



Minutes

University of Victoria Students' Society/Local 44 of the Canadian Federation of Students
Monday November 3, 2008 – SUB Upper Lounge 6:00 pm

ATTENDANCE

Regrets:

Veronica Harrison, Chris Ross, Ahmed Mumeni

Directors:

Edward Pullman, Caitlin Meggs, Richard Park, Brodie Metcalfe, Meaghan Kerr, Erin Lacharity, Geordon Omand, Luam Kidane, Christine Comrie, Teresa Sims, Tracy Ho, Dylan Hardie, Gary Dawson-Quatell, Heather McKenzie, Anna Turje, Stafford Richter

Staff:

Ben Johnson, Marne Jensen

Guests:

Maya Matthew, James Roney, Del Myers, Monica Murphy, Joel Culina, Sam VanSchie, Jose Barrios, David J.A. Foster, Tatyana Danylyshyn, Josh Mason, Roy Sadd, Laura Matalas, Kathleen O'Farrell, Meredith Black-Allen, Michelle Moreno, Kaitlin McNabb

1. **CALL TO ORDER** The meeting was called to order at 6:04pm.

2. **ACKNOWLEDGEMENT OF TERRITORIES**

3. **ADOPTION OF AGENDA**

a. **Adoption of Minutes**

i. **Minutes of 2008/08/25**

Motion to Adopt - Dawson/Metcalfe

Motion to Amend – Hardie/Pullman

BIRT Hardie is noted as present at this meeting.

Motion Carried

Minutes Adopted as Amended

b. **Adoption of Agenda**

i. **Agenda of 2008/11/03**

Motion to Adopt the Agenda – Ho/Metcalfe

Motion to Amend - Ho/McKenzie

Add the following motion after 'Adoption of Agenda':

BIRT the resignation of Rebecca Robb as Access UVic's representative to the UVSS Board of Directors be ratified.

Motion to Amend Carried

Motion to Amend - Meggs/McKenzie

Add the following motion at the end of 'New Business':

BIRT the UVic Library be permitted to book the SUB Upper Lounge from Friday November 28th at 1:00pm to Thursday December 4th at 5:00 pm for its annual United Way book sale.

Motion to Amend Carried

Motion to Amend – Pullman/Kerr

Add the following motion at the end of 'New Business':

BIRT nominations be opened to select one undergraduate student to sit on the search committee for a new chair of the Philosophy Department.

Motion to Amend Carried

Motion to Amend - Pullman/McKenzie

Add the following motion at the end of 'New Business':

BIRT the Philosophy Student Union and the Pacific and Asian Studies Course Union be ratified for the Fall term.

Motion to Amend Carried

Motion to Amend - Comrie/Ho

BIRT Motion 2008/11/03: 06 be amended to read 'probationary clubs' rather than 'established clubs'.

Motion to Amend Carried

Agenda Carried as Amended

Motion 2008/11/03: 10 – Meggs/Ho

BIRT the resignation of Rebecca Robb as Access UVic's representative to the UVSS Board of Directors be ratified.

Motion Carried

4. PRESENTATIONS

a. Monica Murphy, President, Youth Protecting Youth, re: Appeal/Clubs Funding Ruling

Murphy: Freedom of speech is under attack. The UVSS will be discriminating against Youth Protecting Youth's (YPY) freedom of speech if it upholds Clubs Council's decision. It makes more sense to approve posters on a case by case basis. Posters might disturb or ask tough questions, but they should not be banned as this violates freedom of speech. The threat of ambient violence shouldn't trump freedom of speech. YPY is funded by Victoria Right to Life, but this doesn't mean YPY is associated at all levels. Shouldn't penalize YPY for providing information. YPY's membership is predominantly Catholic and Christian and it should be able to express the view that abortion is immoral. Clubs policy must be interpreted in YPY's favour. YPY will not be advocating for change in Canada's law. YPY has respect for freedom of choice advocates.

Kidane: Question period should be held after both groups have the opportunity to present.

