



**University of Toronto Graduate Students' Union
General Council / Board of Directors Meeting Minutes
Medical Sciences Building Room 2170
Tuesday January 22nd 2019**

Start time – Registration begins at 5:45pm, with free dinner available for registered members on a first-come, first-served basis.

David Eaton (Executive Director) First, we would like to thank Evan for his work Chairing General Council Meetings. The December meeting was his last meeting and we wish him the best in his future endeavours. Tonight, as the acting Internal Commissioner and according to our Bylaws, Maryssa Barras will Chair the meeting.

Meeting is called to order at 6:15pm

1. Meeting Comes to Order
 - a. Equity Statement
 - b. Adoption of Agenda

Yasmin (Architecture) – would like to suspend policy G1.7 Suspension of Standing Policies. Our Course union intentionally missed one General Council Meeting, and unintentionally missed a second General Council Meeting. It was at this meeting that an additional General Council Meeting was called for November 26th, and we were unable to send a representative to this meeting, which was too last minute. As a result, we did not attend the required number of GC Meetings to receive our Head Grant. We are asking General Council to add this item to the Agenda so that we may move a motion to suspend the standing policies.

MOTION: B-01-19. BIRT (Be it resolved that) the UTGSU General Council / Board of Directors adds “Suspension of Standing Policies” to the Agenda under “Any other business”. Moved by Yasmin Al Jamarrai (Architecture), Seconded by Robert Fajbar (Physics). MOTION CB-01-19 CARRIES with abstentions. Noted abstentions: Sophie McGibbon-Gardner (Academics 3 & 4 Commissioner), Sam Stead (University Governance Commissioner), Branden Rizzuto (Finance Commissioner), Christopher Ball (Academics 1 & 2 Commissioner).

MOTION: B-02-19. BIRT the UTGSU General Council / Board of Directors adopt the January 2019 Council Meeting Agenda (as amended). Moved by Bennett Axtel (Computer Science), seconded by Sam Stead (University Governance Commissioner). MOTION B-02-19 CARRIES with abstentions.

- c. Roll Call and Introductions

Guests/Proxies

Ben Hjorth (Comparative Literature)

Jamila Ghaddar (Information)
Manian Karim (Information)
Robert Prazeres (BDS Committee)
Rachele Gottardi (OPIRG)
Lukayo Estrella (OPIRG)
Manush Nandan Mohankumar (ECE)
Samuel Delage (CSB)

MOTION: B-03-19. BIRT the UTGSU General Council / Board of Directors seat the individuals listed above. Moved by Kaspar Reinis (Comparative Literature), seconded by Alex Oraziatti (UTMAGS), MOTION B-03-19 CARRIES unanimously.

Members of media

Reut Cohen (The Varsity)
Ilya Bañares (The Varsity)

Chair – we will now seat the members of the media. This first motion is just whether or not General Council will allow them in the room. We will then later deal with whether they may take photographs, live tweet, etc.

MOTION: B-04-19 BIRT the UTGSU General Council / Board of Directors seat the members of the media listed above. Moved by Justin Patrick (Political Science), seconded by Kaspar Reinis (Comparative Literature). MOTION B-04-19 CARRIES with opposition and abstention. Noted abstentions: Aris Spourdalakis (Physics), Christopher Ball (Academics 1 & 2 Commissioner).

Debate:

Sarah (Nutrition) – We should remember that the last time they were here, we asked them to not to live tweet or post photos of people, and they did these things anyways even though they said they wouldn't.

MOTION: B-05-19. BIRT the UTGSU General Council / Board of Directors grant members of the media permission to use Social Media including live tweeting to report events at the meeting, and take photographs. Moved by Justin Patrick (Political Science), seconded by Yasmin Al Jamarrai (Architecture).

Reut (The Varsity): We have updated our photo policies so that you can request to be left out of any photos that go to publication by the end of the meeting.

Debate:

Cristina (External) – against: Last time I announced in council that I did not want my photo taken or have my photo used in print or online. This right was denied, and this is an issue of consent. Sometimes in the work that we do, we are put in the spotlight for the advocacy we participate in. We should be able to choose whether or not we want our image used in General Council meeting.

Evelyn (Molecular Genetics) – is it possible to split this motion? So that we vote separately on photographs, and social media?

AMENDMENT to MOTION: B-05-19 BIRT the UTGSU General Council / Board of Directors grant members of the media speaking rights, ~~permission to use Social Media including live tweeting to report events at the meeting, and take photographs.~~ Moved by Justin Patrick (Political Science), seconded by Yasmin Al Jamarrai (Architecture). MOVED by Evelyn Popiel (Molecular Genetics), seconded by Ramona Konantz (Art). MOTION B-05-19 CARRIES with abstentions.

Aris (Physics): not in principal against the media's presence, but wants to know why they want these speaking rights as the media

Sophie (AF3&4): "media access" is on the Agenda, and they may like to speak on this topic.

Ben (Comparative Literature): in order to deal with this issue, we need to give them the right to participate. It's important that we allow the speaking rights and consider why we wouldn't want the goings on in this room to be available to all students who are members of the union
Zach (English) – maybe they just want speaking rights to say "I'm sorry".

MOTION: B-06-19 BIRT the UTGSU General Council / Board of Directors grant members of the media speaking rights. Moved by Justin Patrick (Political Science), seconded by Yasmin Al Jamarrai (Architecture). MOTION CARRIES, with opposition and abstention.

