



Confidential Session 1 – 2014-02-06

- 1) Call to Order
Meeting called to order at 9:35 pm.
- 2) Approval of the Minutes
 - a. January 23, 2014
Motion to approve minutes by Councillor Lubendo
Seconded by VP Hofmeister
Motion passed
Minutes approved.
- 3) Adoption of the Agenda
Motion to adopt Councillor Lubendo
Seconded by VP Shea
Motion passed
- 4) New Business
 - a. Motion to Rescind the SSMU Legislative Council Decision of Dec 5th
Councillor Reedjik: I believe that the decision made in council meeting during exam period did damage to SSMUs reputation and damage to equity at SSMU. The question we have to ask ourselves is as a body what do we want to promote? Promote idea or strict rules?
VP Shea motion to ask Farnan to leave room during discussion.
Speaker: may be conflict of interest. Vote whether appropriate needs 2/3 to pass.
VP Shea: obviously really awkward nothing against VP Farnan, decision made in confidential session where he wasn't included, number of councillor concerned in conflict of interest with his presence in his matter.
Councillor Reedjik: effort to silence beyond identity. Brian has specific information related to it. He wrote the listserv I have no problem with his presence. If he's not here we won't have a good discussion.
President Larson: what are the rules of procedure that permit this?
Rachel: We can check. The rational is he left the room during initial council and now we wanted to make that same decision.
President Larson: If there's a problem with conflict of interest it goes through ethics committee.
Councillor Benrimoh: appropriate to ask VP Farnan?
Speaker: Very little precedence for this motion. Don't want to put him on the spot.
VP Farnan: don't mind being here discussing motion, I've just felt that information hasn't been said. I am open to being here for questions. No one's allowed to have really talked about it. I don't know if the movers allow that. And then removing myself for debate or whatever.
Speaker: clarification on what is happening?



Councillor Rioux: Voting on Farnan leaving, that would mean him leaving right now.

Speaker: you can motion for Question and Answer period with VP Farnan before he leaves.

VP Shea withdrawn motion.

Councillor Reedjik: motion for 5 minute question answer period with VP Farnan.

Seconded by Councillor Lubendo.

Motion passed.

Councillor Bissky Dziadyk: Can you give us a one minute summary of what has occurred?

VP Farnan: When it comes to leading up to council session as it currently stands all matters regarding complaint are to be kept confidential. When it comes to equity complaint process, there was an informal process, then a formal process. The formal process brought recommendations to council, and I was excused from council and received recommendations. I received sensitivity training and apologized I was informed it was to come from myself no one else just me. I wrote that. As soon as sent it out I received a huge backlash on every medium of SSMU. Frankly was inundated with negative response. I don't really care about specifics of motion from personal standpoint but my understanding was that SSMU was negatively impacted and our means of communication were negatively impacted. After this, we decided it was better to have them communicate these responses to us than go on social media. Negative social media. Tried to get as much as we could within appropriate channels. Following this I received more than 50-60 emails, 2 of which were sympathetic and the rest were criticizing me or SSMU council or SSMU as a whole. Following this councillors felt this was obvious negative reaction and brought this forward.

Councillor Jones: What are the specifics of responses?

VP Farnan: That can wait until I leave the room I don't mind. 17 had multiple sentences versus simply short ones. The larger more substantive emails I will send to speaker. One reason I wanted to talk was to ask if emails sympathetic were listed above or after because I thought maybe I would be expelled I didn't want to seem biased.

Councillor Reedjik: Is it your opinion that a clarifying email would help?

VP Farnan: clarify clarifying?

Councillor Reedjik: Under standard sent the first email presumably we can send second email clarifying what happened or ameliorate situation, Is it your opinion would help?

VP Farnan: Yeah it doesn't have to be an email but we need a response. Other than potentially when listserv was compromised last year we haven't had student



engagement of this magnitude. I can't receive 60 emails and not reply. Currently gone through all of them and said thank you for your reply expect a response. 60 tangible individuals.

Councillor Reedjik: motion to extend discussion 5 minutes.

Seconded by Councillor Lubendo

Motion passed.

Councillor Ayukawa: conflict of interest to have collected and be presenting your feedback.

VP Farnan: something brought to my attention 2-3 days after collecting facebook. We didn't realize it was conflict of interest. Not super comfortable whether in the room or not I want the speakers to read them out. The only reason why I haven't sent it I didn't want more bias with arrangement. We were just like okay there's a lot of speculationality this needs to be channelled somewhere appropriate. Lack of foresight, chance.