Meggs: Agreed. The Pro-Choice Club may proceed.

b. Shantelle Moreno, Pro-Choice Club, re: Speaking to Clubs Council Decision

Moreno: The Pro-Choice Club (PCC) recognizes that YPY has the right to its opinion – and its ratification by Clubs Council recognizes this. However the PCC is against funding for groups which use fear mongering, questionable imagery and misinformation which targets women on campus. When YPY sends a member to Clubs Council, they should send someone who knows what the club is about. YPY misrepresents the work that they do. They distort meaning and semantics. [Moreno handed out additional YPY posters] These posters are an example of hate-writing and they promote ambient violence. This is the key issue in my argument. UVic's campus should be for peaceful debate – these posters make women feel uncomfortable and target them for their reproductive capacity. YPY is composed of religious people but they do not represent themselves as such. However, it is not the religious views of YPY that the PCC is concerned with, but rather the historical practices of YPY that we contest. As such, we support their ratification as a club, but do not support their practices or materials.

Motion 2008/11/03: 14 – Meggs/Richter

BIRT the UVSS Board of Directors overturn Clubs Council's decision to deny funding to Youth Protecting Youth.

Comrie: This decision was already appealed at a previous Board meeting. The Board felt that this decision should go back to Clubs Council. It is within Clubs Council's jurisdiction to make this decision. It is a democratically elected body which discussed the issue for 1.5 hours. This is not an issue of freedom of speech. A club can speak or organize without being funded by the UVSS. If a democratic body does not want to fund clubs, it is within their mandate. I ask that people do not undermine the decision of Clubs Council.

Richter: I have the same position I held at the previous Board meeting. I am pro-choice, but I believe that this is an issue of equality – both groups should have the right to access the funds that they have paid through UVSS membership dues. A recognized club is not an equal club without funding. We shouldn't ban this group based on the actions of different members of YPY's past. As long as YPY doesn't border on hate speech, they can say what they want. Diversity of opinion is not being respected when funding is not given.

Park: This discussion has happened 3 times. The decision of Clubs Council is clear and we should uphold their decision.

Turje: YPY is very strategic to narrow the issue down to postering. The issue is larger and ambient violence is a part of that larger issue. We need to remember the lived experience of women. We do have the authority to limit what speech we fund. In response to Richter's comments, I would ask that he consider his privilege as a man – he is not in a position to judge hate speech against women.

Ho: What will YPY do if this ruling is not overturned? With freedom of speech comes responsibility and limitations. Gender issues are nuanced – not as overt as race. If there was a club to keep chinese immigrants out of Canada, we would not consider it. YPY posters are targeting a gender - more than half the population of UVic.

Murphy: If the Board upholds Club Council's ruling, YPU may appeal at the next UVSS AGM.

Hardie: Does YPY have a position on contraception?

Murphy: We do not, but abstinence has been promoted in the past. We do not support other types of contraception such as the pill.

Hardie: Clubs Council has the right to make this decision. This is not an issue of freedom of speech, the right to exist of a club, or the UVSS Board versus a particular club. YPY has other financial resources and doesn't require UVSS funding to exist. They can still book space and promulgate their materials, etc.

Lauren: Hardie makes important points. Freedom of speech can impose on personal security. YPY does not have the authority to define what ambient violence is. YPY is not lacking in funding, popular support, and it part of larger conservative movement that is moralistic and paternalistic. There is no obligation of the UVSS to support this club.

Pullman: The issue at stake is funding. The pockets of pro-life groups are very deep. We are under no obligation to fund. If YPY chooses to pursue activities that do not threaten personal security, we can revisit this decision later.

Meggs: YPY material is blatantly against the pill and says that it causes abortions. I am not advocating that YPY does not have right to disperse materials. The decision is not to restrict any activities of the club, just that students' money should not fund them. 14 clubs were against funding, and 5 were in favour. If we voted against Club's decision it would be hypocritical as the Board sent the motion to clubs to decide. It is in our issues policy that the UVSS is a pro-choice student union. I invite YPY to take this motion to the next AGM.

