Council Meeting

December 4th, 2019 - 6:00pm – Council Chambers, Student Union Building

Call to order at 6:06 pm by Chair

1. Roll Call

Councillors Present

- Aisha Abawajy (she/her) – President
- Hasan Sinan – Vice President (Academic and External)
- Isa Wright (she/her or they/them) - Vice President (Finance and Operations)
- Ruby Coles (she/her) - Vice President (Student life)
- Calista Hills (she/her) - Vice President (Internal)
- Naomi Bird - Indigenous Students Community Representative
- Claudia Castillo-Prettt - Black Students Community Representative
- Sandra Sunil (she/her) - Residence Students Community Representative
- Lohith Madhala acting as proxy for Faculty of Computer Science Representative
- Ryan Callahan - Faculty of Dentistry Representative
- Julia Sarty - Faculty of Engineering Representative
- Fatima acting as proxy for Faculty of Graduate Students Representative
- Nick acting as proxy for Faculty of Law Representative
- Joshua Yusuf (he/him) - Faculty of Health Professions Representative
- Ameir Yahia - Faculty of Management Representative
- Herman Stubeda - Faculty of Medicine Representative
- Bakhmala Khan - Faculty of Science Representative

Councillors Absent With Regrets

- Sara Goswami – International Students Community Representative
- Lenka Wicha (she/her) - Faculty of Agriculture Representative
- Shivam Mahajan – Faculty of Computer Science Representative
- Fallen Matthew - Faculty of Graduate Students Representative
- Meghan Faught – Faculty of Law Representative

Councillors Absent

- Fatima Beydoun - Board of Governors Representative
- Hannah Drake - LGBTQ Students Community Representative

Others Present

- Charity Justrabo - Chair
- Kranthi Kiran Jalakam - Secretary
2. Land Acknowledgment

3. Adoption of the Agenda
   
   Motion 3.1
   
   BE IT RESOLVED THAT the agenda be adopted as circulated.
   
   Mover: Faculty of Health Professions Representative  Seconder: Faculty of Law Representative Proxy

   Motion 3.2
   
   BE IT RESOLVED THAT the agenda is amended to allot 45 minutes maximum for presentation and voting session for the two available council positions.
   
   Mover: Faculty of Health Professions Representative  Seconder: Residence Students Community Representative
   
   (17 – 0)
   
   Motion Carries

   Chair – One of the motions under Old Business associated with Performance Reviews for the two directors, it was put before DSU Legal Council. It has determined that it is out of order because of Nova Scotia Labour Law which supersedes DSU bylaws and policies. Also, upon looking at the Performance Support Policy, it does state that the performance reviews between staff needs to stay confidential between the President, the employer and the employee. It is not under the purview of council. Currently will remove that from the agenda and will speak with the Faculty of Law Representative to see if she wishes to amend it in any way to make it in line with Labour Law.

   Motion 3.3
   
   BE IT RESOLVED THAT the agenda be adopted as circulated and amended.
   
   (15 – 0 – 1 abstention)
   
   Motion Carries

4. Minutes of the Previous Meeting
   
   Motion 4.1
   
   BE IT RESOLVED THAT the minutes of the November 20th meeting be accepted as circulated.
   
   Mover: Faculty of Law Representative proxy  Seconder: Faculty of Science Representative
   
   (16 – 0 – 1 abstention)
   
   Motion Carries

5. Communications Received
   
   Hannah Drake (LGBTQ Students Community Rep) sends regrets.
   
   Sara Goswami (International Students Community Rep) sends her regrets.
   
   Lenka Wicha (Faculty of Agriculture Rep) sends her regrets.
Meghan Faught (Faculty of Law Rep) sends her regrets and Nick is acting as proxy.
Fallen Matthew (Faculty of Graduate Students Rep) sends her regrets and Fatima is acting as proxy.
Shivam Mahajan (Faculty of Computer Science Rep) sends his regrets and Lohith Madhala is acting as proxy.

6. Appointments
Samantha has come forward to run for the Students with Disabilities Representative position on Council and gave a presentation.
Joshua read Nicole’s message, who was running for the Women’s Representative position on Council.

Motion 6.1
BE IT RESOLVED THAT Council move to vote on the candidates for the two available positions.
Mover: Faculty of Health Professions Representative  Seconder: Faculty of Management Representative
(17 – 0)
Motion Carries

Ballots were passed out for the councillors and executive to vote.
Chair stepped out to count the votes and Faculty of Health Professions Representative joined as scrutiniser.
(After vote count)
Samantha has been voted on for the Students with Disabilities Representative position and Nicole has been voted on for the Women’s Representative position on council.

Motion 6.2
BE IT RESOLVED THAT Samantha Horne be appointed as the Students with Disabilities Representative for the 2019 – 2020 academic year.
Mover: Faculty of Management Representative  Seconder: Black Students Community Representative
(17 – 0)
Motion Carries

Motion 6.3
BE IT RESOLVED THAT Nicole Blinn be appointed as the Women’s Representative for the 2019 – 2020 academic year.
Mover: Faculty of Health Professions Representative  Seconder: VP Academic and External
(17 – 0)
Motion Carries
7. **Presentations**

8. **Committee Reports**
   a) Oversight Committee

   Joshua – Oversight committee’s duty is to evaluate performance of the executives. Section 3 of the Oversight policy details what was looked at. In that policy, there is mention of a template to do an assessment of performance. Don’t have a template in place. Exec received their reports as a statement policy one week prior to the Oversight committee presenting it to council.