VP Shea: 3 questions: 1. Was the timeline respected after informal complaint? 2. Timeline after formal? 3. After resolution?

VP Farnan: No, no and one ambiguous. When received initial complaint...

Councillor Reedjik: what things can we talk about or not?

Speaker: 2 separate confidentiality that we are trying to work together.

Confidentiality of equity policy and SSMU confidentiality. For example no direct quoting allowed. Use your discretion.

VP Farnan: way equity policy works you have an informal window and then if not responded, formal window, and then investigation. I received complaint through informal process and sought help unfortunately following that my attempts to seek out advice or consultation me getting back wasn't sufficient so this moved to formal process, and this was right around 4 floors so I didn't have time and with regards to resolution beginning of December. Following council I received recommendations and then 3 weeks hiatus for Christmas break following this I talked to equity committee, I followed up after break to equity received recommendations not follow up so I commenced drafting said apology.

Southey: in your opinion as VP internal a clarity email was brought up any other ideas for what kind of response would be good? To decrease this happening in the future? Or steps?

VP Farnan: good question. I just think we all have such limited social political capital. We try to get people to GA and we fight for it and we have one method of talking to students but it's like how many follow ups? We have a limited amount of capital and student attention, over using or compromising that leaves us with nothing. Trying to get them to do stuff afterwards becomes difficult. I'm not saying it was made wrong (the decision) but it is a very powerful tool and that power can be dissipated. But whatever the decision I am fully willing to implement.



Councillor Reedjik: Is there anything you can reveal of why you may have had issue with equity committee?

VP Farnan: I was confused. Initial personal reactions and I didn't know how to merge those with professional reactions.

Councillor Stewart Kanigan: a lot of this content is breaching confidentiality detailing is in depth and it feels really...

Speaker: neither respondent can speak of discussions had between respondents. That's the rule.

VP Farnan: I thought all equity policy implies is in regards to formal complaints. I understood that.

Councillor Reedjik: It does not specify confidentiality in equity policy.

Speaker: No, it does not.

VP Shea: From the date of December 6th to December 18th timeline of recommendations to council to Christmas break. Were you at work, do you think that inhibited your ability to play out recommendations? Further when we returned to work at January 6th and when sent out January 16th same question?

VP Farnan: Previous answer stands that between receiving and following up and asking when procedure sent to me that was within large window. I awaited those... there might be days between those dates but I would stick to my previous answer.

Councillor Ayukawa: do you feel like the responses may be biased for the negative?

VP Farnan: yes and no, this is purely us not thinking. People did send personal messages but also SSMU personally or people on either side personally. We tried to harness that instead of attacking people in public spaces. We were in exec committee when it happened and we didn't think. Within the actual subset of emails you have some that say hey Brian and hey SSMU and I don't know who this goes to. 100% hey Brian had a negative bias.

Councillor Bissky Dziadyk: Thank you for answering these questions. Not fun to be in spotlight. 1. Did you fully understand process as it was going on?

VP Farnan: I was aware. I don't want to say no.

Councillor Bissky Dziadyk: Do you feel you acted to the best of your ability?

VP Farnan: Bad time for me but it was personal and dealing with work. Not really anyone's fault. Not to the best of my abilities.

President Larson: With council deciding that list serv was supposed to go out, since your email, do you think you have conflict of interest because of council.

VP Farnan: Yes you could tell the difference between the replies and actual emails.

Bissky: have you learned anything?

VP Farnan: don't want to answer that.



Speaker: I personally don't feel comfortable putting on a vibe or sharing publicly. Just using judgment in deciding to share excerpts. Because sent to public office.

Councillor Baraldi: Can we observe emails that address SSMU council not just VP Farnan?

Councillor Reedjik: pretty clear that...

Speaker: That was a pointed statement, not cool.

VP Farnan: warning was put on anywhere I posted my email that this would be used in public forum.

[Rachel read excerpts from emails of response.]

Speaker: First two were positive, and the rest were negative.

Councillor Benrimoh: I think one important thing is to separate. What we asked to do was the reverse of our previous decision. From this decision we followed equity policy and approved equity policy that has had repercussions. I don't know where I stand on that. Reversing a decision taken in context of equity policy and questioning that decision just because of negative impact.

Councillor Lubendo: What happened to debating whether Brian was leaving or not?

Speaker: He asked if he could be excused but the motion was withdrawn.

Councillor Reedjik: under no circumstance should council voluntarily follow equity policy. Full of grammatical, syntactical, and spelling errors. Not much care. We shouldn't consider it our standard. It doesn't promote equity, just a show of it. We should make decision based on our own opinions.

