

BY-LAW I-2 COUNCIL GUIDELINES

Part I: Definition and Function

Article 1 – Definition

1.1 “SSMU Council,” “Legislative Council” and “Council” shall all be defined as synonymous ~~with the “Board of Directors” of the SSMU.~~

Article 2 – Function of Council

~~2.1. Council shall have ultimate authority over all matters of the SSMU, as defined in the SSMU Constitution.~~

2.1~~2~~. The purpose of Council shall be to act as the primary governing body of the SSMU. Council shall set priorities and policies for the Executive Committee to act upon.

2.2~~3~~. Council must abide by the SSMU’s governing documents in the following descending order:

2.2~~3~~.1. The Constitution

2.2~~3~~.2. The By-Laws

2.2~~3~~.3. Policies and ~~decisions~~ motions passed by General Assemblies and Council

2.3~~4~~. Council shall not:

~~2.4.1. Override the decisions of the J Board~~

2.3~~4~~.1~~2~~. Make decisions concerning Human Resources without the approval of both Chief HR Officers (President and General Manager), except for decisions concerning the General Manager (as per the Constitution). ~~the procedure for which is outlined in the SSMU Constitution~~

2.3~~4~~.3. Take a position on external, extremely divisive issues (as determined by the Steering Committee) except by a 2/3 majority vote. Such determinations of the Steering Committee are subject to appeal and can be overturned by a 2/3 majority vote. that are unrelated to the operation of the students’ society

~~2.4.3.1. In the event that a councilor deems an issue pursuant to the position in 2.4.3, Council may only take a position on the issue pending a 2/3 majority vote of Council~~

Article 3 – Powers and Duties of Councilors

3.1. Only councilors shall have the right to bring resolutions, vote on resolutions, ask questions and engage in debate in Council, in accordance to the procedures outlined in the SSMU Constitution and By-Laws.

3.2. These rights are conferred on each Councilor alone. No one else may exercise the rights of the Councilor.

3.2.1. Members of Council shall not vote in absence, unless an e-motion is called for and administered in accordance with the Constitution and By-Laws.

3.2.2. If a member of Council is absent temporarily, no one else may exercise the rights associated with the Councilor’s seat.

3.2.3. Councilors shall not exercise these rights when impaired by drugs or alcohol.

3.3. Councilors shall:

3.3.1. Attend all meetings of SSMU Council

3.3.2. Attend all SSMU General Assemblies

3.3.3. Sit on at least one (1) SSMU committee or other University organization whose Terms of Reference require the participation of SSMU Councilors.

3.3.4. Submit a report of their activities to the Speaker of Council for all but the first Council meeting of each year.

3.4. If a Councilor has an unavoidable personal, academic, or other conflict that prevents them from attending Council, they are expected to send regrets to the Speaker of Council before the meeting begins.

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- 3.4.1. Failure to send regrets to the Speaker of Council for (2) consecutive meetings will result in suspension. During this time, the seat will be considered vacant, and will not count for the purposes of quorum. Notice will be sent to the relevant constituency's Council.
 - 3.4.2. A suspended Councillor will have two weeks to apply to the President Steering Committee for reinstatement. Disciplinary measures will be decided by the Executive Steering Committee, and ratified by a 2/3 majority vote by Council at the next meeting.
 - 3.4.3. If the Councillor fails to respond within the (2) weeks allotted, they will forfeit their seat.
 - 3.4.4. If a Council seat becomes vacant through these processes, the seat will be filled using standard mechanisms as described in the SSMU Constitution.
- 3.5. No Councillor member of the Students' Council shall be employed by the Society or its agents in any full time or part time position, except in the instance whereby special permission of Council, explicitly decides to allow members of Council to hold employment in the Society or its agents, on the condition that the member of council in question agrees to abstain from any vote concerning the aspect of the Society or its agents by which they are employed.
- 3.5.1 When there is doubt as to whether said member shall be permitted to participate in the vote on the given matter concerning the Society or its agents by which they are employed, Council shall make a ruling on the matter before the discussion begins.