   (Read the report)

   None of the recommendations mentioned in it are binding unless council motions to vote on them.

   Second finding surrounding goals was presented to council and is accessible online. In compliance with policy around executive goal plans, there are no measurable outcomes listed in any of the goal plans which makes it difficult to ascertain what goals have been achieved. Based on these findings, it would be recommended that when designing goal plans, outcomes are also included to increase the measurability of said goals and the executive take the time to revise their goal plans and revise timelines as they see fit. There are also some miscellaneous comments. These will remain between the oversight committee because they are not founded in any evidence and are just anecdotal hearings of the committee. One thing that wasn’t taken into account is Bylaw and policy compliance apart from executive goals which is one of the things listed under section 3 of the Oversight Committee policy and that will be taken into account of the final review of the exec terms in office.

9. **Old Business**

   **Motion 9.1**

   **WHEREAS** the Senate is the university’s senior academic governing body. It is responsible for: the approval of new programs, approving the granting of degrees and diplomas, and managing the reviews of Faculties, Centres and Institutes and;

   **WHEREAS** Bylaw 6.3 states that the Senate Caucus shall: i. Plan strategies for lobbying the Senate; ii. Draft presentations to the Senate; iii. Prepare a written report on the Senate and its committees for each Council meeting; iv. Regularly inform the membership on Senate mandate, structures, and topics of discussion; and v. Fulfill any other such duties pertaining to the Senate that may arise from time to time;

   **BE IT RESOLVED THAT** a committee be established, the Senate Strategic Planning & Feedback Committee, for the purpose of ensuring that student feedback is heard on a rolling basis and incorporated in the Senate Legislative Agenda. The committee should comprise of the Faculty of Management rep as chair, the President, the VPAE, 2 member’s-at-large from the Sexton campus, and 2 member’s at large from the Studley campus, and will meet on an irregular basis based on when Council refers Senate-related matters to the committee.
Mover: Faculty of Management Representative  Seconder: VP Academic and External

Sandra – What would be the difference between Student Senate Caucus and this committee?

Ameir – Most of what happens in Senate happens in camera so cannot discuss about everything that goes on. Matter may arise where ..... Relationship between Senate Caucus and DSU council is very undefined. As long as the Bylaws go, the Senate Caucus needs permission from the DSU council on a lot of things that they pursue but a grey area exists there as to how it works. Purpose of this committee is to solve that grey area.

Hasan – As for the members at large, were thinking about adding students from the agricultural campus and the Carleton campus or having people come to the meeting as necessary. If a motion about the faculty of law is being discussed at the senate, would get someone from the faculty of law to weigh in on the issue.

Ameir – Don’t necessarily need members at large. Ideally something would get referred from council to this committee and would discuss it there.

Calista – Why members at large instead of including other senate Reps?

Ameir – After writing the motion, thought that members at large was not a good idea. Ideally, whatever is developed in this committee will be taken to senate.

Motion 9.2

BE IT RESOLVED THAT Motion 9.1 be amended to strike out all other members other than the VP AE and Faculty of Management Representative as Chair. It will be a closed committee and relevant stakeholders will be consulted.

Mover: Faculty of Management Representative  Seconder: VP Academic and External

(18 – 0)

Motion Carries

Motion 9.3

BE IT RESOLVED THAT Motion 9.2 be amended to make the committee an ad-hoc committee.

Mover: Residence Students Community Representative  Seconder: Faculty of Health Professions Representative

(18 – 0)

Motion Carries

Motion 9.4

BE IT RESOLVED THAT Motion 9.1 be accepted with the amendments.

(18 – 0)
Motion Carries

(Grawood and T-Room Financial Report motion is removed from the agenda)

Isa – Have a backlog of information from even before the restructuring. There were lots of bar services files that was not given to the accounting department. Made sure they have everything now and are processing it. They have lots of projects right now and it is taking time for them to catch up. They have been working on this and has been checking in with them weekly to see when they will get a report. The one that was sent out doesn't include any revenue from the last six months because there was quite a backlog.

Motion 9.5

BE IT RESOLVED THAT Council move in-camera.

Mover: Faculty of Health Professions Representative  Seconder: VP Finance and Operations
(17 – 0 – 1 abstention)
Motion Carries

Motion 9.6

BE IT RESOLVED THAT Council move out of camera.

Mover: Faculty of Health Professions Representative  Seconder: Faculty of Engineering Representative
(18 – 0)
Motion Carries

Council moved out of camera.

