STUDENT COUNCIL MINUTES

*******

Guests: Alex Nguyen (Ubyssey), Zak Vescera (Ubyssey), Cameron England (student), Julia Burnham (AMS staff), Sandra Suasnabar (SASC), Abdul Alnaar (Senior Manager of Student Services), Keith Hester (Managing Director), Sheldon Goldfarb (Clerk of Council), Joanne Pickford (Admin Assistant)

A) Call to order

The meeting was called to order at 6:18 pm.

Marium Hamid designated Abdul Alnaar as chair for the meeting.

B) Territorial Acknowledgement:

The Chair:

- At this time we would like to acknowledge our presence on the unceded, traditional, and ancestral land of the hәn̓q̓əmin̓əm̓ -speaking xʷməθkʷəy̓əm (Musqueam) people.
- The Chair would also like to acknowledge that learning happened here long before the University was established.
- We are privileged to be living, working, and learning here.
- We hope that this acknowledgement inspires us to reflect on the reconciliation still to be achieved between Canada and the First Nations peoples.

The meeting continued the agenda from the meeting of November 7, 2018

Q) Committee Motions:

1. MOVED DYLAN BRAAM, SECONDED DANIEL LAM: [SCD152-19]

From the Governance Committee
“That Council adopt the report of the Governance Committee entitled ‘Code Changes 2018: Discipline Votes’ and thus amend the Code as recommended.”

Note Requires 2/3rds

Dylan Braam:
- Three weeks ago there was some question whether or not members of the Executive could vote on a motion to censure them.
- The Speaker said they could.
- Council voted unanimously to overrule the Speaker.
- This motion would codify the overruling.
- There are three new clauses to add to Section III, Article 1 of Code.
- Clause 42 states that no member of Council or their proxy can vote on a discipline motion naming that member.
• Clause 43 states that no more than one-third of the voting members of Council can be named in a discipline motion:
  o This prevents abuse of clause 42 if, for instance, someone tried to censure the whole Council.
• Clause 44 states that one week’s notice of a discipline motion is required unless the action that causes the motion occurs or is disclosed at a meeting.
  o The one week’s notice is the same as in the rules for removing someone from office.
• Discipline motions include motions to censure, reprimand, or impeach; also motions asking for a resignation or a revocation of membership.
• If someone is unruly during a meeting, the Chair could censure them in accordance with Robert’s Rules; under this amendment, this body could too.
• This Code amendment will also allow discipline for something disclosed in the meeting by the member it pertains to, but it has to be disclosed by the member, not by someone else making accusations.
• It’s true this might make Executives or Committee Chairs less inclined to share things done by them that are not in accordance with Code or Bylaws, and thus it might lead to less information being provided:
  o But if they admit something in an apologetic tone, then they should be free to do that.
  o Or they can say they did not know they were in violation.
• This provision also covers things that arise from questions: if Council in its role as a body of oversight asks questions, and if the answer is wanting, then Council can take action right away.
• This is the Code amendment Governance Committee adopted last week at a quorate meeting, but the Executive member on the committee was not present, and I understand he will speak against it.
• So approval for this amendment was not necessarily unanimous, and that’s good: there shouldn’t be a rubber stamp.

Chris Hakim:
• I am the Executive on the Governance Committee. I couldn’t make that meeting.
• The Code change is great except for paragraph 44, about there not having to be notice for a discipline motion over something disclosed at a meeting.
• There should still be notice to verify whether something did happen.
• And we want to encourage people to provide information to Council, including mistakes.
• It’s important to hear about mistakes so we can move on.

Chris Gooding:
• Some people may not be aware of what’s in Code and thus not aware that they’re violating it.

2. MOVED BRYAN STARICK, SECONDED DYLAN BRAAM:

“That the Code amendment be amended as follows:
Clause 42: add the phrase ‘from the floor’.
Clause 43: revise to say discipline motions must be quorate.
Clause 44: revise to require a two-thirds majority.”

Debate on Clause 42 change:

Bryan Starick:
- The change in Clause 42 clarifies that it is only if the motion is being added from the floor that the member can’t vote on whether to add it.
- If it is already on the agenda, they can still vote on whether to adopt the agenda.

