

Brock University Students' Administrative Council



Meeting: 12

Date: March 15, 2017, 7:00 pm

Speaker: Istafa Sufi

Deputy Speaker: Jeremy Steinhausen

Recording Secretary: Kaitlyn Daw

OVERVIEW

Opening Procedures

	Description
1 Call to Order	
2 Territorial Recognition	Administrative
3 Approval of the Agenda	Administrative
4 Adoption of the Minutes (Meeting 11)	Administrative
5 Open Question Period	Information
6 Notes from the Speaker	Administrative

Presentations

7 Human Rights Task Force – (Alana Sharpe and Naheed Yaqubian)	Information
8 OPIRG Presentation – (Ahmed Smaiya)	Information

New Business

9 Ratification of Election Results (Mover – Steinhausen)	Action Item
10 BUSAC Election Nominations Presentation – In Camera (Nweke Tonyclinton)	Information
11 Governance Committee Report (Mover – Sheikh)	Action Item
12 Motion from Councillor (Mover – Smaiya)	Action Item
13 BUSAC Election Packages (Mover – Tonyclinton)	Action Item

Reports

14 General Manager	Information
15 VP Student Services	Information
16 VP External Affairs	Information
17 VP Finance and Administration	Information
18 President	Information

Question Period

19 Close Question Period
20 Information and Reminders

Adjournment

1.0

Call to Order

Meeting officially called to order at 8:01 p.m.

2.0

Territorial Recognition

3.0

Approval of the Agenda

Motion to add information item on the BUSAC Elections.

Tonyclinton, Danaher

10-In favor 4-Against 1-Abstain

Motion passes.

BIRT BUSAC approves the agenda for the March 15, 2017 meeting as amended. Cousins, Barbon
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-In favor -Against -Abstain

Passes by general consent

4.0

Adoption of the Minutes

BIRT BUSAC approves the February 15, 2017 minutes. Barbon, Cousins

-In favor -Against -Abstain

Passes by general consent

5.0

Open Question Period

6.0

Notes from the Speaker

There have been a few resignations from councilors: Brandon Vrysen, Harris Sheikh, and Aidan Hibma. I would like to thank them all for their hard work this year.

Welcome back everyone from the elections. I'm glad to see all of you here tonight.

In case you didn't know, you can have your pictures taken for our end of the year BUSAC portraits in the TR [Trivial Recruit] room. Ehima will send an email out to everyone with the dates that you can get these done. Also note that the Buzies are happening on the 31st, so don't forget to RSVP by the end of this week.

7.0

Presentation – Human Rights Task Force

Alana Sharpe and Naheed Yaqubian present.

8.0

Presentation – OPIRG

Calder: You mentioned something about two year terms?

Speaker: I sat on RRLRC as the Chair at the time that the recommendation of two years was made. RRLRC political policies are just recommendations, they do not bind us [BUSAC] to do any of those motions. They are written in that way so that future councils can refer back to what recommendations were made and why they were made. Again, they do not bind BUSAC or BUSU in any way to move forward with any of their recommendations.

Green: I would like to address the topic of the communication gap that was addressed by OPRIG. Unless there is someone else that you're emailing other than myself, I will go through the communication that I've had with OPIRG this past year. On November 23, I sent an email to OPIRG introducing myself to the Board. I asked for the audited financials for the 2014-15, 2015-16, and 2016-17 budget; that the 2016-17 budget be posted to the website—in which I was informed that you do not have access to because of past issues, so I asked them to post to their Facebook page instead; a list of the Board of Directors that are currently sitting; staff directory of who's working with OPIRG, location of where they are holding their meetings; and offered two additional times to attend BUSAC meetings on November 30 and January 18. OPIRG got back to me on November 29, six days later. Mr. Smayya said that they were in the process of getting together the requests that I had for them and that they couldn't do the November 30th meeting because of the Black Lives Matter event, which made sense with only 7 days notice. On December 12 I sent back an email to the OPIRG Board asking for progress to see what had happened on my request, since on November 29 I was told I should be able to get the information to move forward within the next week or so. I received no response

