signed a statement and 50 students officially endorsed a statement on facebook. He said that the SSMU should condemn the current occupation of the James Administration Building.

Chair Tong said that if Councillor Kunev wants to change the sentiment, he should bring a motion separately or amend to insert that sentiment within the letter.

Councillor Qin asked Vice-President Pedneault if he would clarify the original general assembly motion and the way in which in 2007 the referendum was phrased. She would like him to clarify what he means by “respect.” She asked if he means that university and administration should recognize the result of the referendum.

He said it was purposefully vague and could take into account the referenda as it works with QPIRG and CKUT. For now the way it’s phrased, it could mean many things but goes in the direction of recognizing the results of the referendum.

Vice-President Fraser said the motion says the SSMU should be mandated to get rid of opt-outs by any means at its proposal.

Councillor Clarke said that because people supporting this movement who are also on Council, students are confused that individuals are representing SSMU. He said that a group of students should clearly describe that they are not representing the SSMU legislative Council. Regarding the third paragraph which says that “Occupations such as the current one have proven effective in the past” he said that he does not know enough about it and what the campus atmosphere was at the time between the administration and the SSMU. He said that we want to get back to the table for dialogue. Councillor Clarke said that with this statement as written, the SSMU is tacitly accepting the occupiers’ actions as necessary, which he does not want to do. He asked if this issues has to do with the broader student movement on campus. He said he would not feel comfortable mentioning Deputy Provost’s resignation here. He said it feels tokenistic because we have nearly 300 people signing on to this open letter and nearly 1500 members. He said it doesn’t seem like we want to get anything done on this and we’re just trying to make every party happy.

Vice-President Pedneault said he understands the point about being unaffiliated with SSMU legislative Council and it would be worth having a discussion about that. He would consider such an amendment unfriendly not because he thinks it shouldn’t be there but because he thinks it should be discussed. Right now there seems to be a vague formulation that doesn’t show what we want. He said that we should feel free to amend that.

Vice-President Pedneault read an open letter drafted by McGill alumni in a facebook group called “open letter from alumni for real change.” They are responding to the letter by the Presidents. The alumni wrote to say that they negotiated with the administration on many issues. They said that they fully support the 6th floor party and this is a logical last resort. This may be the only way to discuss with McGill’s administration. They believed that through dialogue and compromise they could work toward common goals. The authors of the Presidents’ letter think there is a better way and that they should discuss the issues. Students have few ways to

represent discussion. There is frequent loss in institutional memory among students. Student services have been privatized, student space on campus has been reduced. It is the duty of student leaders to represent students and their interests. This is not the way to foster student movement. The positive result of disruptive student action has become important. McGill alumni wrote saying that Presidents are attempting to acting in the best interests of students but based on their experience, that is not enough.

Vice-President Pedneault made an amendment to the motion to strike “meaningful dialogue” and to add after Current situation, “one which expands the possibility for a democratically-run university”. This amendment was considered unfriendly by Vice-President Clare

Vice-President Clare said that dialogue serves to illustrate what happens on a more local level. The connotation of their statement is that the problem is more of a systemic thing and she would like the amendment to read “meaningful dialogue”.

Councillor Fletcher said that to say that if we want democratically elected people to take part we should say “increased engagement” instead of jabbing that it is undemocratic.

Councillor Crawford said that the Board of Governors consists of members external to the McGill community. There is considerable oversight by the Chair and other members for senatorial decision. He said that the Society’s stance should reflect stance on university governance.

Councilor Bi questioned the phrase “democratically run” because it is hypocritical to say that people entering the administration building entered the building democratically.

Vice-President Pedneault suggested that the amendment read “which expands the possibility of a more democratic university” and would like to say that it’s not that administrators and students shouldn’t be talking, but we have been talking about consultation for years now. We should show leadership about university-student relations. We should move towards a situation where students have more of a say. Bodies like the senate should make meaningful decisions. There should be ways to solve the lack of democracy within the university. He thinks it’s important to not get bogged down in the rhetoric that has been put forward in the past and take stock in the mistakes that keep cropping up but to see how to move forward.

Councillor Kunev said that for him, it is not possible at this moment to come up with a position. His constituency does not agree with a large portion of this Council. This statement is rushed. Let’s stop with the empty words and ideological stuff. The way we are going through this is to satisfy all the positions and there are a lot of conflicts of interest. People from Council have their friends out there who were involved. He said that he follows constituents in his position.