Debate

Sophie (AF3&4) – with respect to people letting you know within the time limit of the meeting, without a laptop or smartphone with you, this time limit is not reasonable or friendly.

Emma (Information) – The Varsity mentioned updates to the photo policy, what are the policies, what is a "public figure", and why are they exempt from having their photos removed?

Reut (The Varsity) – With respect to "public figures". Students should have a vested interest in who spends their money, since the UTGSU collects a lot of money from students. This is an interim policy for how we will interact with the UTGSU in the future. With respect to the time limit, we can extent this to 12 hours after the meeting so folks may contact Dina to request their photo not be used.

Justin (Political Science) – in favour of the press taking photos. Photos and virtual access to meetings will increase transparency, there is likely a correlation between participation and access to these kinds of meetings and election turn out. The UTGSU has extremely low voter turnout.

Cristina (External) – what is the motion currently on the floor? Would like to propose an amendment.

AMENDMENT to MOTION: B-05-19 BIRT the UTGSU General Council / Board of Directors grant members of the media permission to take photographs *with the condition that all members including elected representatives have the right to decide whether their photo is published/used, with 12 hours being the window to make this request.* Moved by Sophie McGibbon-Gardner (Academics 1 & 2), seconded by Kaspar Reinis (Comparative Literature).

Moved by Cristina Jaimungal (External Commissioner), seconded by Adam Hill (OISE). MOTION B-06-19 CARRIES with opposition and abstention. Noted opposition: Justin Patrick.

Motivation & Debate

Cristina (External) we are not public officials. Pictures should be treated differently than how our names are published. It is unfair to develop a media policy without consultation with the UTGSU particularly with a track record for not adhering to requests of this body.

Ben (Comparative Literature) – against the amendment, with all due respect. Beauracritic bind, where we are already debating a media policy for the purposes of this meeting. We are a council representing the interests of a student body. We shouldn't be making these kinds of decisions.

Adiv Paradise (Astrophysics) – these motions only apply to this meeting, it is a matter of respect to our Executive, and until we further discuss the policy we should extend the privilege of being able to request for your photo not to be used, to our Executive.

Justin Patrick (Political Sciences) – against the amendment, trying to advocate for better education, need to be seen as public officials when negotiating with external bodies. It is a standard we should aspire to.

MOTION: B-07-19 BIRT the UTGSU General Council / Board of Directors grant members of the media permission to take photographs with the condition that all members including elected representatives have the right to decide whether their photo is published/used, with 12 hours being the window to make this request. Moved by Sophie McGibbon-Gardner (Academics 1 & 2), seconded by Kaspar Reinis (Comparative Literature). MOTION B-07-19 CARRIES with opposition and abstention. Noted abstention: Christopher Ball (Academics 1 & 2 Commissioner).

Now onto live tweeting;

MOTION: B-08-19 BIRT the UTGSU General Council / Board of Directors grant members of the media permission to use Social Media including live tweeting to report events at the meeting. Moved by Justin Patrick (Political Science), seconded by Adam Hill (OISE). MOTION B-08-19 CARRIES with opposition and abstentions. In favour: 47, opposed: 20, abstentions: 13. Noted abstentions: Cristina Jaimungal (External Commissioner), Sam Stead (University Governance Commissioner), Sophie McGibbon-Gardner (Academics 3 & 4 Commissioner), Christopher Ball (Academics 1 & 2 Commissioner).

Konstanze (Law) – Against the motion bearing in mind this is for this particular meeting, not the policy. Last time [based on their tweets] I had the impression that we had not attended the same meeting. They misrepresented the meeting. The tweets represented that the union had deliberately blocked them from the meeting.

Emma (Information) – in favour. Understands the concerns, as the events were distorted. As much as they want to hold public institutions accountable, they must also be held accountable. We have the right to hold them accountable for misinformation based on their own ethics.

Justin Patrick (Political Science) – real time reporting. May I call for a roll call vote?

Will take as a friendly suggesting.

Robert (physics) – is this is just for this meeting? Yes.

MOTION: B-09-19 BIRT the UTGSU General Council / Board of Directors seat guest Lynne Alexandrova (OISE) who entered late and grant her speaking rights. Moved by Sophie McGibbon-Gardner (Academics 3 & 4), seconded by Kaspar Reinis (Comparative Literature). MOTION B—09-19 CARRIES with abstentions. Noted Abstention: Kaspar Reinis (Comparative Literature).

d. Minutes from November 26 and December 3 Council Meetings

MOTION: B-10-19 BIRT the UTGSU General Council / Board of Directors approve the November 26th 2018 Council Minutes (as presented or amended). Moved by Charlie White (Environmental Studies), seconded by Nicholas Lindsay (Information). MOTION B-10-19 CARRIES.

MOTION: B-11-19 BIRT the UTGSU General Council / Board of Directors approve the December 3rd 2018 Council Minutes as presented. Moved Ramona Konantz (Art), seconded by Nicholas Lindsay (Information).

AMENDMENT BIRT the UTGSU General Council / Board of Directors accept the amendments December 3rd 2018 Council Minutes by Lynne Alexandrova (OISE). MOVED by Nicholas Lindsay (Information), seconded by Sophie McGibbon-Gardner (Academics 3 & 4 Commissioner). MOTION B-11-19 CARRIES with opposition and abstention. Noted opposition: Konstanze V. Schutz (Law).