to that email. On January 5 I sent a follow up email re-listing the above items and changed the dates that they might be available to come for BUSAC, which was January 18 and February 1. I received an email back a month later on February 2 from the OPIRG bookkeeper, Vanessa, acknowledging the requests and her asking me if anyone from the Board had reached out to me. I sent back an email on February 12, since I was away on vacation at that time, saying that they said it would be a few weeks back in November. I forwarded her all of the requests as well. February 12, OPIRG got back to me and requested a meeting with me as soon as possible, to which I replied that I would be happy to set up a meeting with them once we get the items we requested, since many of them required no work with the accounts or bookkeepers, and Cc'd Patrick Foster. Some were very simple questions, such as "Do you have a budget?" If you're collecting \$117,000 from students in September, you would hope that by February 2 they would have a working budget for the \$117,000, not to mention the audited financials from the past years. Again, on February 12 I said that we would arrange a meeting as soon as we got the information sent back. The last response I got back was on February 23, providing me with the 2014-15 financials. I have not received an answer to the location of their meetings until tonight's presentation, and tonight is the first time that they've attended BUSAC after offering three times. As much as I'm not going to comment on the activity piece that Patrick has, my concern is solely on the financial transparency of the organization and the accountability they have to the students, same as we do. These are all the exact same questions that I as the General Manager, who is in charge of the finances with the VPFA and representing students in those areas, ask A Safer Brock who is a third party fee, as is The Brock Press and OPIRG. Last year BUSU helped OPIRG set up and run their elections for the first time to help them establish a functioning Board of Directors to get them moving forward in the right direction. They came to the last BUSAC meeting of the year, I believe, to present on what changes were coming and it was very refreshing because OPIRG had moved the needle towards looking like a functional organization for the first time in a while. I sit on RRLRC as well, and when the topic of OPIRG came up they asked the question, "What do we know about OPIRG right now" and I mentioned how they have a new Board and one of our councilors sits on it, and a previous councilor, Calvin, used to be on the Board as well but he resigned—

OPIRG: Just to clarify, at the last presentation we had everyone who was on the Board of Directors, including Calvin, present. It is still the exact same people, and since you are aware of that we weren't focused on that particular request in your email.

Green: In the agreement it states that 50% of the board has to be undergraduate students so I have to ask that question to make sure you're complying with the agreement. The Board that runs A Safer Brock has a very stringent requirement to get a BUSAC councilor on there and it's been a barrier. With the communication gap, I apologize if you've spoken to anyone other than myself that you haven't gotten responses from, but I have been nothing but communicative to the Board and haven't gotten many responses. To say we haven't been communicative is convenient to the narrative of the presentation. We wanted to see the information before the meeting.

OPIRG: I think it's fair to say that it's not necessarily the same thing. We're particularly talking about the fact that we weren't contacted about forming a referendum question, and that doesn't have to do with our communication. We should have been informed,

because based on the meeting minutes that you have approved on the website, we should have been contacted outside of that as stakeholders.

Green: I'm not the chair of that committee, but we do have a councilor who is a part of the Board and those questions were not raised once in the January or February meeting that the referendum was brought to council. I think there were issues with communication on the committee, but BUSU has been nothing but communicative with OPIRG. We [BUSU] have a vested interest in making sure the work that is done is represented with the money being collected from students. There is no financial gain to BUSU whether this referendum goes through or not. If they get defunded they will continue to run as an organization with whatever funds they have left over from the previous year, just at Brock Radio did. Also, is everyone aware that there is an opt out of the OPIRG fee? You have to show up to the office and they are required to let you know that, but there's the issue of them not have a physical office to go to.

OPIRG: As far as the lack in communication. I apologize. Part of the thinking was to get the financial statements properly audited so that we could answer all of the questions. Because that process took longer than expected that's part of the reason in delay for responding. It's not a valid excuse, but with all of the other issues we were dealing with it kind of got put down further on the list. I do apologize for that. As far as communicating to meet specifically about the referendum, you weren't the only person that we contacted.

Green: Who did you contact? I never received an email from OPIRG about the referendum.

OPIRG: We contacted the CRO and RRLRC. I can pull up the email to see if something happened with the send address. Regardless of whether we initiated it, it was in the motion that we be contacted about the referendum question. For the financial statements we follow the Non Profit Corporations Act. I appreciate you recognizing the difficulties we've had in the past year. Any decisions we've had about spending any part of our budget was made in public meetings and is available in minutes online.