President Knight made a motion to previous question on both amendments.
The amendment to strike “meaningful dialogue” clearly passed.
The amendment to add for “a more democratic university” clearly passed.

President Knight made a motion to amend at the end of the first paragraph “While neither the SSMU Executive, SSMU Council, or SSMU Senate caucus organized this occupation, we have been called upon by many constituents to issue a response. We have heard outpourings of support for the occupiers as well as extensive calls for their condemnation.” These were considered friendly.

Councillor Fletcher said that, considering grammar, it should read, “Many constituents have called upon us to issue a response.”

Councillor Kunev said that we all know that there was a SSMU Councillor or Senator involved.

President Knight said none of these bodies mandated or organized an occupation. Senator Crawford was not at all involved in organizing this occupation and to her knowledge they have one SSMU Councillor actively involved in this.

President Knight said it’s not relevant or helpful to call out to the body to call out individual people and getting to express individual Councillor.

Councillor Kunev said this does not represent his constituency

Councillor Crawford made a point of personal privilege, requesting not to be vilified.

Councillor Clarke would like to strike “outpouring of” from President Knight’s previous amendment. This was unfriendly.

Debate began on the unfriendly amendment

Councillor Clarke said that there is much more support for one side than the other. He says that she does not think there is equal response from both.

Vice-President Fraser said that we really don’t know if this should be equal. She would be willing to strike “outpouring” if we also strike “extensive.”

Councillor Chaini said that they don’t agree with the tactic but they don’t think that the question was agreed upon. She said that it’s not that they don’t agree what they’re asking for. It’s difficult for people to understand how we deal with the referendum questions. We should be careful and keep it balanced because not everyone was condemned. A lot of people don’t understand what’s going on with the MRO e-mails.

Senator Crawford said he’s not in favour of this amendment. He said he understands that there can be a lot of antagonism toward this occupation. Sometimes there are things that can be misleading, and the support for the occupation is shown in more instances than on facebook and in letters. There are people outside trying to keep people in good spirits. He said that saying that there is no support on the divided

question and specific content of what is being protested throws this amendment into question.

Councillor Fletcher said if we get rid of outpourings we should get rid of extensive. He said that we all believe our University should be run more democratically and a lot of information has come up on both sides.

Vice-President Clare would like to also strike "extensive."

Councillor Clarke said that a motion to strike the word "extensive" may follow the vote on striking "outpourings of."

By a vote of 11-6-1 the vote to strike "outpourings of" passed.

A motion to amend to strike "extensive"

President Knight made a motion to table this until later tonight so that we can think more about this. She thinks it could be more effective if we could let people think about their edits to the letter.

There was a straw poll about whether we have faith that this letter can form a template of something we would like to pass tonight.

Vice-President Fraser asked who would be in favour to pass it as it is now. Vice-President Fraser asked if we tabled this or whether we are debating it.

Debate continued on this amendment:

Councillor Bi would like to motion that we sign this motion not as a SSMU Council, but as individuals people will not understand that there was discussion about this and that people have voiced their opposition to endorsing this.

Vice-President Plummer said that the minutes are made public, and that will show dissent.

Councillor Bi said that the minutes are approved two weeks after this letter would be published, and that does not deliver the information about the conversation in a timely manner.

Vice-President Clare said that it's important to come together as a Council and put forward certain things. One of the things we've heard time and time again is that there is divisiveness and students want SSMU to take a firm stance. We can take one now.

Councillor Chaini said that this is a very sensitive issue. There is a good template here but we should e-mail Vice-President Pendeualt with edits and approve it by e-mail, to understand in more detail what has happened. She said that students want

to know exactly what happened, not just through the MRO. She would like to motion to table this.

Councillor Fletcher said that he disagrees with putting it off by a day and he agrees with the spirit of providing information not given in the MRO e-mails. The information that given out now will should say what SSMU is willing to do and that they are willing to listen.

Vice-President Pedneault said that he is ok with tabling this to later in the meeting but there are some aspects of the texts germane to the motion today. Putting this out later wouldn't be relevant. It's not out of the question to put up more detail about the CKUT/QPIRG referenda. That can be done at a later time or we could mention that in the letter. He said he is not against putting that in.

