

# Proposed Reforms of the Canadian Federation of Students



## National General Meeting

November 2016

|           |   |
|-----------|---|
| Local 01  | Carleton University Students' Association                   |
| Local 03  | University of British Columbia Students' Union Okanagan     |
| Local 09  | University of Regina Students' Union                        |
| Local 24  | Ryerson Students' Union                                     |
| Local 25  | OCAD Students' Union  |
| Local 26  | Kwantlen Students' Association                              |
| Local 30  | Students' General Association (Laurentian University)       |
| Local 31  | University of Prince Edward Island Students' Union          |
| Local 92  | Students' Association of George Brown College               |
| Local 95  | Cape Breton University Students' Union                      |
| Local 98  | University of Toronto Students' Union                       |
| Local 101 | Graduate Students' Association (University of Saskatchewan) |
| Local 103 | University of Manitoba Students' Union                      |
| Local 111 | Laurentian Students' Union                                  |

## ***Amendments to Policy***

### **Motion 01**

Whereas the Federation represents approximately 500,000 students; and

Whereas very few of the students represented by the Federation will ever attend a general meeting; and

Whereas it is therefore especially important that the minutes of general meetings provide a record of what is said as well as what business is transacted; and

Whereas meetings of the National Executive should also be minuted; and

Whereas the minutes of meetings of the National Executive should be available to all members; therefore

Be it resolved that the following be adopted as Operations Policy:

#### **Minutes**

Minutes should provide a record of what is said as well as what business is transacted. Therefore, the minutes taken by the Federation shall include summaries of all substantive contributions made by individual speakers. A representative of a local student association shall be identified in the minutes by their local number. A representative of the Federation shall be identified by their title. Any other speaker explicitly granted speaking rights by a vote of the assembly shall be identified by their name.

#### **Minutes of National Executive Meetings**

Meetings of the National Executive shall be minuted, and the minutes shall be presented for information at the next National General Meeting. Nothing shall inhibit the ability of the National Executive to move *in camera* in order to discuss genuinely confidential matters, although no vote may be conducted *in camera*.

**Motion 02**

Whereas the Federation is a member-driven organization; and

Whereas, if the Federation is to remain a member-driven organization, it must ensure that all members and students have access to essential information; and

Whereas “essential information” includes the Federation’s constating documents and audited financial statements, as well as the minutes of general meetings and meetings of the National Executive; therefore

Be it resolved that the section of the Federation Documents Policy entitled “Online Documents” be struck; and

Be it further resolved that the following be adopted as Operations Policy:

**Access to Information****Preamble**

In order to ensure that all members and, where appropriate, all students have access to essential information, the Federation shall take the necessary measures to ensure that the relevant information is readily available, either publicly or upon reasonable request. The Federation shall endeavour to, at all times, be able and willing to grant reasonable requests for information without undue delay.

**Public Information**

The Federation shall ensure that the current Bylaws, Policies, and Standing Resolutions of the Canadian Federation of Students, the Canadian Federation of Students-Services, and every provincial component are publicly available to all members and students at [www.cfs-fcee.ca](http://www.cfs-fcee.ca). It shall make the minutes of the last six (6) National General Meetings and the audited financial statements for the last five (5) fiscal years available alongside the documents listed above.

For greater clarity, the Federation shall present the audited financial statements of the Canadian Federation Students and the Canadian Federation of Students-Services separately.

**Written Notice**

For the purposes of the Bylaws and Policies, the Federation shall accept email as a form of written notice.

## **Amendments to the Standing Resolutions**

### **Motion 03**

Whereas the Federation is a large organization with a geographically dispersed membership; and

Whereas the members of the Federation are therefore only able to meet twice per year; and

Whereas general meetings provide members with an opportunity to interact directly with their elected leaders; and

Whereas the ability to ask questions of one's in a formal, public setting is an important element of accountability; therefore

Be it resolved that the following be adopted as Standing Resolution 10.10:

10. The opening plenary of each general meeting shall include thirty (30) minutes in which members may ask questions of the National Executive.