Foster: Supports funding for YPY. YPY is not trying to break or change any laws. There is a double standard for clubs funding since a club which promotes marijuana use is being funded.

Meggs: Explained the nature of the Hempology Club. The UVSS is not funding any illegal activities by Clubs, and all clubs have to provide receipts for any costs that they incur.

Mason: I am perplexed by this appeal process. YPY is asking to overturn a decision and I have not heard a viable argument to this effect. Appeals are when procedures are not followed correctly. Bylaws, policy etc have been followed in this case. YPY is asking the Board to overturn a decision and go against UVSS policy. Freedom of speech does not apply in this case as the UVSS is not a government institution. The Charter applies between the actions of government and individuals. Section 1 of the Charter says that freedom of speech is limited in a free and democratic society. There is no inherent right of a club to receive funding, it is a privilege. If a club doesn't follow the rules, it doesn't get privileges. The Board is acting in good faith.

Omand: Upon further investigation I have reversed my previous position. YPY should not receive funding.

**Comrie called the question
Defeated**

Metcalfe: Pro-life is often pitted against pro-choice as pro-abortion. This is obvious in poster materials. If we overturn Clubs' decision, we are questioning and deligitimizing the ability of clubs to make decisions.

Kidane: We are forgetting about the right of women to be protected. If you follow YPY's logic, their claim of immorality will lead to trying to change the law.

Kerr: I have changed my opinion since the last meeting. Invoking Clubs Council as the final authority is an excuse. The Board is the ultimate authority and can proceed accordingly. In favour of supporting YPY financially.

Sims: Thanked Moreno and Murphy for the effort they put into their presentations. All groups on campus shouldn't automatically be given funding. We should uphold Clubs Council. Sim's club

discussed this issue thoroughly before attending the meeting where this decision was made. There are 40 people in Sim's club and Club's Council represents 1000's of students.

Murphy: YPY has followed all of Clubs Council's regulations. It is ironic that this decision is being based on posters that were approved by the UVSS. YPY has a moral responsibility to protest the denigration of life that abortion promotes. Not all women on campus are offended by these posters.

Meggs: The University and the UVSS approve posters. Poster regulations are not based on UVSS policy. Therefore, it is not as if the UVSS board approved these posters.

Murphy: UVic said that the posters were not offensive.

Ho requested a roll call vote.

Park: opposed
Metcalfe: opposed
Kerr: in favour
Lacharity: in favour
Comrie: opposed
Sims: opposed
Ho: opposed
Hardie: opposed
Dawson-Quatelle: opposed
Omand: opposed
Kidane: opposed
McKenzie: opposed
Turje: opposed
Pullman: opposed
Richter: opposed

Motion Defeated

Motion to Recess – Hardie/Kidane

Motion Carried

The meeting recessed at 7:51pm.

The meeting was called to order at 8:04pm.

5. REPORTS

a. Committee Reports

- i. Advocacy Council** - Did not meet.
- ii. Armed with Understanding** - Met on Monday.
- iii. Clubs Council** – Met. Discussed the YPY issue. Non-clubs attended.
- iv. Communications Committee** – Held a working meeting last Wednesday.
- v. Course Union Council** – Met October 30.
- vi. Electoral Committee** – Will meet next month.

- vii. **Environmental Responsibility Committee** – Met. Organising a fundraiser for Madrona farms at Felicita's and the Small Footprint Winter Market in early December.
- viii. **Finance Committee** – Did not meet.
- ix. **Organisational Development Committee** – Did not meet.
- x. **Political Action Committee** – Met. Has been busy preparing for the Obama v. McCain event and municipal elections.
- xi. **Special Events Committee** – Meets this Wednesday.
- xii. **Students Services Committee** – Did not meet.

b. Director and Staff Reports

Richter: Attended ERC and has been tasked with finding bands for the Farm Party.

Pullman: Attended Senate Committee on Academic Standards; chaired Course Union Council; assisted with the CFS Generations tour and Sue Johannsen events.

Turje: Preparing advertising materials for work-study for the Women's Centre.

McKenzie: Attended ERC, Student Services meeting; did CFUV training; helped with Sue Johansen event.