MOTION: B-12-19 BIRT the UTGSU General Council / Board of Directors approve the December 3rd 2018 Council Minutes as amended. Moved Ramona Konantz (Art), seconded by Nicholas Lindsay (Information). MOTION B-12-19 CARRIES with opposition and abstention. Noted opposition: Konstanze V. Schutz (Law).

e. Unfinished Business

Chairs ruling on requests from last meeting¹

2. Reports

a. Executive Committee Reports

Sam Stead (Governance) – University wide consultation on the sexual violence policies. Please email governance@utgsu.ca for posters to advertise this, the consultations will be run by a hired professional who will help consolidate the results into a report to go to the University.

Cristina (External) – anti racism strategy. Call-out went out to all grad-students, but in particular are looking for participation from racialized students and allies, primary work meant to be done by the former and supported by the latter. Email her at external@utgsu.ca for more info

b. November 26 2018 Council Meeting Follow-Up

Sam (Governance) – Reading a statement prepared by the Executive Committee. Sam is regretfully share information about the individual who most recently vacated the position of Internal Commissioner. Since leaving her role, has used their Office Keys, and had confrontational conversations with Staff. In addition, the UTGSU was contacted by a Toronto-

based Law Firm, who were contacted by the previous Internal Commissioner under the pretense that they were the Chair of the Policy and Operations Committee, and was seeking procurement of their services on behalf of the UTGSU. The Executive Committee has since informed the relevant parties that this individual is no longer a representative of the Union. The Executive Committee felt it was their fiduciary duty to bring these events to the attention of General Council.

Lynne (OISE): Yet again what happened is not square with my memory. At the time I wrote to the law firm, they asked if I was a member of the UTGSU. I explained that a member of the UTGSU is each and every Graduate Student. I remain a member of the Policy and Operations Committee, not the chair. The night of November 26th I sent out emails to key people, notifying them of the change. The next day, I returned the Key, very gently. There was a term used "confrontation" with respect to my interaction with a Staff Member...

Dave – to protect the Staff in the room we would need to go in camera to further discuss that.
Chair HR – Do not name staff.

Sam – This information was communicated from the law firm.

Konstanze (Law) – have the lawyers been retained and have there been expenses incurred.

Dave – This law firm had been retained by the UTGSU in the past but are not currently, and no expenses were incurred.

Ben (Comparative Literature): There is talk of fiduciary duty, yet we are not allowed to discuss.

c. Levy Group – OPIRG

Rachele – Ontario Public Interest Research Group (OPIRG) is a volunteer-based group at the University of Toronto, who's mandate is action, education, and research on environmental and social justice issues. It has been a great year for OPIRG with a resurgence in our programming and involvement on Campus, with over 30 workshops conducted, and some new, large-scale initiatives. Our Board of Directors is split evenly between Undergraduate and Graduate Students. Held disorientation week again in collaboration with other campus groups and collectives including, APUS, the Centre for Women and Trans People UofT, Cinema Politica, CINSSU, First Nations House, Indigenous Studies Student Union, Indigenous Waves, Students for Barrier-free Access, Pleasure Dome, and Mining Injustice Solidarity Network. This year also saw the re-opening of the Dr. Chun Resource Library, and hiring of a full-time staff person to run this project. Currently organizing their annual symposium, which is titled "*What's Left? Coalition-Building and Countering the Alt-Right*". For more information about OPIRG, please visit <http://www.opirgtoronto.org>.

Questions:

Justin Patrick (Political Science) – do you need more volunteers or anything? How should we spread the word?

Rachele (OPIRG) – There will be a call out for new research collective members. The student worker position will go out simultaneously. We really hope this initiative is beneficial for all.

d. Course Unions

Konstanze (Law) – Their program is under review by U of T quality assurance. If members or representatives from other Course Unions have information about or experience with these sub-studies, please contact me.

e. Standing Committees, Ad-hoc Committees, and Caucuses

- f. Governing Council, Graduate Education Council, CUPE 3902, USW 1998
- g. CFS Highlights

Cristina (External) – With the announced Provincial Government Policy changes which include cuts to post-secondary education, there was a rally by Students at Queen's Park on January 18th. The details of these plans has not yet been released, however we know that OSAP's 6-month grace period for re-paying student loans once you have finished school, will be eliminated. They will also reverse needs-based tuition, increase the number of people who will need to take out loans, and it's the University that will absorb the 10% reduction in tuition costs. Student voices were not consulted in the creation of this plan. Students nationally and provincially are concerned about the effects on Post-secondary Students who are particularly vulnerable. How will this affect us, and can we strengthen our Coalitions? There is a rally this Friday at Yonge and Dundas Square. Other important conversations at the CFS OGM include Grad Student Mental Health. CFS is promoting more research and lobbying efforts with a focus on student-supervisor relationships. Graduate Mental health is also a priority for the Union, and we are committed to providing diverse and accessible resources.

- h. Motion to Receive Reports

MOTION: B-13-19 BIRT the UTGSU General Council / Board of Directors receives all reports. Moved by Nicholas Lindsay (Information), seconded by Zak Jones (English). MOTION B-13-19 CARRIES with abstentions.

- 3. Financial Business
 - a. Union Finances Presentation

The UTGSU takes accusations of financial mismanagement very seriously, went through the presentation that is attached at the end of this package.ⁱⁱ

Questions

Adam (OISE): How many hours do you spend on administrating the conference bursary?

Branden (Finance): I dedicate 5-10 hours a week on the Conference Bursary alone.

Lynne (OISE): Invitation to Branden to update council about the Finance committee page which is not up to date, and includes a Staff person being listed as the Chair.