Vote on Clause 42 change:

For (14): Kuol Akuechbeny, Joella Allen, Dylan Braam, Kate Burnham, Chris Gooding, Yash Gurnani, Daniel Lam (proxy for Gurshabad Singhera), Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Bryan Starick, Riley Ty, Anican Yu, Kevin Zhang

Against (3): Cole Evans, Marium Hamid, Max Holmes

Abstained: Andy Wu

… Carried

On Clause 43:

The Chair:
- We should not refer to motions as quorate.
- It’s the meeting that has quorum, not the motion.
- Let’s move to the next amendment and come back to this one after we reword it.

On Clause 44, it was clarified that what was meant was a two-thirds vote for a motion from the floor for action occurring or disclosed at the meeting.

3. MOVED BRYAN STARICK, SECONDED JOELLA ALLEN:

“That Clause 44 be amended to require a two-thirds majority for motions pertaining to conduct occurring or disclosed by the potentially disciplined member at a meeting.”

Bryan Starick:
- If a motion comes from the floor, it would require a higher threshold to pass.

Chris Hakim:
- I still think there should always be notice as a show of good faith.

Andy Wu:
- Please define “disclosed.”
Dylan Braam:
- It would be something that comes to light in a report or presentation. But the Speaker of the day would rule on the meaning.
- I am not convinced of the need of a two-thirds majority; it seems arbitrary.

Jennifer Ling:
- Does someone have to be at the meeting to be disciplined?

Dylan Braam:
- In general you would have a week’s notice to make sure you can attend.
- If don’t attend, you can’t disclose anything that would require discipline.

4. MOVED BRYAN STARICK, SECONDED JOELLA ALLEN:

“That Clause 44 be amended to require a two-thirds majority for motions pertaining to conduct occurring or disclosed by the potentially disciplined member at a meeting.”

... Carried

For (16): Kuol Akuechbeny, Joella Allen, Kate Burnham, Justin Zheng (proxy for Jerome Goddard), Chris Gooding, Daniel Lam (proxy for Gurshabad Singhera), Marium Hamid, Cristina Ilnitchi, Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Bryan Starick, Riley Ty, Andy Wu, Anican Yu, Kevin Zhang

Against (1): Yash Gurnani

Abstained: Dylan Braam, Cole Evans, Darren Touch

5. MOVED BRYAN STARICK, SECONDED DANIEL LAM:

“That Clause 43 in the Code amendment be struck and replaced with:

‘If the number of members named in a discipline motion is such that subtracting that number from those present at a meeting would result in a loss of quorum, then the motion shall be of no effect.’"

Bryan Starick:
- The original version of this section said you couldn’t pass a motion to discipline more than one-third of the members.
- But you could play around with the numbers and still end up with five members censuring the rest of Council.
- This way that can’t happen.

6. MOVED BRYAN STARICK, SECONDED DANIEL LAM:

“That Clause 43 in the Code amendment be struck and replaced with:
'If the number of members named in a discipline motion is such that subtracting that number from those present at a meeting would result in a loss of quorum, then the motion shall be of no effect.'

... Carried

For (18): Joella Allen, Dylan Braam, Kate Burnham, Justin Zheng (proxy for Jerome Goddard), Chris Gooding, Yash Gurnani, Daniel Lam (proxy for Gurshabad Singhera), Marium Hamid, Cristina Ilnitchi, Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Bryan Starick, Riley Ty, Andy Wu, Anican Yu, Kevin Zhang, Cole Evans

Abstained: Kuol Akuechbeny, Andria Coulbourn, Darren Touch

7. MOVED DYLAN BRAAM, SECONDED DANIEL LAM:

From the Governance Committee
"That Council adopt the amended version of the report of the Governance Committee entitled 'Code Changes 2018: Discipline Votes' and thus amend the Code as recommended."

Note Requires 2/3rds

8. MOVED CHRIS HAKIM, SECONDED JENNIFER LING:

"That Clauses 42 and 44 in the Code amendment be amended as follows:

Clause 42: remove the phrase ‘from the floor’.

Clause 44: remove the language allowing motions to come without notice and revise to state that all discipline motions require two-thirds.”

Chris Hakim:
- All motions like this should require notice and a two-thirds majority.
- Discipline motions are serious.

Dylan Braam:
- I’m against this, especially as omnibused.
- It’s sneaky to add in the two-thirds majority.
- Changing the vote required from a simple majority to two-thirds is a very substantive change.
- It is an important part of a body’s powers to be able to discipline members disrupting a meeting.
- This would allow a member to disrupt business.