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Comment [MK1]: To be governed by the Conflict of Interest Policy

Article 4 – Committees of Council

- 4.1 There shall be a document known as the SSMU Legislative Council Committee Terms of Reference.
- 4.2 All Committees of SSMU Council (with the exception of the Executive Committee) shall be defined and governed by this document.
- 4.4 Any modifications to the SSMU Legislative Council Committee Terms of Reference must come from a recommendation of the Steering Committee, and requires a 2/3 vote of Council.
- 4.5 All Committee recommendations decisions regarding financial allocations, interest group status, nominations, and Council business, in addition to other committee matters as specified throughout the Constitution, Bylaws, and Policies, must be approved by Council.

Part II: Special Rules of Procedure

Article 5 – Rules of Procedure

- 5.1 SSMU Council shall follow Roberts' Rules of Order, except for the Special Rules mentioned herein.
- 5.2 The Special Rules of Order may be suspended by a two-thirds vote.
- 5.3 These Special Rules of Order may be amended by a Rules of Order two-thirds vote, previous notice of such amendment having been given at the Regular Meeting previous.
- 5.4 Standing Rules may be adopted by a two-thirds vote.

Article 6- ~~French~~ Bilingualism in Meetings of the Legislative Council

- 6.1 All Councillors and members of the gallery are entitled to participate in Council business in French or English.
- 6.2 All Ceouncillors are encouraged to speak in French at some point during every council meeting
- 6.3 2 Executive Members are particularly encouraged to express a part of their oral summary of their reports in French.

Article 7 – Agenda

7.1 The Order of Business for any Regular Meeting of the ~~McGill Students'~~Legislative Council shall be as follows:

- 7.1.1 Call to order;
- 7.1.2. Approval of Minutes;
- 7.1.3 Adoption of the Agenda;
- 7.1.4 Report of the Steering Committee;
- 7.1.5 Guest Speakers;
- 7.1.~~64~~ Question Period;
- 7.1.7 Announcements;
- 7.1.8 Old Business;
- 7.1.9 New Business;
- 7.1.~~105~~ Reports of Committees;
- 7.1.11 Reports of Officers;
- 7.1.~~126~~ Reports of Committees;
- ~~7.1.8~~ Old Business;
- ~~7.1.8~~ New BusinessQuestion Period;
- 7.1.~~1340~~ Confidential Session; and
- 7.1.~~144~~ Adjournment.

Article 8 – Question Period

8.1 There shall be allotted a maximum of thirty (30) minutes to each Question Period.

8.2 ~~All members of the Society, including Councillors, Members of Council and members of the Students' Society who are not on Council~~ shall be allowed to ask questions during ~~the time allotted to~~ Question Period. The speaker shall announce this to the gallery.

8.3 A maximum of five (5) minutes per question and answer will be allowed.

8.4 ~~Both Councillors and other members of the Students' Society~~Any member of the Society may submit ~~to the Speaker,~~ a question, addressed to any member of Council, to the Speaker, which shall be entered on the Agenda of the next meeting, ~~in the order in which it was received, the order not being amendable.~~ The Speaker shall then transmit the question to the individual concerned.

- 8.4.1 Questions that are written and have been received by the individual concerned three (3) clear working days in advance of the meeting shall be answered by that individual at said meeting. Should a question not be received in advance of such a deadline, or be put orally, such individual may defer the question to the next regular meeting of the Council.

8.4.2 Questions which ask solely for an opinion from the respondent shall be deemed out of order.

- 8.4.3 Supplemental questions shall be allowed if the Speaker deems them germane to either the original question or the response.

~~8.5 Supplemental questions that are on topic will be allowed.~~

~~8.6 All questions which require only an opinion from the respondent shall not be allowed.~~

Article 9 – Reports of Officers and Committees

9.1 The reports of all Officers and of all Committees, ~~and of Committees, Special and Standing,~~ shall be provided to Council in writing, ~~and Special and Standing unless recommitted by a vote of Council, shall be received of course.~~

- 9.1.1 Reports of decisions of hiring, financial disbursements, budgets, change of interest group status, and Council business must be ratified by Council by a majority vote. Should the Council vote to ratify fail, to adopt such motion, the action decisions taken by the Executive Committee shall be null and void.