Branden clarified an error on the website about a Staff member being vice chair on Finance Committee. There are some technical issues with the website where it reverts updates. There was a spacing issue because the vice-chair slot was left empty, it looked like the Finance Admin Staff person was the vice-chair.

- b. 2018 Conference Bursary – Spring CycleApproved the allocation of these funds.

- c. Special Grants

Executive Motion: E-01-19 BIRT the UTGSU General Council / Board of Directors approve the amount of \$1,200 to the UTGSU Special Grants. MOTION E-01-19nCARRIES with abstentions. Noted abstention: Anna Cwikla (Religious Studies).

d. Conference and Academic Engagement Grants

Executive Motion: E-02-19 BIRT the UTGSU General Council / Board of Directors approve the amount of \$12,300 to the UTGSU Conference and Academic Engagement Grants. MOTION E-02-19 CARRIES, with abstentions. Noted abstentions: Anna Cwikla (Religious Studies) and Konstanze V. Schutz (Law).

e. Donation Requests

No requests to bring to council at this time

f. Budget Amendment – Legal Budget Line

Branden (Finance): On June 6th there was a Board of Directors meeting where a settlement was approved to a former member of the UTGSU Staff. We were invoiced past the August 31st fiscal year end, so the fees were paid in the 2018-2019 fiscal year, and the UTGSU has exhausted its Legal budget line for the year. We are requesting to allocate another 10,000 dollars to this budget line. This will then reflect in the budget the original amount that was allocated for this year. This is a prudent thing to do, and not because we expect legal action against the UTGSU. We have a very healthy budget.

Questions:

Adiv (Astrophysics): will there be a symmetric surplus in the 2018 actuals?

Branden (Finance): Yes, barring any litigations.

Emily (Physical therapy) – will the increased amount be the same for subsequent years?

Branden (Finance): Only this year.

Adam Hill (OISE) – Legal fees line items gives the union confidence that they have our support

Executive Motion: E-03-19 BIRT the UTGSU General Council / Board of Directors increases the Legal Fees Budget Line from \$10,000 to \$20,000. MOTION E-03-19 CARRIES, with abstentions. Noted abstentions: Anna Cwikla (Religious Studies).

4. Internal Commissioner Appointment

Candidates:

Nicholas Lindsay (Information) – believes in the importance of responsible management of information, and is actively involved within his Graduate Faculty and UTGSU. Is a first year grad, so has a long-term interest in investing his time in the Union. Believes in transparency and is a friendly and welcoming person. Wants to focus on the backlog of policy. Though a short term, ready to work on prioritizing these issues.

Samuel (Cell and systems biology) – Really wants to get involved, is going to run in the elections. Puts his support behind Nicholas as a candidate and withdraws his bid.

Justin Patrick (Political Science) – Policy is going to be crucial in the next few years, there are key problems at the forefront including Ford's cuts which will extend to Student Unions. The Ontario not for profit corporations act could lead to endangered democracy in student unions.

Endangers structures like ours which are horizontal. His research topic of interest is Student Unions. Increasing voter turnout is the most crucial thing we must focus on. Advocacy and collective action requires us being there. Has gone through the policy. Is a Masters student in his second year.

Questions

Robert (Physics) – Student unions are in a crisis, with huge attacks from the Ford government. How will you push back?

Nicholas – This is definitely a concern, and the best we can do is unite, as we are stronger together. We should continue to voice our concerns, and speak to what we find important.

Justin – Some background information on that question. The Ford government made that decision by meeting with free speech clubs that proposed this. Many belong to an alternative of the right. There are some student unions that didn't believe democracy wasn't working. What we have to do is increase participation in our Union, and make sure that meetings, minutes and documents are at students' fingertips. If more students vote, more will choose to pay their fees. Despite this, there is still an incentive [for student participation]. From an Internal perspective, the policies must make it easy for that participation.

Adam Hill (OISE) – do you have any real or optical conflicts of interest?

Justin – has served on several representative bodies, writes for the varsity occasionally and other publications, will be transparent on partisan issues. Member of political science course unions

Nicholas – Interested in moving the council forward, has participated in many activities and has no conflicts to disclose.

Ben (Comparative Literature) – what aspects of Policy will you work on? What will you bring to the role?

Nicholas – wants to work with Council and bring a fresh perspective

Justin – need to make a full transition online (fully accessible). Livestreaming meetings in the future for students. Should look into those things. There is some clause where the whole Council can be removed, but then must vote after (inconsistencies).

Scrutineers:

Justin appointed Konstanze (Law)

Nicholas appointed Patty (Information)

Motion: B-14-19 BIRT the UTGSU General Council / Board of Directors appoint Justin Patrick to the position of UTGSU Internal Commissioner, effective immediately until April 30th, 2019.

5. Elections Code 2019

Adrian Aziz (AFO) – I have privilege of announcing our DRO is Manny. Information will be available on the UTGSU. There will be 7 positions available, with descriptions, on the website. Election will be 7 full days, strictly online this year, will make accommodations for those who require accessibilities for those who cannot vote online. Feb 27th to March 5th at 11:59 PM. Nominations open tomorrow and finishes Feb 15th at 8AM. Nomination package is available on the website

Questions:

Q: Can you submit scans or photos?

Adrian (CRO): Scan is preferable, I can also take hard copies at OISE (I am there most days)

Lynne (OISE): How did the elections committee work on the nomination form and the elections and referenda code? Also, are there accessibility accommodations for running candidates?