Senator Crawford said that tabling to a later day he sees is unwise. This has been going on for two days and we have released no statement. In terms of tabling it to later in the meeting he says that, while he is in favour of this letter, he will be abstaining in order to not state his own position. He would like this motion to be voted on tonight, fairly soon so that he gets a chance to abstain on this motion.

President Knight made a motion to suspend the rules to amend the agenda to move the motions from the GA right before adjournment and table the current matter to after Reports by Committees.

Vice-President Fraser asked if we can debate that motion.

Councilor Bi asked whether putting it was to the end would give us time to think about nullifying the motion. She asked what the President's initial intent is to table this until later in the meeting.

President Knight said that it's painful go through this letter word by word.

Senator Crawford asked to make a motion that unless the letter deviates substantially in content he will abstain.

It is duly and clearly noted that Senator Crawford is abstaining from any vote on this matter.

Councillor Bi said that in paragraph three, she would like to move to amend to say after "direct action," put the phrase "(we understand the motivation)" in parenthesis, add "and effectiveness" and remove "and form part of the reason why students have seats on governance bodies" because it does not represent the other ways in which students have come to sit on governance bodies. Also, she would like to remove "may be" and replace it with "(are)" and after that to add "Moreover, we recognize some student services have halted" and "In addition, we believe that these tactics must necessarily form part of a broader effort to foster a diversity of forms of engagement that encourage broad student participation and build mass support."

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Councillor Fletcher said by saying it's effective we're tacitly condoning the tactics. If we say we understand the motivations it neutralizes the language but makes it loud and clear that student democracy has been loud and effective.

Vice-President Pedneault said that "understand the motivation" does not fit into this sentence originally put forward by Presidents.

Vice-President Plummer said that it is an inefficient use of time and he would like to commit this for people to edit this sometime tomorrow.

Chair Tong said that according to the earlier straw poll, there were more in favour of speaking about this now than postponing it. There will be an official vote to commit to an ad-hoc committee outside of Council.

Councillor Fletcher asked how it would be approved.

Vice-President Plummer said it would be approved by e-mail.

President Knight worried about logistical nightmare about getting this out in a satisfactory time frame with an e-mail approval.

Vice-President Clare asked if there are other substantive amendments that may be coming.

Vice-President Plummer withdrew his amendment.

The motion to add "understand the motivation" clearly passed.

Vice-President Pedneault voted to strike "and form part of the reason why students" He said as the way to split off students less willing to collaborate with students more willing to collaborate. Occupations did happen and it is not inaccurate.

President Knight said that the historical context is that it's true that this is why students have a seat on Senate.

Councillor Bi said that she disagrees and is not sure which occupation has led to seats on the University Senate. She would like to include the specific case and student representatives work very hard to represent students. To say that the occupiers can do more than what student representatives do day in and day out is insulting.

Vice-President Clare asked if people would be amenable to writing "Occupations, such as the 1968-1969 occupations, resulting in seats on McGill Senate and departmental committees, have proven effective in the past." and strike the past clause. This was a friendly amendment.

Councilor Fletcher said that this is good contrast talking about occupations and by giving it truth that services that have been halted, we are providing truth that this is

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happening “Moreover, we recognize some student services have been halted.” Vice-President Clare said that post-doc and grad things have been moved.

Vice-President Clare said that this implies that some things are being disrupted.

Vice-President Pedneault said it would be great to move on and he would not like to accept these amendments as friendly. There is a motion to previous question on the amendment.

The motion to previous question on Councillor Fletcher’s amendment passed by a vote of eight to seven to three.

Councillor Clarke made an amendment to strike the last sentence.

Councillor Bi can’t help but see somebody misinterpreting to say that this is a mechanism for people to use makes Councillors’ position redundant.

Councillor Clarke said that he is trying to think of another amendment he’d like to add. He said that he would like to say that we have to move forward on this issue with all students including the occupiers. He would like to change the tactics part.

Councillor Chaini would like to amend to take away “these tactics must necessarily form.”

Vice-President Pedneault would like to vote against this to talk about modifying part of this, and made a motion to previous question. This clearly failed.

Councillor Clarke said that instead of “these tactics” “all students”

Vice-President Pedneault made a proposal for committee of the whole to discuss the second to last paragraph. He said there was discussion earlier on this phrase. We should discuss what we want to recommend to the university.

Chair Tong asked if he would be amenable to a recess. The recess will be six minutes to finalize all amendments.