- 9.1.2 All other reports shall be received by Council and do not require a vote.

9.1.3 All reports recommending or requiring any action or expression of opinion by the Council, ~~other than those outlined above,~~ shall be accompanied by Resolutions considered by the Council under New Business ~~for the action of the Council thereon.~~

~~9.1.4-~~ Each Committee report will be presented by a member of the Committee who is a member of the Society. Each Officer shall present their own report.

9.1.5 The Speaker shall allow questions to the presenter of each report. Such questions are only in order if they address matters contained in the report.

~~Printed Reports which contain no Resolutions, and have been delivered to the members of the Council in advance, shall be presented by title, except that the presenter of the Report, upon request, shall be allowed five minutes for summarizing the same.~~

~~9.2. Reports of the Executive Committee shall be made in writing. The question before Council shall be "Shall the decision (s) of the Executive Committee stand as the decision of Council?" The motion shall be subject to binding deletion, amendment or division. Should the Council fail to adopt such motion, the action taken by the Executive Committee shall be null and void.~~

Article 10 – Resolutions

10.1 All resolutions shall be in writing, and forwarded to the Speaker of Council as ~~soon as possible~~ per the deadline established by the Steering Committee and ratified by Council.

10.2 No resolution may be placed before Council, which has not been distributed to the Council ~~ors three two (2) days in advance of the meeting at which it is to be debated, except if Council waives this requirement by a simple majority, without leave of Council.~~

10.3 No amendment to the bylaws may be placed before Council, which has not been distributed to the Council ~~ors ten (10) days in advance of the meeting at which it is to be approved, except if Council waives this requirement by a two-thirds majority.-~~

~~10.2.1. Council may vote to grant leave of Council by a simple majority, at which time a resolution may be presented and voted on, regardless of when it was distributed.~~

10.3 Council ~~ors~~ must be given the opportunity to debate a resolution for minimum of five (5) minutes, ~~including time for both pro and con arguments, two (2) and a half minutes per side,~~ before motions to call the previous question are entertained by the ~~S~~peaker.

10.3.1 If councilors do not wish to debate a resolution, motions to call the previous question may be entertained.

Article 11 – Decorum in Debate

11.1 Members, ~~in discussion,~~ shall address the Chair and shall confine themselves to the ~~Question~~ topic in debate.

11.2 It shall be the Speaker's responsibility to ensure that no Councilor or member of the Gallery speaks more than twice before all other members have been given the opportunity to speak, except if they are asked to provide information during the debate.

11.3 It shall be the Speaker's responsibility to steward an atmosphere of collegial discourse, in which no constituency or demographic unfairly dominates debate. No member shall speak more than twice in the same debate, nor for more than five (5) minutes, without leave of the Council.

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Article 12 – Members of the Gallery – Participation during debate

12.1 Members of the gallery may address Council when recognised by the Speaker, provided that such individuals shall be subject to all rules of order of the Society.

12.2 ~~The Speaker of Council~~ may refuse to grant speaking rights to, or withdraw speaking rights ~~to or withdraw them~~ from, a member of the gallery for ~~any of (but not limited to) the following reasons including but limited to:~~

12.2.1. The member of the gallery is not a Member of the Society.

12.2.2. The member is making a point that is redundant.

~~12.2.3. The agenda of Council is running significantly behind schedule or faces other time constraints.~~

12.2.34. The member of the gallery is perceived to be violating the spirit of the Constitution preamble Section 6.

12.3 Members of the gallery may ask questions to reports, in the same way as noted in article 8 (concerning Question Period itself.)

12.4 It shall be the responsibility of the Speaker to provide the members of the gallery with an outline of the rules of decorum and the rules of order. This information shall be made available both online and in print at Council meetings and at the SSMU front desk.

Article 13 – In Camera Session

13.1 Upon a two-thirds (2/3) vote, the Council may resolve itself into an *in camera*, at which only members of Council may be present.