Adrian (CRO): Candidates can send me emails, and I will deal with each accessibility need individually. I was provided with an election code, made minor changes, most significant change was having the whole thing online. Polls have excessively low turn-out and are not financially feasible.

Motion: B-15-19 BIRT the UTGSU General Council / Board of Directors adopt the Elections Code 2019 as presented by the CRO and the UTGSU Elections and Referenda Committee. Moved by Kayla Warburton (OISE), Zak Jones (English). MOTION B-15-19 CARRIES with abstentions.

6. UTGSU Committees

a. Policy and Operations Committee Legislative Program

Motion: B-15-19 BIRT the UTGSU General Council / Board of Directors adopt the legislative program of the Policy and Operations Committee. Moved by Adam Hill (OISE), seconded by Bennett Axtel (Computer Science). MOTION B-15-19 CARRIES with abstentions.

Lynne (OISE): How do you make the language of the Bylaw and Policy more accessible and how do you make it more accessible for marginalized groups?

Sophie (Academics 3 & 4): this is important, and we welcome members of the policy and operations committee to take on projects like this. We feel that there are pressing issues that must be dealt with first, and this program is what we are mandating ourselves to do over the next few months.

Lynne (OISE): we have a committee with two co-chairs. will you consider splitting into two sub-committees, to speed up the backlog of work?

Sophie (Academics 3 & 4): We are taking time above and our own responsibilities, so we are two co-chairs splitting the duties of one person, not adding a second person with extra time. Sub-committees are not in the Policies, but there are opportunities for projects within the Policy and Operations Committee.

b. Research, Education and Governance Committee Legislative Program

Sam (Governance) went over the legislative program with the council. Sexual violence policy and accessibility policies were highlighted.

Motion: B-16-19 BIRT the UTGSU General Council / Board of Directors adopt the legislative program of the Research, Education and Governance Committee as presented. Moved by Adam Hill (OISE), seconded by Charlie White (Environmental Studies). MOTION B-16-19 CARRIES with abstentions.

Question – do you foresee collaborations between REG and Equity and Advocacy Committee?

Sam (Governance): There is so much work to be done, and yes there is overlap, but we are able to bring forward recommendations directly to the University.

Q: How do you foresee academics or funding fitting into this program as it is part of the committee's portfolio?

Sam (Governance) We have chosen these two points as a focus, if folks want to join the committee and contribute in other ways, we welcome this.

Debate

Qusa Hassan (GSAS) – can we change this to include GSAS since we work on this too?

Sam (Governance): yes sorry, I will GSAS to the list, this was a mistake.

7. Bylaw Amendments

a. Special Meeting Quorum – Bylaw 3.6.2

Looking to change the quorum requirement from 300 to 100 for Special Meetings of the Membership. If the AGM is the decision-making body of the membership, it doesn't make sense that special meetings require an even higher quorum. These [AGMs] are the only meetings the Membership have access to, cannot ask the Council to have a special meeting.

Carter (Biomedical Engineering): students from our group have suggested that reducing the quorum for special issues is problematic, and that these issues should be addressed by large groups of people.

Sophie (Academics 3 & 4): quorum is not a goal, we want as many people as possible in the room. Special meetings are more irregular business, they are not necessarily decisions that are more important.

Adam (OISE) – why did it start at 300?

Sophie (Academics 3 & 4): this is how it was written originally, could not find a rationale for this, and the Bylaw hasn't been revisited since.

Ben (Comparative Literature): is there is a good reason for 300? Is there a good reason for why you would want it to be difficult to have a meeting? And can you update us about the AGM and the consequences of its legislative failure?

Sophie (Academics 3 & 4): we will be ok if it's not reduced to 100, we will still try to make these meetings possible. If we can't pass the motions at a special meeting, they can wait until the AGM.

Branden (Finance): there is no material consequence, other than not having an Auditor appointed.

Ben (Comparative Literature): you didn't answer by question, what are the consequences? Did the University just let it slide?

Sophie (Academics 3 & 4): we satisfied the University's Policies, we just need to satisfy our own Policy and Bylaw.

Adiv (Astrophysics): Much of the quorum [at the AGM] was met from Council reps, and members that were there to discuss issues specific to those changes. Given the concerns over democratization, how do we have Special meetings [with reduced quorum] without sacrificing this?

Sophie (Academics 3 & 4): If the special meeting does not meet quorum we will move on and deal with the issues at the next AGM. I think that you are alluding to quorum of 100 being very low, but we know that this is representative of participation at AGMs.

Robert (Physics) What are the notice requirements for a special meeting? It being special doesn't affect the notice for Bylaw changes, then this is one thing.

Answer: The notice for the meeting is 7 days, this doesn't affect notice for Bylaw Changes which is still 14 days.

Executive Motion: E-04-19 BIRT the UTGSU General Council / Board of Directors adopt amendments presented to Bylaw 3.6.2. (As amended below)

Debate

Robert (Physics) – for the motion, the only reason I would be against [the motion] is if the notice requirements were different, but I have now been assured they are not, so I am in favour.

Adam (OISE) – is this permanent? Is it possible to make it temporary?

Sophie – don't think we can make it temporary, and we shouldn't, as the main motivation isn't to have this particular special meeting. [You should vote in favour if] you feel in general that it is a good idea to have this sort of meeting

Mick Herbery – Bylaw changes would have to be ratified anyways.

Q: How many members in general council?

A: 144 representatives

Then quorum should there not be more than General Council

Sophie – what do we want a decision-making body for our union to be? What number is that? Same as the AGM, prohibitively high, middle ground?

