

UWSA Council Meeting
October 22, 2009
4:00pm
UWSA Council Chambers

Voting Members Present : Luke Weiler, Shae Kavanaugh, Thomas Sasso, Omar Raza, Shereen Singh, Jill Ciccone, Patrick Lalonde, Kush Aggarwal, Luv Aggarwal, Justin Maclean, Jonathan Wypych, Mohsin Budwahni, Chris Connell, Nicholas Koutros, Odion Kalaci, Laine McGarragel, Aaron Campbell, Robert Woodrich, Ryan Osterberg, Mohsin Khan, Ayesha Raza

Call to Order at 4:11

Chair: Mr Sasso now has his voting rights back, and Mohsin is not able to be present because he is at an emergency Senate meeting.

Approval of the Agenda

Kavanaugh: I would like to add UWSA Charity Project

Woodrich: I would like to table my report until the next meeting

Osterberg: I received an appeal of the election a couple of minutes before this meeting began, it will have to be added to the agenda under 6.1 as part of the CRO's report

Raza: CRO's report will encompass the CRO's report so those items can be merged

Chair: With that we have an agenda

Approval of the Minutes

McGarragel: My name is misspelled in the minutes, can that please be corrected

Lalonde: As per usual, I would like to point out a couple of issues.

Raza: Can we please differentiate between the Raza's in the minutes

Ciccone: My name is misspelled

Raza: I was also not present

Campbell: Johnny Wypych is mentioned twice

Sasso: Is it mentioned when people enter and leave.

Osterberg: It should be, I will pass that on to the Secretary

Cicccone: On page 7, I “respectfully decline”

Motion to approve the minutes of September 29, 2009 as amended

MOVED:

SECONDED:

Vote: Unanimous

MOTION CARRIES

CRO's Report

Raza: I will be stepping out of my role as Board of Governors Rep and into my role as CRO

Kavanaugh: I will be stepping out of my role as a Senator and into my role as DRO

Raza: I want to start by thanking all of the poll clerks, EMC, Ms. Kavanaugh, who helped us with our election. Awesome teamwork, which is why we are claiming this as a flawless election, despite the fact that an appeal is coming up. If you miss anything its on the website and if its not on the website it doesn't exist. There was a few spots open. We followed the timelines as outlined. Everything worked out fine. A majority of candidates did turn in all their posters. It the last few years there has always been issues with CRO discretion, if its not defined in the bylaws and constitution I get to make the decision. This time we put it on the website to let everyone know. If it applied to one it applied to all. We are pretty happy with the system. You have the report in front of you. It goes through all the rules. Nothing is too noteworthy in the rulings. There was one creative one “can a professor wear a campaign t-shirt”, we ruled yes you can, if you can convince one it's a achievement in itself. It should be applauded. A few elections there has been different models used for sanctions. What we did is that if we levy a sanction against one candidate it applies all the same to the others. We will be looking at the sanctions system for the general election. We are publishing EMC rulings this year, which is new. We think the system works for this reason, you can see the list of sanctions, some got a few others got none. There was only one slate. All of our office hours were held, including ad hoc hours.

Kavanaugh: This year we really tried to target campus in creative ways. During voting period we had several councilors and Execs, we went through classrooms handing out flyers and writing on the white boards. We had a promotion team who handed out flyers and swag to promote the fact that the election was happening. In 2007 we had 927 votes logged, last year we had 709 because of the strike, and this year we had 1201. Which is a considerable increase from last year. We also have the official results printed off on IT services letterhead and signed.

Raza: One of the comments was that we need an official letter saying the results were true. Which we have this year. There is also the official log, which shows who logged in and what we did. (Does a quick roll call of new Council and Board members).

Kavanaugh: Every single poll clerk was on time, and polling stations were open at every time outlined. There was two instances, where there was issues with the system. The internet went down across campus Wednesday morning. There was also a fire alarm in the Odette.

Chair: Any questions for the CRO

Koutros: I want to commend you for this election. Two minor issues. The title page of the report, Elections is not possessive. As I was combing through the log, there is a couple of examples where there is a log in without a log out.