**Motion 04**

Whereas every member of the Federation has the right to move motions at general meetings; and

Whereas many motions are referred to the three Standing Committees for review; and

Whereas the mover of a motion should always be able to speak in favour of said motion, including when said motion is before the relevant Standing Committee; therefore

Be it resolved that the following be adopted as Standing Resolution 1.2.d:

The mover of a motion that is before a Standing Committee shall be granted speaking rights for the duration of the debate on said motion.

**Motion 05**

Whereas, while the committee system is a procedural necessity, the standing committees struck at each National General Meeting should be as open and accessible as possible; therefore

Be it resolved that Standing Resolution 1.2.b be amended to read:

Delegates who have not been selected to participate in a subcommittee of plenary shall have the right to observe the proceedings of a subcommittee meeting but shall not have speaking rights unless 1/2 of the voting subcommittee delegates decide otherwise.

**Motion 06**

Whereas Standing Resolution 17 defines a “large institution” as having at least 8,000 students and a “small institution” as having no more than 7,999 students; and

Whereas, as a result of increasing enrolment, two-thirds of the institutions whose students are represented in the Federation now qualify as large institutions; and

Whereas the definitions should now be brought into line with the current size of the institutions whose students are represented in the Federation;

Whereas, in order to account for the existence of multiple student associations at the same university, the definitions should consider the size of the institution rather than the size of the student association; therefore

Be it resolved that Standing Resolution 17.3 be amended to read:

The members of the Caucus of Large Institute Associations shall be member locals whose members are enrolled in an institute with at least 10,000 total students.

Be it further resolved that Standing Resolution 17.4 be amended to read:

The members of the Caucus of Small Institute Associations shall be member locals whose members are enrolled in an institute with no more than 9,999 total students.

## ***Amendments to the Bylaws***

### **Motion 07**

Whereas the constating documents of the Federation should use gender-neutral language throughout; and

Whereas neither he/him pronouns nor she/her pronouns are gender-neutral, as they are not inclusive of non-binary individuals; therefore

Be it resolved that the Bylaws be amended such that they/them pronouns are used throughout

Be it further resolved that the Policies and Standing Resolutions also be so amended.



**Motion o8**

Whereas the National Executive is defined by the Bylaws as the board of directors of the Federation; and

Whereas the officers and employees of a corporation should not be permitted to initiate legal action on behalf of the corporation, or to approve a legal settlement to which the corporation is a party, without the explicit approval of the board of directors of the corporation; and

Whereas jurisdiction over legal matters should reside with the National Executive as a whole; therefore

Be it resolved that the following be adopted as Bylaw IV.2.1:

- j. shall have the exclusive authority to initiate legal action on behalf of the Federation, and to approve any legal settlement to which the Federation is a party;

**Motion 09**

Whereas a recent decision of the Ontario Superior Court of Justice suggested that the rules governing voting in certification referenda and decertification referenda are “out of step with the times”; and

Whereas the same decision noted that “in this era of electronic communication and distance learning, voting by paper ballot at a voting station seems antiquated and impractical”; and

Whereas the decision further noted that “it would be easy to envision any number of situations ... in [which] it could be argued that the requirements prescribed by the Bylaws [of the Federation] lead to hardship or unfairness” for some students; and

Whereas the decision was, despite this criticism, ultimately favourable to the Federation; and

Whereas, in light of this decision, the Federation should permit the use of electronic voting in conjunction with the continued use of paper ballots; therefore

Be it resolved that Bylaw I.4.f.i be amended to read:

Voting must be conducted both electronically and by paper ballot, such that a voter may vote either on their personal electronic device or at a polling station. Electronic voting must be administered by a third party chosen by the Chief Returning Officer. Subject to an agreement between the Federation and the local student association, voting may also take place at a general meeting of the local student association or by mail-out ballot.