Konstanze (Law) – (against) while the notice requirements for bylaw remain, these notice requirements can be waived by 2/3 majority.

Branden – for. Not the number you hope show up, but the minimum number of people who show up that can authorize decisions. Creating a quorum on how many you hope to show up ends up blocking change. The membership should be given the opportunity to debate and discuss.

Chair reminds the room this motion requires 2/3 majority

AMENDMENT Executive Motion: E-04-19 BIRT the UTGSU General Council / Board of Directors adopt amendments presented to Bylaw 3.6.2. (As amended to a quorum of 150 instead of 100) Moved by Justin Patrick (Political Sciences), seconded by Adiv Paradise (Astrophysics). MOTION E-04-19 CARRIES with opposition and abstentions. Noted opposition Aris Spourdarakis (Physics).

Debate:

Ben (Comparative Literature). In favour of the amendment. We have many fewer than 100 in the room right now, if its fewer, council can call the meetings. It is not the same as the AGM, there should be safeguards.

Executive Motion: E-05-19 BIRT the UTGSU General Council / Board of Directors adopt amendments presented to Bylaw 3.6.2. (As amended to a quorum of 150 instead of 100) MOTION E-05-19 CARRIES For: 51, Against: 1 abstain: 1. With 2/3 majority.

[update on internal commissioner]

MOTION: B-17-19 BIRT the UTGSU General Council / Board of Directors appoint Justin Patrick from Political Sciences to the position of UTGSU Internal Commissioner, effective immediately until April 30th, 2019. Moved by Sophie McGibbon-Gardner (Academics 3 & 4 Commissioner), seconded by Qusa Hussain (GSAS). MOTION B017-19 CARRIES with abstentions. Noted abstention: Justin Patrick (Political Sciences)

MOTION: B-20-19 BIRT the UTGSU General Council / Board of Directors destroys the ballots. Moved by Adam hill (OISE), seconded by Robert Fajbar (Physics) MOTION B-20-19 CARRIES.

8. Special Meeting of the Membership (Date selection)

With respect to a date for the Special Meeting, the executive recommends a two-week window (last week of February to the first week of March), with a preference for February 26 because there is also a council meeting that night.

MOTION: B-21-19 BIRT the UTGSU General Council / Board of Directors direct the Executive to set a Special Meeting of the Membership between the last week of February and first week of March. Moved by Kayla Warburton (OISE), seconded by Lisa Labine (GSAS), MOTION B-21-19 CARRIES with abstentions.

Qusa (GSAS) is this about the financial report and the BDS stuff?

A: Yes, for the financial report and adopting the Bylaw changes. The executive were asked to do this by council

9. Media Policy

Following the December 3rd Meeting events, several options were outlined on the screen (attached at the end)

Debate

Mick (German) I think this should be tabled to the next meeting, it's too complicated to be dealt with on such a short time constraint.

Motion: B-22-19 BIRT the UTGSU General Council / Board of Directors table item 9 "Media Policy" to the next General Council Meeting. Moved by Mick Carberry (German), seconded by Ezzat Jaroudi (Chemical Engineering). MOTION B-22-19 FAILS, with abstentions.

Debate:

Adiv – may not have time later to do this.

Emma – if we table it, can work still be done on policy in the interim?

Q: Yes, sort of.

Adam – against. This is important, 23 minutes now to tell them what to do next vs. taking even more time later

Mick – in favour. Still think that we don't have sufficient time to do this. There is no need to go through all the speaking rights and photos

A: Right now, there is no policy so we have to go through this every time.

Ben – against. Don't table the motion, consider that we as the council now, should make a statement for the special meeting, that we direct that a meeting be conducted in a public and open way.

Motion: B-23-19 BIRT the UTGSU General Council / Board of Directors mandate the UTGSU Policy and Operations Committee to draft a Media Access Policy based on option 1A as presented, that will hold for the next General Council Meeting and the Special Meeting. Moved by Ben Hjorth (Comparative Literature), seconded by Qusa Hassan (GSAS). MOTION B-23-19 ARIES with opposition and abstention. Noted abstentions Sophie McGibbon-Gardner (Academics 3 & 4 Commissioner), Leonardo Jose Uribe Castano (Civics & Environment Commissioner), Sam Stead (University Governance Commissioner), Branden Rizzuto (Finance Commissioner), Cristina Jaimungal (External Commissioner), Christopher Ball (Academics 1 & 2 Commissioner), Nicholas Lindsay (Information).

Debate:

Adiv (Astrophysics) – opposed. The media organization in question has acted in bad faith, has misrepresented us, and ignored our requests. Option 2 is better.

Jack (the Varsity) – for. There is inherent and objective value to a media presence at the GSU meetings. The meeting is an integral part of communications. The Varsity welcomes letters to the editor opposing our coverage. Anything other than unconditional access sets a dangerous precedent, and details are dangerous in telling reporters how to do their jobs.

Mick (German) – against. We were given 9 options, we're going to pick one, the first one, without consideration on the merits of others. There is a small number of reps here. To direct policy committee to work only on this. What are the ramifications on each of these different policies? Financial culpability? Or the media reporting things we don't want. Ideally, we go into camera for this. "Let's just pick the first one" is bad policy making.

Justin (Political Science) – in favour. The majority of other student unions allow the press to come and go as they please. The union livestreams at Carlton, it's not just the press giving unlimited access. We shouldn't be the outliers, and shouldn't be branding the press as fake news, especially with the far right rising on campus. They are a resource we are paying into establish a dialogue with them.