Raza: What I am doing is logging in every couple of hours on those days, to watch for flags where we get a bunch of votes from a single IP address. So its most likely logged in and exited out without logging out.

Kalaci: I do want to say the election went well over all. It seems to me that it's not strict enough. One of the rules on there is materials have to be down on time off facebook, it seems in some cases they came down after the deadline.

Raza: Facebook, if we got rid of it our lives would be easier. You are not allowed to mailbox or status updating. Other than that we left it open. What we found is friends were inviting people to groups for these candidates. This isn't against the rules, but for the general we will be much more strict. What line we draw, we don't know yet.

Kalaci: It seems like you could get away with a lot of little things. What about candidates who didn't get anything.

Raza: If you know the rules, you can maneuver them to benefit yourself. New candidates don't know the system. This time we tried to make it as transparent as possible for new candidates.

Kalaci: If a candidate has so many poster violations. Why would they not be considered for disqualifications?

Raza: nothing was a flagrant violation

Osterberg: For the benefit of Council, could you go into explanation, on what your process was for complaints.

Raza: We had the violation notification form. The candidate files this document with her page of all the violations along with a witness. We are trying to get away from accusations and rumors. Now the candidate, or the person filing, has to have an objective witness.

McGarragel: I would just suggest we consider alternative sanctioning methods, I believe we are favoring people who are in an economic situation to sacrifice the money if they do violate a rule. I suggest we consider a system perhaps where we would take votes away from a candidate who violates a rule

Raza: Duly noted. I will discuss it with the DRO and EMC

EMC Report

Sasso: I will be speaking on behalf of EMC as one of the Council reps, the other members were Ms. A Raza, Mr Virani and Ms. MacIssac. According to the rules, this is an oral report, the written report is just a supplementary. We came to a joint decision according to the different

changes and what we would do. The CRO provided EMC with a personalized account. This avoided candidates from talking to one EMC member. This avoided any bias. The first ruling was in regards to a candidate who was not present at the all candidates meeting. According to the rules, EMC ruled that the disqualification of this candidate was valid. The second appeal, came after the posting of the unofficial results. A candidate filed a complaint against another candidate, regarding campaigning within 30 feet of a polling station. EMC read the report, contacted the candidate and the poll clerk. We have included the emails in our report. It was decided the insufficient evidence was provided. Therefore we upheld the unofficial results. EMC acts as a jury, therefore we consider the evidence presented. Generally, we were very happy with how the election was run. The CRO and DRO kept us informed about everything. This election was conducted in a fair manner. The CRO and DRO were active in soliciting our advice when the report was put together. It is our recommendation that Council accept the CRO's report.

Kalaci: Were those the only two appeals. What was the reason for the first appeal.

A. Raza: The first candidate did not attend the meeting and claimed he was not aware of the rules, which suggests he didn't read the package. He also thought he had sent a proxy, but didn't

Sasso: There were a number of nominees who were disqualified for not attending the all candidates meeting. This was the only appeal

Kalaci: Who hired the poll clerks

Kavanaugh: I did

Kalaci: Did the poll clerk confirm this was happening

Sasso: If you go to appendix C this was the statement provided by the poll clerk

Kalaci: Does he know who the candidate is

Sasso: I don't know

Foot: I don't know who Jason is, so I am sure he wouldn't know who I am

Appeal

Chair: Mr Osterberg will present the appeal. The UWSA can only uphold appeals, if the Council feels the EMC violated the regulations governing the election. No appeal can be done of the discretion of the CRO. So Council can only rule on whether EMC violated the constitution or bylaws.

Osterberg: I was handed an appeal before this meeting began with 50 signatures. All appeals of the election must be submitted to the VPA and contain 50 signatures. I have no way to confirm that these signatures are of full time undergraduates and I want to emphasize that. I will yield the remainder of my time to Arti Tamburi to speak to his appeal.

