

Amendment Regarding Council By-Laws

WHEREAS the current By-Laws regarding Council are insufficient;

THEREFORE LET IT BE RESOLVED that Special Rule 6.2, which states: "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", be suspended for this Resolution.

BE IT FURTHER RESOLVED the following By-Laws be adopted to replace the current Council Guidelines in By-Law Book I:

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.
- 1.2 Councilors shall be administrators of the SSMU Corporation.

Article 2 – Function of Council

- 2.1. Council shall have ultimate authority over all matters of the SSMU, as defined in the SSMU Constitution.
- 2.2. 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.
- 2.3. Council must abide by the SSMU's governing documents in the following order:
 - 2.3.1. The Constitution
 - 2.3.2. The By-Laws
 - 2.3.3. Policies and decisions passed by General Assemblies and Council
- 2.4. Council shall not:
 - 2.4.1. Alter the By-Laws of the J-Board or override its decisions
 - 2.4.2. Make decisions concerning Human Resources without the approval of both Chief HR Officers (President and General Manager)
 - 2.4.3. Take a position on external political issues that Council deems to be extremely divisive among students at McGill University.

Article 3 – Powers and Duties of Councilors

- 3.1. Councilors shall have the right to bring resolutions, vote on resolution, 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.
- 3.3. Councilors shall:
 - 4.1.1. Attend all meetings of SSMU Council
 - 4.1.2. Attend all SSMU General Assemblies
 - 4.1.3. Sit on at least one (1) SSMU committee or other University organization

whose Terms of Reference require the participation of SSMU Councilors.

3.4. If a Councillor 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.

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 for reinstatement. Disciplinary measures will be decided by the Executive 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 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 where 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.

Article 4 – Committees of Council

4.1 By the end of the second fall meeting of Council, all councillors must be elected by Council to a committee. Councillors joining at or after the second fall meeting will be appointed to a committee by the Executive Committee.

4.2. A chair shall be elected by each committee during its first meeting. Unless the constitution, by-laws and policies specifically provide otherwise, the chair may not be a member of the Executive Committee.

4.3. All Committees of Council, excluding the Executive Committee, shall be open except during *in camera* sessions.

4.4. In the case of a decision passed by a margin of two (2) votes or less, the dissenting opinion shall be reported in any committee report to Council that includes the majority opinion.

4.5. A vote shall be recorded at any committee at the request of two (2) of its members.

4.6 All Committee recommendations must be approved by Council.

PART 2: SPECIAL RULES OF PROCEDURE

Article 5 – Meeting Procedure

5.1 SSMU Council shall follow Roberts' Rules of Order, except for the special provisions mentioned herein.

Article 6 – Suspension and Amendment of Special Rules

6.1 The Special Rules of Order may be suspended by a two-thirds vote.

6.2 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.

Article 8- French in Meetings of the Legislative Council

7.1 All councillors are encouraged to speak in French at some point during every council meeting

7.2 Executive Members are particularly encouraged to express part a part of their oral summary of their reports in french.

Article 8 – Question Period

8.1 There shall be allotted a maximum of thirty (30) minutes to Question Period, which shall be similar to that of Parliament.

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

8.3 Members of Council may ask questions by preference. Members of the Students' Society who are not on Council shall as well be allowed to ask questions during the time allotted to Question Period.

8.4 Both Councillors and other members of the Students' Society may submit to the Secretary, a question, addressed to any member of Council, which shall be entered on the Agenda of the next meting, in the order in which it was received, the order not being amendable. The Secretary 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.

8.5 Supplemental questions that are on topic will be allowed. All questions which require only an opinion from the respondent shall not be allowed. All questions and answers shall be addressed through the chair.

Article 9 – Reports

9.1 The reports of all Officers and of all Committees, and of Committees, Special and Standing, shall be in

writing, and Special and Standing unless recommitted by a vote of Council, shall be received of course. All reports recommending or requiring any action or expression of opinion by the Council shall be accompanied by Resolutions for the action of the Council thereon. 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 summarising 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: Notice and Drafting

10.1 All resolutions shall be in writing, and forwarded to the Speaker of Council as soon as possible

10.2 No resolution may be placed before Council which has not been distributed to the Councillors three (3) days in advance of the meeting at which it is to be debated without leave of Council.

10.2.1. Council may vote to grant leave of Council by a 2/3 majority, at which time a resolution may be presented and voted on, regardless of when it was distributed.

Article 11 – Decorum in Debate

11.1 Members, in discussion, shall address the Chair and shall confine themselves to the Question in debate. No member shall speak more than twice in the same debate, nor for more than five (5) minutes, without leave of the Council.

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

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.

12.2.4. 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 6.2 (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.

Article 14 – Confidential Session

14.1 At the beginning of the Confidential Session, the President shall 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 Confidential 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 mail, e-mail or fax motions to Council members for approval.

16.1.2 Once motions have been mailed, e-mailed or faxed, the Speaker(s) (or the Secretary of Council on behalf of the Speaker(s)) will receive 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.

16.1.4 Council members will approve/disapprove motions 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(s).

16.1.5 The Speaker(s) in conjunction with the Secretary of Council will be responsible for tabulating the votes collected.

16.1.6 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.

16.1.7 Only the Speaker(s) (or the Secretary of Council on behalf of the Speaker(s)) are allowed access to the Councillors' decisions before the final vote is tallied and declared.

16.1.8 The Speaker(s) (or the Secretary of Council on behalf of the Speaker(s)) will inform Councillors by e-mail, mail, fax, or email of the final decision of proxy voting.

Article 17 – Adjournment

7.1 The motion to adjourn shall be in order at any time.

Respectfully Submitted,

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VP Clubs and Services

Cosigned:

Ivan Neilson
President