Speaker: Please stay in context of motion on the floor.

Councillor Southey: could we keep it as civil as possible?

Councillor Ibrahim: I echo Benrimoh. Decision to rescind past decision doesn't change what we had to do given circumstance. Hard to satisfy everyone. But regardless of keeping in line with policies now the decision we made was valid. Rescinding it negates progress we made.

Councillor Lubendo: I am strongly for this motion. First of all we barely had quorum at the time the equity commissioner walked out secondly a lot of councillors spoke strongly against the decision. When you read some of the comments. I felt really hurt at the time on December 5th I am reiterating. To speak on point of backlash decision should not be made, we should prove we should change decision.

VP Harris: I do know of someone offended by gif so I'm against this motion. I just think a total rescindment is not needed and other steps should be there. I have heard of one person offended: they have a right. We look even worse rescinding it. It doesn't necessarily best address the situation.



Councillor Jones: mandate of representatives is to show majority of constituents and 8 pages against. If you saw the backlash online the majority of school and people we should vocalize that.

Councillor Ayukawa: if we decide to rescind, will it be made public or no?

Speaker: no.

Councillor Stewart Kanigan: I think that if we want to show students engagement means something. Rescinding this will undermine future equity policy actions.

We should be looking forward not going back. We don't have a diversity of people coming to council and people here we don't have a diversity of views.

VP Shea: in response to comments previous made about equity policy itself. I had to re read the policy coming into office and the first thing was that we hired 3 researchers to compare them. There are spelling mistakes in constitution we still have to uphold it. There are problem. This debate is circling around image and perception of SSMU. In 1970 SSMU released pamphlet on birth control and abortion which was a detriment to image but I don't think anyone will be ... [time exhausted.]

Councillor Benrimoh: I think that there are valid arguments on both sides of issue I agree with Stewart Kanigan and Shea that best course of action is to wait until revised equity policy and then go by that. You can't decide what the standard is as you go. When backlash you have to think about revise but right now we have to follow current policy. I'm going to motion to table this in a second.

Councillor Lubendo: a lot of things been said to moving forward a lot of us believe that decision was backwards at first I don't know how to say it a lot of councillor said if apology had been made separately was public apology necessary did we need it? All we had to do is send it to the person. So many things wrong with that night and lack of info at the time. And now he has taken abuse and we've made these decision on his behalf.

Councillor Bissky Dziadyk: if we pass this motion, the recommendations of equity committee will not be upheld.

Speaker: Yes. Not public. Not clear what happens in case council rejects recommendations. If 2/3 council abstains but if rejected it will just go back to committee.

Councillor Southey: Motion to move to previous question

Councillor Benrimoh: Motion to table until equity policy is finalized

Speaker: not in order

Motion to table indefinitely Councillor Benrimoh

Southey retract motion.

Clarifications regarding indefinite tabling.

Motion to previous question by Councillor Lubendo.

Motion to caucus by Councillor Giannakakis.



Withdrawn motions by Councillor Lubendo and Councillor Benrimoh.

Motion to caucus 5 minutes by Councillor Giannakakis.

Motion passes.

President Larson: I'd just like to reiterate to rescind council decision regardless how you feel voting whether or not decision was good decision or not. Whether or not that changes future. Regardless of whether or not we make decision tonight I think it's good to look for positive aspects but keep in mind that it doesn't change anything to change this decision.

Councillor Reedjik: I am shocked that majority opinion doesn't matter. That's the only thing that matter I think It's clear that the feedback is negative. I think for those who are representatives on council they should look at their mandates.

Councillor Baraldi: I'd like to address that. The comments were negative I don't think that should be a an objective indicator basing it only on social media maybe minority people offended will not be as vocal because of snowballing effect of negative. To address constituents there were people alienated regardless of majority status or not. Rescinding this decision undermines our relationship with equity committee and I trust them to make recommendations.

Councillor Rioux: Yes on social media but people in engineering knew about it and they weren't happy in real life not just social. Not just social media complaints.

Councillor Ibrahim: bring attention that large number of people voicing opinion.

Hypothetical: if there's something that makes one person feel alienated or minority or whatever, doesn't mean it's out of line if majority have to keep in line with equity policy we have. It is commendable for people who feel alienate dot come and say.

Councillor Southey motion to table indefinitely

Bissky motion to amend: scratch resolved class change to SSMU

legislative council supports current work going on to review equity policy.