Debate continued with new amendments put forward:

One of the amendments is to move the third-to-last paragraph to the end of the second paragraph. Next is to change the very first sentence from “as you may have heard” to “as you are aware” and instead of the last sentence of the third paragraph, “we call for a broader effort to foster a diversity of forms of engagement that encourages wider student participation and builds mass support.” The amendment requested for the last paragraph is to strike the whole thing and replace it with “We encourage you to contact us to express your perspectives (our contact information is here). We will continue to collect and post information from a variety of sources on

the SSMU website including details on upcoming for further discussion.” Also, Fall should be capitalized in the third-to-last-paragraph. Councillor Fletcher the third paragraph should read “However, we submit for consideration that this tactic hinders some of student representatives’ work on university committees at this time.” Also the last sentence should read “As such, the SSMU Council echoes the call that the University respect last Fall’s referendum results” (for grammatical reasons). Vice-President Clare asked to straw poll about how people feel about mentioning the gathering of folks on Monday. President Knight said we don’t want to take possession of that event, and we will perhaps link to that and include that in it.

Councillor Clarke said that his problem remains with the second-last paragraph and would like to strike the first sentence of the second-to-last paragraph.

Councillor Chaini made a motion to previous question.

Councillor Fletcher said that he would like the letter to be read out as amended.

Councillor Fletcher was asked to read out the letter.

Vice-President Pendneault suggested that instead of “past 2 years” it should read “past years.” Councillor Doyle said that Fall should be capitalized in the third paragraph.

Councillor Fletcher said that in the second last paragraph “which” should be “that.”

Councillor Clarke said that in the last sentence of the third paragraph we are taking a stance on a current J-Board case. We might have egg on our face if they make a different ruling.

Councillor Kryluk asked if we are supporting each of their demands or just a resolution.

President Knight said calling for further dialogue. They both like the occupation and think that the occupation should be condemned, but there needs to be a broader discussion. They are acknowledging the ability of some of their concerns but endorsing their demands.

Councillor Fletcher said that it’s two separate issues whether or not J-Board recognized referendum and whether or not SSMU recognizes the referendum.

Vice-President Pedneault made a motion to previous question. This motion passed.

With a vote of 18 for zero against, and one abstention by Councillor Crawford.

President Knight made a motion to table all GA resolutions except the one regarding Bill C-10 and Vice-President Pedneault also suggested strike solidarity fund.

Councillor Clarke said that he would like to deal with this now and currently bill C-10 is under current committee review. He wants substantive debate on this one so is conflicted. Still, he doesn’t want us to substantive debate.

4i. Motion Re: Democracy of the Judicial Board

Councillor Paterson read the resolved clauses:

Vice-President Fraser said that it's important to reinstate the judicial board.

Councillor Chaini made a motion to previous question.

By a vote of 19-0-0 this passed.

4j. Motion Re: the Distribution of the Charity Fund

Councillor Paterson said that the application criteria should be set by the community engagement committee.

President Knight said that this brings into line other parts of SSMU and keeps the allocation funding under funding committee.

Vice-President Patel said this would take away a lot of bureaucracy. The funding committee currently does not fund charity-based events so this will also help to clarify its role in relation to other funds.

Vice-President Pedneault said this will help free up time for the community engagement committee to reach out more.

President Knight made a motion to previous question.

This motion to previous question passed with a vote of 19-0-0.

4k. Motion Re: SSMU Musicians Collective Becoming a SSMU Service

Vice-President Fraser read out the Resolved clauses.

Vice-President Fraser further explained that the SSMU Musicians' Collective became a club about a year ago and sent her a letter to discuss becoming a service. They have been putting people together so that they can play music. They would like a jam space in the building to come together for fundraising events. They do fulfill the definition and mandate of the SSMU service.

Vice-President Paterson asked what they would be getting from SSMU that is beyond a club status.

Vice-President Fraser said that services are more institutionally part of the SSMU, and there is more guaranteed funding because services have funding from the operating budget. Services also get slightly more visibility than a club. President Knight said services also get more space in the building and this group would provide be providing services like the loan of instruments.

A Councillor reiterated that in making it a service, the SSMU would be institutionalizing it. "Do we know that they will be a long-lasting service?"

Vice-President Fraser said that they have served or been involved with 300 people. There is high demand for it and a pretty dedicated team right now. President Knight said that this group talked to the Music undergraduate students association. Students who are not music students are unable to make use of practice space, but this group would rent instruments out to other people and try to organize space.