Danaher: Are you students here?

OPIRG: Stephanie and Ahmed are students.

Danaher: If you were having communication problems you could have come to the BUSU office.

OPIRG: Not all of our members are students, and some of our student members are only involved in certain aspects of the organization so they can't speak to all aspects of the organization as a whole. I understand that going to the BUSU office could have helped close some of these communication gaps, but I work downtown and coming to Brock during the week isn't always possible.

Green: One of the communication issues is that there is one email address managed by 6 members of the Board. Unfortunately flat structures aren't always that efficient; I don't know who I'm speaking to or who has read the email. There have been good times and rocky times with OPIRG over many years. Right now it's a transparency issue on our side. For our budget process we go through open consultation, present to our Board and at our two AGMs, and other times we throw it out to students actively. They need it put out there for them. They need to know that it's a privilege to have student dollars. We

have a ton of accountability measures to go through to even get a microwave approved. I hope we can understand that it's students' rights to do it and it's your right to be upset about it. We don't get to decide the result, we just get to give students the option.

OPIRG: I just want our voice to be heard. Now it's up to students to decide. We never got a chance to present our side of the story.

People may not know about our Facebook group. If people ask you questions about it we ask that you don't pass along misinformation. We have done things and been active. We hope that you take the information we presented and take that to people. These are things we feel are really important. We'd also like to recognize that last year we had 7 entirely new Board members, there were no old board members to help with the transition or continuation of the organization. There was a bit of a mess for this Board to clean up, and with these complications I think OPIRG might do better with two years to get things organized and back on track. One year is not enough time to fully fix those issues, and we value transparency highly as well.

Price: What is the date of the March election?

OPIRG: March 28, 29, and 30.

Price: You guys have some time to educate students them. If you care about this and want it to pass you have to get in the halls and talk directly with students to make them aware.

Green: I believe someone from this team is running the "NO" side of the referendum. Our elections team is required to write an impartial information piece that explains all the points of the "YES" and "NO" sides of the referendum backed up with a lot of fact checking. All information will be included. There is no MOU piece with this referendum because it's a defund referendum.

Danaher: Do you just do events or do you do research as well?

OPIRG: Research is a broad term. The events we host could count as research in some ways. We don't have traditional research at the moment, so currently it's just events that we do. OPIRG takes on a broad range of things. We want to host events, information sessions, workshops, and anything that falls within our social justice framework. We had applied to be a part of Frosh week, but when we had a public meeting where quite a few people showed up there was an overwhelming support from everyone to focus on what's going on with organization internally first.

Danaher: Does your Board have monthly meetings?

OPIRG: Usually bi-weekly.

Danaher: Okay because I only minutes posted on your Facebook group from month-to-month.

OPIRG: Some of the meeting minutes are grouped together in a single document for the month.

Barbon: People are asking if they can have a re-vote on the buses.

Green: We got the same request. Unfortunately the way our constitution is, the earliest we can do is October and we wouldn't collect the fees until September. There will be another referendum next year.

BIRT BUSAC Ratifies the February 2017 election results.
Steinhausen, Campbell

-In favor -Against -Abstain

Passes by general consent

10.0

Presentation – BUSAC Election Nominations

Motion to move into camera.

Bathish, Mac

Motion passes by general consent

Motion to move out of camera

Calder, Stark

Motion passes by general consent

Council moves out of camera at 9:24 p.m.

11.0

Governance Committee Report

BIRT BUSAC adopts the first reading of the environment committee bylaw as presented.
Campbell, Danaher

13-In favor 0-Against 2-Abstain

Passes by general consent

12.0

Motion from Councilor

Green: The motion might have to read differently.

Whereas OPIRG Brock is an organization whose membership is comprised of students and community members, BIRT, OPIRG Brock 'No Side' be allowed 6 external members for the March 2017 referendum campaign.
Smaiya, Calder

-In favor
-Against
-Abstain

Green: The CRO has recourse on students and their interactions through BUSU and Brock's Code Of Conduct. The bylaw doesn't extend to community members. We have no recourse to fix that. Undergraduates should be the ones running it because they're paying the fee. I think that having 6 people with no affiliation with Brock and no recourse to sanction actions that violate the bylaw handcuffs the CRO from conducting the election process fairly.