Kidane: Pass.

Omand: Worked on banners; made Obama buttons; tabled.

Dawson-Quatell: Thanked people responsible for ending the strike; thanked people for cleansing participation; there are two positions left on NSU council to fill.

Hardie: Worked on strike stuff; is new head of security at Felicita's.

Ho: Attended Clubs Council, BC Student Appeals Committee; organized the Victoria municipal debate at the Solstice Café; engaged in mediation for the strike; attended Special Events; participated in the SUB cleansing; began hiring process for a food bank coordinator; worked on the management review.

Sims: Attended the Senate committee on budget – discussed the repercussions of lost funding from government cuts; made banners; tabled for Sue Johansen.

Jensen: The reopening of the SUB has gone well so far; spent some money on UVic Facilities overtime in order to get the garbage cleaned up; outlined the progress on opening SUB businesses; revising budgets to bring back to Finance Committee.

Comrie: Tabled for Sue Johansen; worked on the reopening of the SUB; coordinated a foodbank delivery; thanked the NSU for the cleansing; made Obama buttons; attended the UVSP AGM; 'handled' Sue Johansen.

Lacharity: Made buttons.

Kerr: Helped with Sue Johansen event; chaired ERC; tabled.

Metcalfe: Worked on municipal cheat sheets; made banners.

Park: Pass.

Meggs: Worked on everything that the other three execs mentioned in their reports; working on Grad Committee.

c. CFS Provincial Executive Report

Pullman: Will be attending the CFS AGM in Ottawa in 2 weeks.

6. QUESTION PERIOD

Barrios: When will the referendum question for SOCC and Pride go forward?

Kidane: It will proceed next term.

7. MAIN MOTIONS

a. OLD BUSINESS

Motion 2008/10/06: 14 – Hardie/Park

WHEREAS the Society Act, which governs the running of societies in British Columbia, under section:

25 (1) A director of a society must:

- (a) act honestly and in good faith and in the best interests of the society, and
- (b) exercise the care, diligence and skill of a reasonably prudent person, in exercising the powers and performing the functions as a director.

(2) The requirements of this section are in addition to, and not in derogation of, an enactment or rule of law or equity relating to the duties or liabilities of directors of a society.
26 Nothing in a contract, the constitution or the bylaws, or the circumstances of a director's appointment, relieves a director

- (a) from the duty to act in accordance with this Act and the regulations, or
- (b) from a liability that by a rule of law would otherwise attach to the director in respect of negligence, default, breach of duty or breach of trust of which the director may be guilty in relation to the society.

WHEREAS the Constitution and Bylaws of the UVSS governs the actions of the board of directors, under section:

7.1 Compliance with the Society Act of British Columbia

The Board of Directors shall be familiar, and comply with the provisions of the Society Act of British Columbia and the Bylaws of the Students' Society.

8.6 Constituency Organization Representatives and the Native Students' Union Representative

The Constituency Organization Representatives and the Native Students' Union Representative shall:

- (a) Perform those duties required of At-Large Directors as outlined in Bylaw Eight, Article Five [8.5].

8.5 At-Large Directors

The At-Large Directors shall:

- (a) Actively work to assist the executive directors in the performance of their duties, WHEREAS in the policy manual in the binder provided to all directors it clearly states:
Duty of Prudence

This duty requires that directors act cautiously and carefully, try to foresee consequences to decisions, and avoid taking risks.

WHEREAS Jose Barrios, a recent union representative has made it known that board e-mails, information from in-cameras sessions, and other confidential information has been passed along to his person by a member of the board of directors, and from him to other union members, representatives, and negotiators.

WHEREAS the current ACCESS UVic representative, Rebecca Robb, has been acting in contravention with all of the above responsibilities of her position through the divulgence of information regarding the current bargaining process to an (at the time) union representative (see attached e-mail #1), and by accusing another board member of passing along sensitive information to this union representative, without any proof thereof, through means of mass e-mail to 20 individuals (see attached e-mail #2), and furthermore by not volunteering for any event or otherwise helping any of the executive directors in any way in the past month.