Cristina (External) – against. Remind GC that we are here to give direction to the Policy and Operations Committee for Policy to be developed. In an age where we have so many issues with respect to consent and privacy, we need to make sure our concerns are heard, that Policy and Operations Committee are taking these points into consideration, and that the members of the Varsity are ready to have an open dialogue. One more point with respect to UTGSU Executive and public officials, is that the latter have a legislative power; responsible to the public and funded by the public.

Qusa Hassan (GSAS) – can the varsity be there for in camera? No. I am in favour. We are not public officials, but we are elected by the membership, the main readership is the membership. We are in an age where the media has been demonized, and we shouldn't be part of the rhetoric. Even though I signed a letter discounting their conduct, and I am still in favour.

Emma (Information) – in favour for lack of a better option. Infractions on both sides. Ignorance on both sides. The Varsity being unaware of structures of the UTGSU, and the UTGSU not being understanding of journalistic ethics. This is an opportunity to work together. I think they have been more compliant with some of our requests, this is an opportunity now for more requests. We shouldn't be punishing the entire media for the actions of a single institution. The details of the policy should be debated within the committee, and then debated again at council once we're looking at the policy.

Adam (OISE) – This [media policy] was brought up specifically because of issues with the Varsity. Principally, this has to do with agreements set between the Varsity and General Council that they violated. This is about the relationship between the different interested parties. Want to be transparent but by the same junction want respect. Felt that this respect was violated at those meetings. Don't want option one because we are going to ignore that we were disrespected.

10. Wellness Portal Update

11. Any Other Business

12. Adjournment – Please join us in the GSU Pub, we will provide soft drinks and snacks. The pub is open for beverages for purchase.

-
- If you require accessibility accommodations please contact officeassistant@utgsu.ca.
 - For a walk-home after the meeting call, Walk Smart at 416-978-7233.
 - Good2Talk | 1-866-925-5454 | 24/7 Post-Secondary Student Helpline | Over 150 Languages
 - [Wellness Portal](#) - the first graduate-specific tri-campus mental health and academic support resource hub for U of T.

22 January 2019

Chair Ruling on Two Issues Raised in Relation to the Passage and Coming into Force of Bylaw Amendments

Issue #1 – Coming into Force of the Proposed Bylaw Amendment re: Special Members Meeting Quorum if Approved

UTGSU Member has requested clarification as to when the proposed bylaw amendment altering quorum for a Special Members meeting from 300 members to 100 members would come into effect if approved at the 22 January 2019 Meeting.

RULING: In my capacity as Chair it is my interpretation that the reduced quorum would be applicable from the moment of passage until the next annual membership meeting or a special members meeting called for the purpose of considering that amendment. Thus, the reduced quorum would apply to any special members meetings held in advance of the first to occur of the above-mentioned meetings of the general membership.

Briefly, my reasoning is as follows:

- [1] Bylaw 14.1.3 Indicates that a properly passed bylaw amendment takes force immediately, unless the motion to amend the bylaws stipulates a future date when the amendment is to take effect unless it concerns one of the specific articles or clauses listed in Bylaw 14.2.
- [2] The proposed Bylaw amendment does not concern one of the specific articles or clauses listed in Bylaw 14.2.
- [3] Bylaw 14.1.4 requires subsequent confirmation of the Bylaw amendment by the membership, but Bylaw 14.1.5 indicates that membership refusal to confirm the bylaw amendment as is does not invalidate any actions taken under the authority of that amendment between the time it was passed or stipulated to come into force by the General Council and that refusal.
- [4] There does not appear to be a requirement that the next meeting of the membership consider any outstanding bylaw amendments. In my opinion the “next” refers only to the annual meeting as a result of the qualification regarding special meetings (“called for that purpose”) in Bylaw 14.1.4.1 (the text of the relevant clause is reproduced below).

14.1.4.1. A Bylaw or an amendment to a Bylaw passed by the General Council shall be presented for confirmation at the next annual meeting or to a special meeting of the Members of the Corporation called for that purpose. The notice of such annual or special meeting shall refer to the Bylaw or amendment to be presented.

Issue #2 – Continuation in Force of the Bylaw Amendment Establishing the Boycott, Divest and Sanctions Committee as a Standing Committee of the UTGSU

UTGSU Member has suggested that because the Bylaw amendment establishing the Boycott, Divestment and Sanctions Committee (BDSC) as a Standing Committee of the UTGSU was not expressly confirmed at the annual meeting of the general members it has ceased to have any force or effect. The necessary implication is that the BDSC no longer exists as a standing committee of the UTGSU and is not entitled to any privileges or benefits associated with that status.

Briefly, the Member's reasoning is as follows:

-
- [1] Bylaw 14.1.4 requires that changes to the Bylaws made by General Council must be presented to the membership for confirmation, amendment or rejection and the next annual members meeting or at a special members meeting called for the purpose.
 - [2] Article 129(2) of the Corporations Act (Ontario) requires the same and stipulates that "in default of confirmation thereat," the relevant Bylaw changes cease to have effect immediately (the relevant portion of the Act is reproduced below).
 - [3] As the membership did not expressly confirm the Bylaw amendment, it is no longer valid, and the relevant amendment must be re-passed by General Council before it can be considered and confirmed/amended/rejected

A further implication of this line of reasoning is that any future amendment pertaining to the BDSC and its status as a standing committee of the UTGSU would only take effect after approval by the General Council and confirmation by the General Membership, rather than immediately after General Council approval (Corporations Act (Ontario), art. 129(3)).