BIRT BUSAC suspends bylaw 401 section 6.1 for the OPIRG "NO" side of the referendum until the end of the March referendum period.
BIFRT BUSAC allows the OPIRG referendum "NO" side 6 external members for the March 2017 referendum campaign.
Campbell, Danaher

1-In favor
0-Against
13-Abstain

Motion passes.

Motion to re-vote on motion #12 on the agenda.

Calder, Stark

Calder: Is there any way that we can vote to amend this so that the elections bylaw applies to external members?

Green: We can't extend our Code of Conduct to other people or organizations.

Calder: Is there a way that we can extend it to them?

Green: You would have to write a section in the Elections Bylaw. But again, even if it's written in our bylaws we can't control the actions of other people or organizations during our elections. We don't want campus security involved in the referendum.

11-In favor
3-Against
1-Abstain

Motion passes.

Smaiya: Are we re-voting because of the number itself, or because you cannot sanction the actions of external members? I ask because you cannot really sanction students' actions either. Would it make a difference if we changed the number of external members allowed?

Green: To say there are no sanctions against students is inaccurate. Brock follows our rules during the election period. There are financial sanctions in place for students who spend more than the allotted budget for candidates, and students involved with violations have to report to a non-academic discipline panel. Only students pay for this fee, regardless of whether community members are involved. It's not a community fee, and external members cannot cast a vote.

BIRT BUSAC suspends bylaw 401 section 6.1 for the OPIRG "NO" side of the referendum until the end of the March referendum period.

BIFRT BUSAC allows the OPIRG referendum "NO" side 6 external members for the March 2017 referendum campaign.
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Campbell, Danaher

2-In favor

7-Against

6-Abstain

Motion fails after re-vote.

Motion to open agenda to add, "BIRT BUSAC voids any BUSAC election packages that were received after the 24-hour period."

Tonyclinton, Danaher

Passes by general consent

13.0

BUSAC Election Packages

BIRT BUSAC tasks the Speaker of BUSAC to interpret bylaw 400 section 6.9 and whether the bylaw was interpreted correctly, and report to BUSAC before the ratification of the March election results.
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Tonyclinton, Danaher

-In favor

-Against

-Abstain

Motion to amend the motion to “BIRT BUSAC tasks the Speaker of BUSAC to interpret bylaw 400 section 6.9 and whether the bylaw was interpreted correctly, and report to BUSAC before the ratification of the March election results.”

Smaiya, Calder

Passes by general consent

Tonyclinton: I would like you to meet with the CRO and the Elections Committee before presenting your interpretation to BUSAC.

Speaker: Are you asking me to interpret that section of the bylaw and how it applies to the situation, or just the situation itself?

Smaiya: Interpret the bylaw and maybe talk to the students involved in the elections. Ideally we want to see if the interpretation was following the bylaw itself. Were the circumstances justified?

Berryman: If this motion were to pass. What would happen to the candidates?

Speaker: It would depend on my interpretation and whether you accept that interpretation.

BIRT BUSAC tasks the Speaker of BUSAC to interpret bylaw 400 section 6.9 and whether the bylaw was interpreted correctly, and report to BUSAC before the ratification of the March election results.
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Campbell, Danaher

2-In favor

7-Against

6-Abstain

Passes by general consent

14.0

Report - General Manager

Calder: I know that the number of signatures students are required to get is acting as a barrier to many students. Getting 100 signatures on their nomination packages was a lot for first and second year students. I have also heard the same thing.

Green: A lot of good things happened in the elections bylaw when it was revised last year, but it's not perfect. 100 signatures is a bit of a barrier for faculty representatives especially in their first or second years, so this issue has been acknowledged. The changes will come in its first reading during the next meeting.

15.0

Report – VP Student Services

16.0

Report – VP External Affairs

17.0

Report – VP Finance & Administration

18.0

Report – President

19.0

Closed Question Period

Barbon: How many meetings do we have left?

Speaker: 2

20.0

Information and Reminders

Adjournment

Motion to adjourn.

Passes by general consent.

Meeting adjourned at 10:07 p.m.