Tamburi: I am not here to bash to CRO, DRO or EMC. I am not here for an overhaul of the whole elections. I believe the majority of candidates followed the rules. I do believe there was discrepancies. I was not an eyewitness, but it was brought up to me by the poll clerk and 30 witnesses. I believe there was a violation of 7.7 of the election policy because Mr. Will Foot was campaigning in front of a polling station. Its about justice vs injustice. We were separated by 18 votes. I believe those votes could be captured through this violation.

Chair: You must show that EMC violated the regulations of the election policy. You must show that.

Tamburi: That is section 7.7 of the election policy and the bylaws. I would be happy to bring forward witnesses, not today. It would require a postponement of the ratification.

7.7 shown to Council

MacIssac: Well when EMC was handed this appeal, we read the statement, we contact the polling clerk. We were provided with no names of witnesses. We did not have enough evidence to feel comfortable disqualifying someone. We followed every bylaw, policy and did nothing wrong. Even still, we gave the individual ample time for him to provide us with evidence. We violated no bylaws.

Woodrich: How important is it that the information be provided in the time frame.

MacIssac: Very important, we were not provided with evidence until days after the fact.

Weiler: Are we really talking about witnesses. Were any more specific then "a guy in a hat". Were any of the witnesses more specific?

MacIssac: No, we also wondered why there were no pictures. With cell phones they way they are, its easy to snap a quick picture. I did it with a poster violation. It put us in an awkward position of possibly disqualifying a candidate with no solid evidence other than vague descriptions.

Tamburi: There was nothing on the form that said I had to bring names of witnesses forward. I can do that, if I am given the time. How many poll clerks would be attentive enough to notice this.

Lalonde: Is there any where in our policies that say what has to be on that appeal form.

Raza: Its up to the discretion of the CRO.

Wypych: Can you please explain the conversation, the length of time that occurred during this appeal.

MacIssac: Mr. Sasso can pull up the emails. It shows the timeline, and the amount of time and investigation we put into this. The communications that went back and forth. We though on it for a long time and considered everything.

Osterberg: I believe the appeal form, required a witness and a statement from the witness.
MacIssac said you had to co

Raza: No, when the witness signs the form it means they agree with the statement, they only attach a letter if they disagree with the points.

Osterberg: Can we pull up the email from the poll clerk, as I read this there is "maybe it was, maybe it wasn't, man in the hat, I saw a friend/ aquatint. I see no firm assertion that the clerk sough anything.

Sasso shows email log, and list of back and forth emails.

McGarragel: I find it odd that the poll clerk raised this concern with an opponent of the candidate rather than with the CRO, DRO or EMC.

Campbell: So you have a candidate who appealed, they did not have enough evidence, did you communicate the decision

MacIssac: Yes

Campbell: At that time, would he have had time to file a new appeal

MacIssac: A couple days had gone by with back and forth emailing. I will point out its not EMC's job to provided candidates with how much information they are supposed to provide. They are supposed to bring forward all the evidence they have for consideration.

Campbell: It seems to me, that the poll clerk told Mr. Tamburi that they had evidence. But upon the EMC contacting him he had no evidence.

Tamburi: I could bring forward more evidence if given the time

MacIssac: The time for new evidence has passed

Sasso: There is a specific timeline; information must be submitted within 48 hours. We went on the basis of past precedence. EMC does not go out searching for evidence; we act on the evidence provided.

Woodrich: Is it EMC's role to educate candidates on the rules

MacIssac: No they are considered to have read the package when they run and should be familiar with the rules.

Kalaci: Could we contact the poll clerk

MacIssac: It's not about our discretion, it's about whether we violated a bylaw or policy. Our job is not to find evidence. We went above and beyond our duty to go and email the poll clerk.

Lalonde: Included in the last page of the agenda is a motion on the behalf of IPC. You are not voting on the schedule.

BIRT that the UWSA Council approve in principle, that the internal policy committee review the Constitution, By-laws, and policies.