The Chair:
- Code says the Chair can take action in such situations.
Dylan Braam:
- I do not think the Chair should have that power and Council not have the same power.
- If the Chair chooses not to take action, it should be open to Council to do so.

Cole Evans:
- This discussion is not productive; it's very committee-esque.
- The motion should probably be sent back to committee to be brought forward at another meeting.

Bryan Starick:
- I think this amendment would water down what we're trying to do.
- We don’t need a two-thirds vote if notice is given, but we should make it a two-thirds vote if we want to proceed against someone over something happening in the moment.

Dylan Braam:
- We are trying to do discipline planning for worst case scenarios, like embezzlement, sexual harassment, threats of violence.
- With this new amendment, we would not be allowed to deal with something immediately.
- Some say this debate has become too committee-esque.
- At Governance our thinking is that too much comes from committee with nothing to debate.
- If there is nothing to debate here, I'm not sure what the point of this body is.

Andy Wu:
- This amendment is very different from the last one, and it’s coming from an Executive member.
- Do we want to limit our powers by raising the threshold for passing a discipline motion?

9. MOVED DYLAN BRAAM, SECONDED DANIEL LAM:

“That there be a five minute recess.”

Dylan Braam:
- I want to resolve the side conversations to clarify things.
- An Arts member is suggesting this go back to the Governance Committee; I’d like to confer with the Governance Committee about that.

10. MOVED DYLAN BRAAM, SECONDED DANIEL LAM:

“That there be a five minute recess.” … No objections

*The meeting was in recess from 7:30 to 7:35 pm.*
Dylan Braam:
- The Governance Committee wants us to press on.
- We would request direction if Council wants to refer the motion back to committee.
- Or vote the whole motion down and then we will have to come back with something else: we’d like feedback in that case.

11. MOVED DYLAN BRAAM, SECONDED KEVIN ZHANG:

“That the amendment to Clause 44 be amended to say that one week’s notice is required unless the motion pertains to conduct occurring at a meeting.”

Dylan Braam:
- This will restore the power to discipline for conduct occurring at a meeting, but leave it out for conduct disclosed at a meeting.
- It is still important to discipline for conduct occurring at a meeting.
- If Council chooses a chair with an unsuitable temperament, removing the chair could be seen as disciplinary, and without this we could not remove an evil chair.

Chris Hakim:
- I don’t think we should keep that.
- We need always to be giving notice.
- It gives us time to look into a matter and be less reactionary.
- We have Building Operations staff for disruptive behaviour.
- A motion would go on the public record and not be reversible.

Andy Wu:
- I agree with giving Council the power to discipline a member at a meeting.
- If the Chair has that power, I don’t see why Council should not.
- In extraordinary circumstances Council must take reactionary actions to maintain order in the chamber.

Chris Hakim:
- Dealing with discipline is like HR, and this is not an HR body.
- We should give notice and take time to consult HR or any other relevant body.

Dylan Braam:
- HR is in the purview of this body.
- It is not inappropriate for this body to take on HR issues.
- Also, even with notice, a motion would go on the agenda and be part of the public record then.

Bryan Starick asked about non-elected members and staff.

Dylan Braam:
- We can discipline any member of the Society.
Darren Touch:
- One week’s notice gives us a chance to reflect and respond.
- If something minor, the Chair can act.
- If dire, we can suspend Code.

Joella Allen:
- Yes, we can suspend Code, but I don’t think we should rely on that.
- We should create good Code in the first place.

Andy Wu:
- I’m comfortable with the current form of the motion.
- A two-thirds majority is a safeguard requiring a higher threshold to pass
- I agree with limiting the scope to conduct occurring in the chamber.

Jeanie Malone:
- I’m on the Governance Committee and am comfortable with this motion.
- It would not be super-useful to send this back to Governance.
- We had our discussion.
- If Council wants to send it back, just fail this motion and give us direction.

Kate Burnham:
- This is what we discussed in committee as the best way to balance things.

12. MOVED DYLAN BRAAM, SECONDED KEVIN ZHANG:

“That the amendment to Clause 44 be amended to say that one week’s notice is required unless the motion pertains to conduct occurring at a meeting.”