Councillor Southey rescind motion.

Councillor Lubendo: Unfriendly, not against equity, just rescinding decision. We support equity policy. Already implied. Unfriendly.

Motivated: ideally I'd like to see this put this in addition or replace what we can then do is make sure entire document is public so that acknowledge that we have this conversation and agree that it needs to be made. – In addition.

Motion is now friendly because it is in addition.

Motion to table indefinitely Southey

Motion to previous question by Councillor Reedjik.

Councillor Benrimoh motion to amend: resolved that SSMU legislative council supports the current work going on to revise the equity policy in



order to bring it in line with the best interest of SSMU constituents with particular regard for minorities.

Motion to table

Seconded by Councillor Ayukawa.

10 for

12 against

6 abstain

Failed.

Motion to call to question

Councillor Lubendo seconded

Passed.

11 for

11 against

5 abstain

Re-vote because 1 didn't vote

Roll call vote has been called because of counting problems.

Larson: for

VP Shea: abstain

VP Harris: against

VP Fong: abstain

VP Hoffmeister: abstain

Councillor Ibrahim: against

Councillor Reedjik: for

Councillor Jeong: Against

Councillor Baraldi: against

Councillor Ayukawa: against

Councillor Lubendo: for

Councillor Liu: abstain

Councillor Lowery: for

Councillor Rioux: for

Councillor Tong: abstain

Councillor Erhard: for

Councillor Simpson: again

Councillor Jones: for

Councillor Vassanji: for

Councillor Benrimoh: against

Councillor Lynsdale: against

Councillor Giannakakis: against

Councillor El Sharaway: abstain



Councillor Sachal: abstain

Councillor Bissky Dziadyk: for

Councillor Southey: against

Councillor Stewart Kanigan: against

Councillor Booth: abstain

Motion fails.

Motion to break confidentiality by Councillor Lubendo and publish minutes.

Southey: I think this might violate equity policy. The decisions that the respondents had to do that's under confidentiality.

Rachel: what we could do is that the speaker and I could personally review the minutes and see if anything needs to be censored. Should that happen, we could then make what's not censored public.

Councillor Lubendo: That is amenable. But my question is that do you feel that within minutes are we breaching equity policy?

VP Harris: if I say something in confidential session I have confidence how can this be retroactively reversed it's my personal privilege.

Rachel: it's for you to vote against the motion.

Councillor Stewart Kanigan: if minutes released is everyone's name released. The motion as it stands is to make these confidential minutes public.

Councillor Ayukawa: no way to have so that section of Brian is not made public.

Councillor Lubendo: straw poll to see how many would be comfortable voted on line if took out Brian.

Speaker: Everyone quiet. Three options.

1. Comfortable releasing including Brian Farnan testimony.
5 for
2. Excluding comments
9 for
3. Doesn't matter either way
12 for

Speaker: One speaker for, one speaker against .

Councillor Jones: I think that voting against motion shows lack of transparency. I recognize need for confidentiality but this is hot button in good conscious I couldn't vote against this. Constituents want to know. Sub reddit AMA asking Farnan to address McGill community about what happened.

VP Harris: I think there are arguably parts of minutes that could be made public however people said what they said because they thought it was confidential because what we said beforehand wasn't going to be made public. Even if it's majority vote. It doesn't make sense to retroactively ask me to waive my right to confidentiality.



Students' Society of McGill University

3600 McTavish Street, Suite 1200, Montreal, Quebec H3A 0G3

In favour: 25 for

Against: 3 against

Councillor Lubendo motioned to make December 5th 2013 minutes public too.

Speaker: that motion is in order as long as with equity committee. One speaker for and against.

Councillor Ibrahim: are we aware of method through which these will be made public?

Speaker: same as rest of minutes

Councillor Lubendo: to build off councillor Jones as representatives of constituents but more importantly is because of lack of context on Dec 5th and it would be good to see how we got to the process and right now problem is backlash but its misguided. At least with this online they see why we did what we did. More transparency for society too.

Councillor Southey: Would agree with that I firmly believe that equity commissioner will black out most of what was said. I believe in transparency but by making this public it will bring up the dust on what is settling. Most won't be released. Defeats purpose. I think it would make it seem less transparent because of info omitted.

In favour: 20 for

8 against.

Motion passes

5) Adjournment

Councillor Baraldi: will the information that the equity people have gone through and that's why it's blacked out?

Speaker: Now it will.

Motion to adjourn by Councillor El-Sharawy

Secded by VP Hofmeister

Meeting adjourned 11:36pm.