129...

Confirmation

(2) A by-law passed under subsection (1) and a repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the members duly called for that purpose, is effective only until the next annual meeting of the members unless confirmed thereat, and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new by-law of the same or like substance has any effect until confirmed at a general meeting of the members.

Rejection

(3) The members may at the general meeting or the annual meeting mentioned in subsection (2) confirm, reject, amend or otherwise deal with any by-law passed by the directors and submitted to the meeting for confirmation, but no act done or right acquired under any such by-law is prejudicially affected by any such rejection, amendment or other dealing. R.S.O. 1990, c. C.38, s. 129.

RULING: The annual membership meeting's direction of the General Council to "constitute a special meeting of the membership more than 14 days from now (December 17th, 2018) at its earliest convenience, to consider matters that could not be considered this evening" constitutes a legitimate exercise of the general membership's authority to "confirm, reject, amend, or otherwise deal with any by-law passed by the directors and submitted to the meeting for confirmation" under s.129(3) of the Corporations Act, the result of which is to defer consideration of the Bylaw amendment, during which time the amendment remains in effect.

Briefly, my reasoning is as follows:

- [1] The use of the term "in default of confirmation thereat" in 129(2) of the Act could be construed to suggest that any action other than explicit confirmation of a Bylaw amendment immediately renders that amendment invalid.

-
- [2] 129(3) of the Act stipulates that the membership has the authority to “confirm, reject, amend or otherwise deal with any by-law passed by the directors and submitted to the meeting for confirmation.”
 - [3] In my opinion, the membership’s capacity to “otherwise deal with” must reasonably be construed to include deferring consideration of a specific matter to a subsequent date.
 - [4] Permitting the membership to defer the matter to a subsequent date without permitting the amendment continue in force would render the capacity to defer consideration moot. If the amendment did not continue in force, the membership would not be able to consider it without General Council re-approving the same amendment, a state of affairs no different than if the membership had rejected the amendment.
 - [5] Doing so would not deprive the term “in default” of any meaning, as it would still lead to the invalidation of bylaw changes not brought to the attention of the membership.
 - [6] There has been no suggestion that the provision of 12 days rather than requisite 14 days’ notice of the text of the Bylaw amendments was anything other than an honest but mistaken understanding of the requirements.
 - [7] As I understand the purpose of the confirmation requirement to be ensuring that the membership retains oversight over the General Council / Board of Directors via periodic opportunities to confirm, amend, or reject such changes, I do not believe the interpretation offered above is at odds with the purpose of the relevant clauses or the intention of the act more generally.

SECONDARY RULING: In the event that this interpretation is deemed incorrect, I am of the opinion that additional factors warrant permitting the continued application of the Bylaw amendment, pending the consideration of the matter at a special membership meeting and that doing so would be in order.

- [1] The Bylaw amendment in question has been approved by the requisite majority in General Council, relates to an issue that is politically contentious, and is of significance to a non-trivial proportion of the membership. As such, the general membership should be given the opportunity to confirm, reject, or amend it on the merits.
- [2] When considering whether to waive the notice requirement for consideration of the Bylaw amendment (a motion which a majority of members voted for but which failed as it did not receive the 2/3 vote required), the membership relied on the Chair’s ruling that deferring the matter to a subsequent special members meeting such would be in order and the amendment would continue in force until such time as the membership considered the matter. Had the members been aware that this was not a valid option, there is a real possibility that the necessary 2/3 majority would have been obtained and the matter considered that evening.

It's as if the AGM did not occur, we continue on the understanding that they are standing committee until the AGM can pass the Bylaws.

iii

Option 1 – Unconditional Access

1A – Media Representatives may be seated at General Council/Board-of-Director Meetings and Meetings of the Membership (e.g., AGM) without need for approval by the Meeting Chair or Voting Members in attendance.

1B – Media Representatives may be seated at General Council/Board-of-Director Meetings and Meetings of the Membership (e.g., AGM) with the approval of the Meeting Chair. Voting Members in attendance may challenge the Meeting Chair's decision to seat Media Representatives.

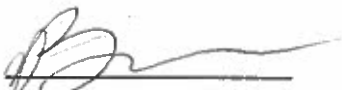
1C - Media Representatives may be seated at General Council/Board-of-Director Meetings and Meetings of the Membership (e.g., AGM) with the approval of the Voting Members in attendance.

Option 2 – Conditional Access

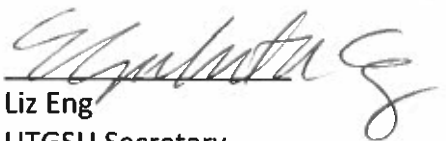
2A – Same as 1A. However, the seating of Media Representatives will be conditional upon said individuals not engaging in certain acts or activities (e.g., taking photographs or audio recordings). Should said individuals engage in such activities, they will be asked to leave the meeting by the meeting chair.

2B – Same as 1B. However, the seating of Media Representatives will be conditional upon said individuals not engaging in certain acts or activities (e.g., taking photographs or audio recordings). Should said individuals engage in such activities, they will be asked to leave the meeting by the meeting chair.

2C - Same as 1C. However, the seating of Media Representatives will be conditional upon said individuals not engaging in certain acts or activities (e.g., taking photographs or audio recordings).



Maryssa Barras
UTGSU Internal Commissioner



Liz Eng
UTGSU Secretary