… Carried

For (13): Kuol Akuechbeny, Joella Allen, Dylan Braam, Kate Burnham, Andria Coulbourn, Chris Gooding, Daniel Lam (proxy for Gurshabad Singhera), Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Bryan Starick, Riley Ty, Anican Yu

Against (5): Chris Hakim, Marium Hamid, Max Holmes, Cristina Ilnitchi, Darren Touch

Abstained: Justin Zheng (proxy for Jerome Goddard), Yash Gurnani, Kevin Zhang

- The Chair stated that with this amendment, two-thirds motions will only be required for discipline motions from the floor, not for all discipline motions.
- The wording was adjusted to reflect that.

13. MOVED DYLAN BRAAM, SECONDED CHRIS GOODING:

“That the question be called.”
Note: Requires 2/3rds

For (13): Kuol Akuechbeny, Joella Allen, Dylan Braam, Kate Burnham, Chris Gooding, Yash Gurnani, Daniel Lam (proxy for Gurshabad Singhera), Daniel Lee, Bryan Starick, Darren Touch, Riley Ty, Anican Yu, Kevin Zhang

Against (5): Chris Hakim, Marium Hamid, Max Holmes, Jennifer Ling, Andy Wu

14. MOVED CHRIS HAKIM, SECONDED JENNIFER LING:

“That Clauses 42 and 44 in the Code amendment be amended as follows:

Clause 42: remove the phrase ‘from the floor’.

Clause 44: revise to allow motions to come without notice only for matters pertaining to conduct occurring at a Council meeting, in which case the motion shall require two-thirds.”

For (16): Kuol Akuechbeny, Andria Coulbourn, Justin Zheng (proxy for Jerome Goddard), Yash Gurnani, Daniel Lam (proxy for Gurshabad Singhera), Chris Hakim, Marium Hamid, Max Holmes, Cristina Ilnitchi, Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Darren Touch, Riley Ty, Andy Wu, Anican Yu

Against (5): Joella Allen, Dylan Braam, Kate Burnham, Chris Gooding, Bryan Starick

15. MOVED DYLAN BRAAM, SECONDED DANIEL LAM:

From the Governance Committee

“That Council adopt the amended version of the report of the Governance Committee entitled ‘Code Changes 2018: Discipline Votes’ and thus amend the Code as recommended.”

Note Requires 2/3rds

16. MOVED BRYAN STARICK, SECONDED DYLAN BRAAM:

“That Clause 42 in the Code amendment be amended to restore the phrase ‘from the floor.’ ”

Bryan Starick:
• We got caught up in amending Clause 44 without considering how it would affect 42.
• Since we now are saying that we can bring motions from the floor again, it makes sense to restore those words.
17. MOVED BRYAN STARICK, SECONDED DYLAN BRAAM:

“That Clause 42 in the Code amendment be amended to restore the phrase ‘from the floor.’ ”

… No objections

_The Code amendment would now read as follows:_

42. No member of Council or their proxy may vote on a Resolution concerning disciplining said member, nor may they vote on a Resolution from the floor adding such a resolution to, or removing it from, the Agenda; however, a member or their proxy may still participate in the debate on such Resolutions.

43. If the number of members named in the discipline motion is such that subtracting that number from those present at the meeting would result in a loss of quorum, then the motion shall be of no effect.

44. One week’s notice is required for any disciplinary resolution unless it pertains to conduct occurring at a meeting of Council, in which case such motion shall require a Two-thirds (2/3<sup>rd</sup>) majority.

18. MOVED DYLAN BRAAM, SECONDED DANIEL LAM:

_From the Governance Committee_

“That Council adopt the amended version of the report of the Governance Committee entitled ‘Code Changes 2018: Discipline Votes’ and thus amend the Code as recommended.”

_Note Requires 2/3rds_

Dylan Braam:
- I like this motion as amended.
- I’m not a huge fan, but it’s a good motion.
- It provides Council an opportunity to react to conduct in the moment.
- It contains a good formula to avoid abuse.
- There was a bit of a process getting here, but especially since this is Code on how Council handles itself, I appreciate the compromise we reached.

19. MOVED DYLAN BRAAM, SECONDED DANIEL LAM:

_From the Governance Committee_

“That Council adopt the amended version of the report of the Governance Committee entitled ‘Code Changes 2018: Discipline Votes’ and thus amend the Code as recommended.”