Be it further resolved that Bylaw I.6.g.i be amended to read:

Voting must be conducted both electronically and by paper ballot, such that a voter may vote either on their personal electronic device or at a polling station. Electronic voting must be administered by a third party chosen by the Chief Returning Officer. Subject to an agreement between the Federation and the local student association, voting may also take place at a general meeting of the local student association or by mail-out ballot.

**Motion 10**

Whereas the sovereignty of the student movement and the autonomy of each local student association are guiding principles of the Federation; and

Whereas the students belonging to each local student association should, in accordance with the principle of autonomy, be permitted to debate certification and decertification among themselves; and

Whereas the Federation should, out of respect for the autonomy of the students belonging to each local student association, limit the participation of representatives of the Federation in certification votes and decertification votes; and

Whereas the Federation should similarly eliminate the participation of representatives of other local student association in certification votes and decertification votes; therefore

Be it resolved that Bylaw I.4.d.ii be amended to read:

Only members of the local student association, members of the National Executive, and officers of the applicable provincial component shall be permitted to participate in the campaign.

Be it further resolved that Bylaw I.6.e.ii be amended to read:

Only members of the local student association, members of the National Executive, and officers of the applicable provincial component shall be permitted to participate in the campaign.

**Motion 11**

Whereas votes to certify and votes to decertify should, to the greatest extent possible, be governed by the same rules; and

Whereas permitting three votes per three-month period is more realistic than the current two votes per three-month period; therefore

Be it resolved that Bylaw 1.6.b.iii be amended to read:

There shall be no more than three (3) votes to decertify in any (one) period of ninety (90) consecutive days

Be it further resolved that the following be adopted as Bylaw 1.4.1:

**Schedule**

There shall be no more than three (3) votes to certify in any one (1) period of ninety (90) consecutive days.

**Motion 12**

Whereas it is important that students be able to remove their names from all petitions, including certification petitions; and

Whereas there is a difference between being able to remove one's name from a petition and the practice of "counter-petitioning", in which students are encouraged to remove their names from a petition in order to prevent a vote from taking place; and

Whereas attempting to prevent a vote from taking place is anti-democratic; and

Whereas "counter-petitioning" is not and has never been explicitly permitted by the Bylaws, and should now be explicitly prohibited; therefore

Be it resolved that Bylaw I.6.a be amended to include:

No representative of the Federation or representative of a local student association may encourage a student to request that their name be removed from a petition.

Be it further resolved that Bylaw 1.3.a.ii be amended to read:

The students collectively belonging to a local student association will have sole authority to initiate, by petition signed by not less than ten percent (10%) of such students and delivered to the National Executive, a vote to certify as described in Bylaw I, Section 4. A student may request that their name be removed from a petition. If the National Executive receives such a request in writing, before the conclusion of the verification process of the petition, the name must be struck from the petition. The name shall not be included in the total number of names on the petition. No representative of the Federation or representative of a local student association may encourage a student to request that their name be removed from a petition.

**Motion 13**

Whereas the Bylaws of the Federation are enacted in the name of “the students of Canada”; and

Whereas the student movement is, and must remain, a movement led by students and their elected representatives; and

Whereas it is therefore inappropriate for non-students to represent students at National General Meetings; therefore

Be it resolved that definition of “delegate” be amended to read:

For all purposes of these Bylaws, a “delegate” shall be any student of a member local student association, having paid the applicable general meeting delegates fee.

**Motion 14**

Whereas a petition for a vote on certification must be signed by at least 10% of the students belonging to a local student association, but a petition for a vote on decertification must be signed by at least 20% of the students belonging to a local student association; and

Whereas this discrepancy has been a source of controversy for many years; and

Whereas there have been multiple attempts to eliminate or reduce this discrepancy; and

Whereas a threshold of 20% is unduly burdensome; therefore

Be it resolved that Bylaw I.3.a.iii be amended to read:

The students collectively belonging to a local student association will have the sole authority to initiate a vote on decertification, as described by Bylaw I, Section 6, by submitting to the National Executive of the Federation a petition, signed by not less than fifteen percent (15%) of such students, calling for a vote.