MOVED: Lalonde

SECONDED: Campbell

Lalonde: What we decided in our last IPC meeting to divide up the items to expedite certain things that need to be given to the CRO for the next election. Specifically the medical seat. This schedule follows the rules outlined in the bylaws. This stage is to get permission to look into these things, then we take it back to IPC, you approve in principle, it then goes to the lawyers, then comes back. Other amendments will come forward later. As for the Constitution it is a seven month process, we do not have time to do that this year, but we want permission to start looking at it so we can get things started this year and it will hopefully be finished next year.

Khan: I have a question regarding Council seat divisions.

Lalonde: With the addition of the medical seat we have to review how the rest of the seats will be divided. Right now as the rules read we have 20 extra seats which are divided by a formula so that is what has to be examined.

Koutros: How many motions will there be specifically

Lalonde: We are not looking at anything specifically, so to estimate it would not be appropriate.

Vote: Unanimous

MOTION CARRIES

UWSA Holiday Charity Project

Kavanaugh: A few years back Council used to do a holiday charity project to give back a bit. In speaking with others we thought it would be a great idea to do so. I am proposing that we do a campus wide food drive with proceeds being given to the Downtown Mission. It will be in partnership with Social Science Society. I think it is important to give back to the community. We are planning to have a draw each afternoon, when you bring an item you get a draw ticket. We will be giving away various prizes, to encourage participation. I have a motion, and there can be red tape so I want it clear the Council supports this. I would also love for Council members to come out and help.

BIRT the UWSA Council approve the Downtown Mission- canned food drive as their holiday project.

MOVED: Kavanaugh

SECONDED: Kalaci

Woodrich: While I lament the plight of the downtown mission, why not work with the on campus food banks.

Kavanaugh: Social Science Society felt we wanted to work with the entire community not just the Campus community.

Osterberg: I want to applaud Ms. Kavanaugh, for this great initiative. I believe students do utilize the downtown mission as well as the on campus food bank. We are part of this community as well, which has come under attack in recent days. So this is a great approach.

Lalonde: I am in favor, I feel all too often we stay in our policy bubble, so I think its important not only to support this motion but go out and volunteer.

Kalaci: I support this motion, with Sigma Chi we do charity work with the downtown mission and it does great work.

Sasso: I believe that it would be unwise to support an initiative that requires so little work. The society is doing the leg work and it is only looking for some help.

Connell: I commend Shae, but we have a problem with the UWSA food bank and I am under the impression we should help the one here first.

Vote: (16/1/1)

MOTION CARRIES

Kavanaugh: The next step in the process will be a doodle in a couple weeks time. Please fill out your availability.

Question Period

Weiler: So I spoke with the VPA, that unfortunately I can't be here at 4pm. I am loath not to give my most. I wanted to know if we could move the meeting an hour later.

Osterberg: Council does control its schedule and can vote to change the time. I won't everyone to consider, all of you knew when this meeting was going to be when you ran. We have new people joining as well. IF we move the meeting even an hour it could result in someone else not being able to attend. I can do a doodle to Council, and keep it limited to Council and within the an hour earlier or later.

Weiler: In interest of time. Can we have a show of hands. Would it throw someone off, if we moved the meeting to 5.

Kotrous: Senators roles are to chair committees. I was wondering when the new members will be assigned.

Osterberg: With our new Councilors approved, I can get the list together.

Sasso: I have a plethora of questions. Can the president know us how the new system for OSAP cheques worked

Khan: I asked Council for some feedback, I have not heard anything negative from students I have spoken to. If you hear anything please let me know. No one has come to me.

Kalaci: Is there any way to insure that new poll clerks will report anything out of the ordinary.

Raza: Sure

Kavanaugh: Council was sent an attendance sheet in which a Council member has missed three in a row.

Osterberg: As far as I can tell from my spreadsheet no one has missed three.

Kavanaugh: We don't count emergency meetings.

Osterberg: I will look into it

Raza: Can I get a placard

Osterberg: You had one, but I will get you a replacement one

Sasso: To Mr. Lalonde, that each senator has a UWSA committee, but do they have a Senate committee as well.