_Note Requires 2/3rds_ ... Carried
For (16): Kuol Akuechbeny, Joella Allen, Dylan Braam, Kate Burnham, Justin Zheng (proxy for Jerome Goddard), Chris Gooding, Yash Gurnani, Daniel Lam (proxy for Gurshabad Singhera), Cristina Ilnitchi, Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Bryan Starick, Riley Ty, Andy Wu, Anican Yu

Against (1): Chris Hakim

Abstained: Andria Coulbourn, Darren Touch

20. MOVED DYLAN BRAAM, SECONDED JOELLA ALLEN:

“That the next three motions be postponed to the next meeting.”

Dylan Braam:
- These are all from the HR Committee.
- The Chair of the Committee should be here for these motions, but he had to leave.

21. MOVED DYLAN BRAAM, SECONDED JOELLA ALLEN:

“That the next three motions be postponed to the next meeting.”

… No objections

22. MOVED MARIUM HAMID, SECONDED CHRIS HAKIM:

“That the agenda be amended to add a discussion topic on SASC bargaining.”

Marium Hamid:
- We have had the first round of bargaining and I would like to update Council and get people’s thoughts.
- There are ongoing discussions.
- We may be bringing something back in January.

23. MOVED MARIUM HAMID, SECONDED CHRIS HAKIM:

“That the agenda be amended to add a discussion topic on SASC bargaining.”

… No objections

24. MOVED MARIUM HAMID, SECONDED CHRIS HAKIM, THIRDED KATE BURNHAM:

“That the meeting go in camera.”

*The meeting went in camera at 8:20 pm.*
*The meeting left the in camera session at 9:31 pm*
25. MOVED CRISTINA ILNITCHI, SECONDED CHRIS HAKIM: [SCD153-19]

From the Advocacy Committee
“That Council approve Code Changes: Student Senators and Board of Governors as presented.”

Note: Requires 2/3rds

Cristina Ilnitchi
- The Board and Senate reps put in a lot of work.
- They don’t get paid.
- They take many meetings.
- Using the central open office space in the Nest is not conducive to good meetings.
- Having a room would be helpful.

Chris Hakim:
- I manage most of the space, and this is feasible.

26. MOVED CRISTINA ILNITCHI, SECONDED CHRIS HAKIM:

From the Advocacy Committee
“That Council approve Code Changes: Student Senators and Board of Governors as presented.”

Note: Requires 2/3rds

... Carried

For (16): Kuol Akuechbeny, Joella Allen, Dylan Braam, Kate Burnham, Andria Coulbourn, Daniel Lam (proxy for Gurshabad Singhera), Chris Hakim, Marium Hamid, Cristina Ilnitchi, Danny Liu (proxy for Jennifer Cheng), Daniel Lee, Jennifer Ling, Bryan Starick, Riley Ty, Andy Wu, Anican Yu

R) Discussion Period

S) Next Meeting:

Next Meeting: November 28, 2018

T) Adjournment:

There being no further business, the meeting adjourned at 9:33 pm

U) Social Activity:
# November 14, 2018 Roster

The Alma Mater Society of U.B.C. Vancouver – Student Council Attendance

<table>
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<th>Name</th>
<th>Constituency</th>
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<td>Marium Hamid</td>
<td>President</td>
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<td>Max Holmes</td>
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<td>Piers Fleming</td>
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V1: Please click your clickers!
V2: addition of the words (from the floor) - amendment
Bryan/Dylan
V3: Amendment to para 44
addition of words: in which case such motion shall require a 2/3rd majority [Bryan/
V4: Amendment to para 43 If the number of members named in the discipline motion
is such that subtracting that number from those present at the meeting would result
in a loss of quorum then the motion shall be of no effect; [Bryan/Daniel L.]
V5: Amendment to the amendment (para 44 in green)
[Bryan/Daniel L]
V6: Call To Question
V7: Amendment [as amended]
[Chris/Jennifer]
V8: final motion - motion 2 [Dylan/Daniel L.]
V9: quorum check
V10: motion to remain in camera
V11: motion to remain in camera
V12: BE IT RESOLVED THAT Council approve Code Changes Student Senators and Board of
Governors as presented

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<th>Name</th>
<th>V1</th>
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