BIRT The board of directors censure these actions of Rebecca Robb.

BIFRT The board of directors exclude Rebecca Robb from all further "in-camera" sessions involving the collective agreement negotiations.

Meggs ruled the motion out of order as Robb is no longer a board member.

Hardie: The intention of this motion was not to cause Robb to resign.

b. NEW BUSINESS

Motion 2008/11/03: 01 – Pullman/Comrie

BIRT one student senator be elected to sit on the Ombudsperson Committee

Motion Carried

Nominations opened.

No nominations were put forward.

Motion 2008/11/03: 02 – Pullman/Comrie

BIRT one member at large be elected to sit on the Ombudsperson Committee

Motion Carried

Pullman nominated Chris Anctil.

Motion to Ratify Anctil – Pullman/Harrison

Motion Carried

Motion 2008/11/03: 03 – Meggs/Ho

BIRT nominations be opened for one UVSS Board of Directors member to be elected to sit as our representative on Victoria's Regional Rapid Transit Project.

BIFRT nominations be opened for one UVSS Board of Directors member to serve as an alternate on Victoria's Regional Rapid Transit Project.

Meggs: This request is the result of the work that we have done on transit. It is an honour and this recognition by the VRTC reflects the serious commitment that we have made to public transit. This committee will be in effect for 12 – 18 months.

Motion Carried

Meggs nominated Pullman. Pullman accepted.

Comrie nominated Meggs. Meggs declined.

Park nominated Richter. Richter accepted.

Pullman and Richter motivated.

Elections were held.

Pullman was elected.

**Motion to Ratify Pullman – Richter/Park
Motion Carried**

Nomination were opened for an alternate.

Hardie nominated Richter. Richter accepted.

**Motion to Ratify Richter – Hardie/Pullman
Motion Carried**

Motion 2008/11/03: 04 – Dawson-Quatell/Kidane

BIRT the original referendum question for advocacy group funding be amended to include the Native Students' Union.

BIFRT the following amended question be placed on the ballot for referendum:

Are you in favour of a fee increase of \$1.50 to go towards UVic Pride, \$1.50 towards Students of Colour Collective (SOCC), \$1.00 to go towards the Native Students' Union, and \$.55 towards the Women's Centre for a total of \$4.55 funding increase for the advocacy groups listed?

Omand: Why is Access not on this question?

Meggs: Access decided to separately pursue their own referendum.

Kidane: All of the advocacy groups met. SOCC sent out emails out to remind groups of the meeting. NSU and Access did not respond. Access did not involve themselves in the process that they were invited to.

Motion to Amend – Sims/Richter

BIFRT the following amended question be placed on the ballot for referendum:

Are you in favour of a fee increase of \$1.50 to go towards UVic Pride, \$1.50 towards Students of Colour Collective (SOCC), \$1.00 to go towards the Native Students' Union, and \$.55 towards the Women's Centre for a total of \$4.55 funding increase per semester for the advocacy groups listed?

Motion to Amend Carried

Kerr: How much do advocacy groups currently get?

Meggs: This referendum would bring all groups up to 2 dollars per semester.

Motion Carried as Amended

Motion 2008/11/03: 05 – Comrie/Kerr

BIRT the following clubs be ratified as Established UVSS clubs for the Fall 2008 semester:

- Chinese Student Radio Association
- Crockery International
- UVic Student for Literacy
- Turkish Student Association
- UVic Western Canada Wilderness Committee
- Yoga of Breath
- UVic Young Liberals of Canada

BIFRT the following clubs be given the contingency amount of \$39 into their Budget account from the Clubs Control Account.

Motion Carried

Motion 2008/11/03: 06 – Comrie/Richter

BIRT the following clubs be ratified as probationary UVSS clubs for the Fall 2008 semester:

- Birding and Natural History
- Business Law Association
- UVic Greens
- Harmless
- Journalists for Human Rights UVic
- UVic Pagan Circle

BIFRT the following clubs be given the contingency amount of \$39 into their Budget account from the Clubs Control Account.