Lalonde: That's correct

Sasso: I would like for our next meeting, for each Senator to have a report of what they have done with the UWSA committee and Senate committee.

Osterberg: Every Council member is required to submit one report a semester. You can team up with your faculty members or do it as an individual.

Woodrich: Thomas, can you make that into a motion

McGarragel :The Senate reports, can we differ that until a time after we have our UWSA Committees. I believe we would have a better opportunity to consult with our members and define a direction.

Osterberg: As I stated you have until the end of the Semester to give reports. The committees will be sent out. However this is Mr. Sasso's motion and it's up to him.

Sasso: I will be asking questions of Senators during the next meetings question period. You don't need a report per say but should be able to answer the questions.

Sasso: I received a notice that there are going to be two new positions hired for the UWSA. What kind of programs are the UWSA hiring for.

Khan: That is work study students.

Osterberg: With work study we apply to the government for the grant. Any of our staff can apply for the funding. Then they can advertise. So there are no additional costs and at the discretion of our staff.

Woodrich: I believe there are 6-10 positions actually

Sasso: What happened with UWIN week, I came to the UWSA office and found it closed. I received not notice that it would be closed early. This was such a great opportunity for students to be on campus and be motivated.

Campbell: That is something we discussed in Exec. The building was closed because it was viewed as a holiday week and thus limited the times. We will be discussing it in PMB

Kavanaugh: Were the Exec aware it was going to be closed

Campbell: It's based on what's been done in the past. It's not officially an Exec decision, but a PMB decision. Exec is the majority on PMB

Kavanaugh: Were you aware?

Campbell: I was not

Woodrich: I was not but I am not on PMB

Osterberg: I received an email which was sent to all the Execs outlining the hours and it seemed to be in standing with how things were done in reading week.

Raza: Why did the UWSA find it appropriate to close their offices when the University was open

Campbell: The UWSA was open all week

Raza: Not to the same extent, the University did not modify its hours. I don't find it appropriate. I am going to critic the administration and not the Executive. I believe the Administration is exceeding its authority.

Lalonde: Who made the ultimate decision?

Campbell: It's based on what has happened in the past. PMB does have an official unofficial policy based on what we have done in the past. No one has had an issue with it in the past.

Khan: I believe the staff acted based on the perception that it was like reading week. Myself and Mr. Woodrich were here until six.

Lalonde: Was there a motion at PMB, or was it an implicit decision based on past precedent

Campbell: implicit

Osterberg: I just wanted to take this opportunity to recognize the CRO and DRO. They worked a lot of hours, and it is a pretty thankless job. I would also like to thank EMC, another thankless job. I can safely say in my time here, this is one of the smoothest elections I have ever seen. So a bring round of applause.

Raza: How is one to review administrative duties of the UWSA, the discretionary duties, the ones that are made implicitly. The creation of internal policy, which does not necessarily fall into the position but is in the mandate of the portfolio. Closing the building, clubs policy, staff policy. Council creates the policies, but they are administrated. What happens if they are being administered wrong.

Osterberg: Council creates the broad policies and bylaws. The HR issues are controlled by the Board of Directors.

Raza: Clubs Policy, its not on the books in a published manner. Its not on the website. Its been applied in several cases, and against societies. How are we supposed to reprimand this. I want it to stop immediately.

Campbell: I think it falls into my own office. Some clubs have complained, but once I explain the methodology. So step one I would suggest talking to myself. I think we should have a policy on the books. We would have to team up with IPC

Raza: Will our unofficial policy be frozen in the interim

Campbell: Suspending the club policy in totality, I would advise against. A lot of policy stems out of BOG mandates we have to follow. I would advise we keep it in place for now until we look into it.

Raza: Could we publish it

Osterberg: It's on the website under clubs

Motion to Adjourn

MOVED: Khan

SECONDED: Ciccone

Vote: Unanimous

Coming and Goings:

Luke Weiler enters at 4:54pm

Mohsin Kahn enters at 5:02

Ayesha Raza leaves at 5:39