13.2 Business discussed in-camera session shall not be considered confidential.

Article 14 – Confidential Session

~~14.1 Only members of Council shall be permitted to attend confidential sessions, except if an individual can provide important advice relevant to the agenda of the confidential session and their presence is approved by a two-thirds majority vote~~

~~14.2 All individuals present at a confidential session must have signed a confidentiality agreement prior to attending.~~

~~14.2~~ At the beginning of the ~~C~~confidential ~~S~~session, the President shall, on behalf of the Steering Committee, submit a confidential agenda and attached documentation. A two-thirds (2/3) vote shall be required to approve the agenda. All confidential documents shall be collected before the close of the ~~C~~confidential ~~S~~session.

14.2 Appropriate sanctions shall be levied against any member of Council who breaches the confidentiality of the session. Article 34 of the Constitution shall be applied to any Confidential Session.

Article 15 – Withdrawing from Council Meetings

15.1 When Councillors wish to withdraw from Council meetings before adjournment, they must request permission from the Speaker to withdraw. Such permission would normally be granted except in such instances as the said withdrawal would break the quorum.

Article 16 – Electronic Motion

16.1 The procedures for electronic motions will be as follows:

16.1.1 The Speaker(s) (or the Secretary of Council on behalf of the Speaker(s)) will electronically distribute mail, e-mail or fax motions to Council members for approval.

16.1.2 Once motions have been ~~mailed, e-mailed or faxed~~ distributed, the Speaker(s) ~~(or the Secretary of Council on behalf of the Speaker(s))~~ will receive written electronic confirmation ~~by e-mail, phone or fax~~ that the motion(s) have been received.

~~16.1.3 Councillors will be provided with a list serve and contact e-mail and phone numbers of all Councillors.~~

~~16.1.34~~ Council members will approve/disapprove electronic motions by personal electronic communication presented by e-mail, mail or fax, by signature. ~~Councillors will be provided with a self-addressed stamped envelope and a fax number in order to return their decisions to the Speaker(s) (or the Secretary of Council on behalf of the Speaker(s)).~~ Decisions must be returned to the Speaker(s) ~~(or the Secretary of Council on behalf of the Speaker(s))~~ by a date to be predetermined by the Speaker, which shall not be less than 24 hours from the electronic distribution of the motion(s).

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- 16.1.~~45~~ The Speaker~~(s) in conjunction with the Secretary of Council~~ will be responsible for tabulating the votes collected.
- 16.1.~~56~~ The Speaker~~(s) (or the Secretary of Council on behalf of the Speaker(s))~~ will declare a motion to have passed when a majority of Councillors have agreed to the motion.
- 16.1.~~67~~ Only the Speaker~~(s) (or the Secretary of Council on behalf of the Speaker(s))~~ are allowed may access ~~to~~ the Councillors' decisions before the final vote is tallied and declared.
- 16.1.~~78~~ The Speaker(s) ~~(or the Secretary of Council on behalf of the Speaker(s))~~ will inform Councillors by e-mail, mail, fax, or email-written electronic communication of the final decision of proxy voting.
- 16.1.8 The result of such electronic motions will be recorded in the minutes for approval at the subsequent Council meeting.

16.2 Councillors will be provided with a listserv and contact email and phone numbers of all Councillors.

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Article 17 – Regulations concerning Councillor Participation

17.1 Every meeting of Council is mandatory.

17.2 If a Councillor has an unavoidable personal, academic, or other conflict, they are expected to send regrets to the Speaker of Council before the meeting begins.

17.3 Submitting a Councillor report outlining actions carried out in the course of fulfilling the mandate of a Councillor since the last Council meeting shall be mandatory for all but the first meeting of the academic year.

17.3 Failure to ~~do so for attend Council or provide regrets to~~ two (2) consecutive meetings, or submit three (s) consecutive Councillor reports, will result in suspension. During this time, the seat will be considered vacant, and will not count for the purposes of quorum. Notice will be sent to the relevant constituency's Council.

17.4 A suspended Councillor will have two weeks to apply to the President Steering Committee for reinstatement. Disciplinary measures will be decided by the Executive Steering Committee, and reported to Council for ratification at the next meeting.

17.5 If the Councillor fails to respond within the 2 weeks allotted, they will forfeit their seat.

17.6 If a Council seat becomes vacant through these processes, the seat will be filled using standard mechanisms at the disposal of each constituency.