Motion Carried

Motion 2008/11/03: 07 – Comrie/Hardie

WHEREAS both the Director of Services computer and Director of Academics computer have completely collapsed, and;

WHEREAS the computers for Finance, Academics and Services were all bought five years ago, and are amortized on a five year basis, and;

WHEREAS they all need badly to be replaced, and it will be cheaper to buy them all at once;

BIRT \$2000 be allocated from the Capital Fund to replace the computer towers of the Director of Services, Director of Finance and Director of Academics.

Motion to Amend – Comrie/Ho

BIRT \$2500 be allocated from the Capital Fund to replace the computer towers of the Director of Services, Director of Finance and Director of Academics.

Motion to Amend Carried

Pullman: We should continue to support Dial-a-geek as it is a local business. Its prices are competitive.

Ho: We are looking at installing some Adobe software and for this we will need more ram. For the Finance computer this is a preventative measure as it was purchased at the same time as the other computers and the other two have now both crashed.

Park: I can't find anything where this amount adds up to \$2500.

Ho: We take the amount and round up for a buffer – we don't have to spend the total amount.

Richter: I recommend that Ho's old computer be wiped and go into the DL office.

Metcalfe: I see the validity of the buffer and much work has been done to show us how much the computers are.

**Dawson-Quatell called the question.
Carried**

Motion Carried
Kidane & Park opposed.

Motion 2008/11/03: 08 – Meggs/Lacharity

BIRT the Board of Directors officially receive Access UVic!'s petition of 3312 signatures to have the following question placed on the 2009 election's referendum ballot:

Do you support an increase in student fees beginning September 2009 of \$1.00 per part-time student and \$2.00 per full-time student per semester to be directed to Access UVic! for the purpose of increasing awareness, inclusion and accessibility for all people with disabilities on campus and in society?

Meggs: Rose Mariana Robb presented us with these petitions last Friday. They will be sent to the registrar office for verification. This motion is just to say that we have received the petition. Robb wants this referendum to proceed during elections.

Hardie: What does Access plan on doing with the money? What requires such a large funding increase?

Lacharity passed speaking rights to Scott.

Scott: Looking at hiring additional staff and doing more events.

Motion Carried

Motion 2008/11/03: 09 – Meggs/Kerr

BIRT one undergraduate student in the Faculty of Humanities be elected to sit on the search committee for the Dean of Humanities.

Carried

Hardie nominated himself.

Kerr nominated herself.

Hardie and Kerr motivated.

Elections were held.

Kerr was elected.

**Motion to Ratify Kerr – Pullman/Harrison
Motion Carried**

Motion 2008/11/03: 11 – Meggs/Comrie

BIRT the UVic Library be permitted to book the SUB Upper Lounge from Friday November 28th at 1:00pm to Thursday December 4th at 5:00 pm for its annual United Way book sale.

Motion Carried

Motion 2008/11/03: 12 – Pullman/Dawson-Quatell

BIRT nominations be opened to select one undergraduate student to sit on the search committee for a new chair of the Philosophy Department.

Motion Carried

Pullman nominated Pamela Robinson.

Kerr nominated Laura Matales.

Pullman motivated for Robinson and Kerr motivated for Matales.

Elections were held.

Robinson was elected.

Motion to Ratify Robinson – Pullman/Ho

Motion Carried

Motion 2008/11/03: 13 – Pullman/Dawson-Quatell

BIRT the Philosophy Student Union and the Pacific and Asian Studies Course Union be ratified for the Fall term.

Motion Carried

8. IN CAMERA

9. OTHER BUSINESS

10. NOTICE OF MOTION

11. ANNOUNCEMENTS

Ho: The Saanich Municipal Forum is this Thursday. We need help from directors.

12. MEETING TIMES

The next meeting scheduled by the Board of Directors is:
Monday November 17, 2008.

12. ADJOURNMENT

**Motion to Adjourn – Dawson-Quatell/Turje
Motion Carried**

The meeting adjourned at 9:50pm.

BJ/bj USW 2952 CFS 44