A motion to previous question passed.

The motion to make the SSMU Musicians' Collective a SSMU service passed by a vote of 19-0-0.

Councillor Clarke made a motion to table bill C-10.

Vice-President Pedneault said it's possible not to take a position on this debate but he would like to foster a discussion so that this would move on. He would like this to get moving now.

Councillor Clarke withdrew his motion.

4l. Motion Re: Student Strike Solidarity Fund

Vice-President Pedneault asked that this motion be amended to say "discuss proposal to create" instead of creating the fund, and then at the end of the paragraph to specify "at its next regular meeting on March 1st." Vice-Presidents Fraser and Patel said these amendments were friendly.

A motion to previous question passed. **This motion passed with 9 for 7 against and one abstention with the above amendments.**

4m. Motion Re: Denouncement of Bill C-10, the "Safe Streets and Communities Act"

President Knight said that we don't have to mandate this through Council.

Councillor Clarke made a motion to table this until the next meeting, because the Law Council will also be voting on this after reading week. **The motion to table this passed.**

5) Reports by Committees

The Equity Committee report will not be given, as their motion was put forward tonight.

5a. Funding Committee

Councillor Chaini said that the funding committee was online. The green fund has \$2500 left and there is no more money in the CLF.

The report of the funding committee was adopted.

5b. Executive Report

President Knight stood for questions regarding the report.

Councillor Bi asked if there are any future CLASSE meetings so that she could speak to Executives.

They may be here again he is not sure ASSE-solidarite.qc.ca you will find information on future class meetings

The Executive report was adopted.

5c. IGC report

Vice-President Fraser said that another dance company was approved because the IGC thought it was different enough from the companies that SSMU has. They ended up rejecting full status application but heard an appeal at the last IGC meeting. This has to do with the motion that was put forward today about volunteering.

Councillor Fletcher said that their appeal gave contradictory information, but the committee will make sure that students are not running medical clinics by themselves.

President Knight said that they moved some money around and approved the bus for the carnival trip to Quebec City next weekend. She recommended that Executives stand for questions on their reports.

6) Reports by Executives

6a. VP Finance & Operations

Vice-President Patel stood for questions. Seeing none, he was thanked for his report.

6b. VP Internal

Vice-President Plummer said that this Saturday there will be a 10am-7pm Carnival bus trip and puppies are coming to SSMU next week on Tuesday and Thursday.

6c. VP University Affairs

Vice-President Clare stood for questions.

6d. VP Clubs & Services Report

Vice-President Fraser said the midnight kitchen fridge broke, but it was fixed. The AUS GA is not happening on February 15th as mentioned in her report. Vice-President Fraser stood for questions.

6e. VP External

Vice-President Pedneault said that the way the strike is panning out is that next Monday it will begin in earnest and he asked everyone to follow the news. There will be more updates as the situation evolves. He stood for questions

Councillor Fletcher said that he mentioned the GA in his report, and asked about what his recommendations are.

Vice-President Pedneault SSMU should maybe hold GAs during the day

6f. President

President Knight said that she has been dealing with Judicial Board issues. She stood for questions on the rest of her report.

Councilor Bi asked the President to speak to the point in her report about the singing pirates and their involvement in the BoG meetings.

President Knight said that song is fantastic, but her opinion of their disruption of the BoG was published in the Daily today. She said it meant that the Board reconvened a week later and the closed session not in public. Her opinion was that it didn't communicate what it intended to communicate and she hopes that this could be done more constructively.

Councillor Clarke said that in the facebook group of people who say that occupiers don't represent their views, students said that the biggest change that they feel they need is to have the General Assembly vote online. He asked whether there is any further effort moving forward with GA reform? It seems that we just can't make quorum with the current system and there is still a lot of work to do on this.

President Knight said that there has to be respect for each concern. There are still issues with the GA, and it should be recognize that there were 42 comments made by folks who appear to be men and 8 are comments who appear to not be men. That large difference is problematic in terms of structural and non-structural reform. There could be a student-initiated referendum question to change the constitution so that GA motions could be submitted online.

7) Question Period

Vice-President Plummer asked why AUS has chosen to not be a part of the beer contract negotiation though every faculty association has. Was that discussed in the AUS exec meeting?

Councillor Doyle said that Vice-President Plummer should direct his question to the AUS VP Events.

8) In-Camera Session

9) Adjournment 1:08am