Motion 9.7

WHEREAS the Judicial Board clearly determined that DSU Council has acted in breach of its bylaws and recommended the DSU seek legal counsel as soon as possible regarding the legal relationship with CFS;

BE IT RESOLVED THAT the President contact the currently retained legal counsel in order to organize a meeting in the DSU offices and an invitation extended to all councillors in order to ask questions in regard to this matter. This meeting will be held no later than January 31, 2019 and is to only be scheduled when school is in session (i.e. not during Christmas break).

Mover: Faculty of Law Representative  Seconder: Faculty of Dentistry Representative
Aisha- Had a chat with the lawyer about this. His suggestion is that it is expensive. Various options he had suggested. Many ways to get it done in terms of legal opinion. Disagree with the first WHEREAS clause. It was not clearly determined where the issues were. The Judicial board suggested that an ad-hoc committee be set up moving forward to engage students around the CFS and the unbiased opinion about pros and cons.

Claudia – Could contact CFS through emails if people want to get in touch.

Nick – It would be weird for one of the parties to ask the other about what is the status of their legal relationship. (One party being the DSU and the other being CFS). That’s what the motion seems to suggest.

Joshua – Best outcome would come from sending the lawyer, the Judicial Board advisory report, CFS Bylaws, DSU Bylaws and ask the lawyer where the DSU stands legally based on these three documents and what is the best course of action.

Julia – The people with the most legal knowledge would be the people from the Faculty of Law, so if they are suggesting speaking to a lawyer, it might be something to look into.

Joshua – Meghan has been in close contact with the Treasurer and one of the higher ups of the CFS. Meghan has put this option forward based on talking to them. The expense incurred from speaking to Lawyer is paid off by letting students know where this stands. Thinks it is critical to moving forward. It is unclear about what the Judicial Board advice is. There are deadlines coming up that need to be made. Based on those reasons, it is completely justified for that expense.

Isa – Do need legal clarification on this. Do agree with people who brought it up that this is not a cost effective and time efficient way to do this. Happy to reach out to Meghan and work maybe work together on a motion that will allow several council reps and the executive to reach out to legal counsel. Have worked with lawyers previously who are familiar with the Bylaws. Instead of trying to workshop this without Meghan, could table this and reach out to her.

Hasan – If we are going to wait for the legal counsel and then for the ad hoc committee, in terms of the timelines and deadlines that the DSU is facing, there maybe a way to make it more time efficient.

Motion 9.8

BE IT RESOLVED THAT Council table Motion 9.7 until the next council meeting with the caveat that the VP Finance and Operations will work with the Faculty of Law Representative and reach out to legal counsel in order to find the most cost and time efficient way to obtain this legal opinion.

Mover: VP Finance and Operations  Seconder: VP Academic and External

Nick – Meghan’s main intent was that she would’ve liked something from the lawyer that would be broadly accessible to members of council and not something that is coming from multiple parties. Opposes to motion to put it off.

Ameir – Don’t know whether pushing this into the new year is the best idea.
Isa – Might be more cost effective to reach out and get the legal opinion. Once that is obtained, could be distributed to council and then councillors can have the opportunity to ask questions based on the information that is sent out. Happy to organise with Meghan to send out that information before the next Council meeting. Executives being students, are swamped with work too and would like to reach out and start that process of getting the initial legal opinion. Figuring out which lawyer in Halifax is the best one to reach out to as well. Need legal opinion and then need an avenue for councillors to ask questions.

Record states that everyone wants legal council.

Motion 9.8 Vote – (11 – 4 – 3 abstentions)
Motion Carries

Motion 9.9
BE IT RESOLVED THAT the Executive initiate the process of obtaining legal counsel on the DSU - CFS relationship before next Council meeting and provide an update at the next Council meeting.

Mover: VP Finance and Operations  Seconder: VP Internal

Motion 9.10
BE IT RESOLVED THAT Motion 9.9 be amended to include : BE IT RESOLVED THAT the Executive send DSU Bylaws and CFS Bylaws, minutes of the May 22nd meeting and the Judicial Board hearing to Legal Counsel.

Mover: VP Finance and Operations  Seconder: Faculty of Health Professions Representative (17 – 0 -1 abstention)
Motion Carries

Motion 9.11
BE IT RESOLVED THAT Motion 9.10 be amended to include that all relevant documents be sent as well.

Mover: VP Internal  Seconder: Faculty of Health Professions Representative (18 – 0)
Motion Carries

Motion 9.12
BE IT RESOLVED THAT Motion 9.9 be amended to include that a written legal opinion be obtained that can be provided to councillors.

Mover: Faculty of Law Representative proxy  Seconder: Faculty of Health Professions Representative
Motion Carries

Motion 9.13
BE IT RESOLVED THAT Motion 9.9 be accepted with the amendments.

Motion Carries

Motion 9.15
BE IT RESOLVED THAT Council take a 10 min recess.

Mover: Faculty of Management Representative  Seconder: VP Academic and External
(15 – 1 – 1 abstention)
Motion Carries

Council moved out of recess.

10. New Business

Motion 10.1
WHEREAS the DSU’s Bylaws and Policies do not reflect the current terminology adopted by Dalhousie University;

BE IT RESOLVED THAT the following technical update be applied to the DSU’s Bylaws and Policies: All references of the “Faculty of Health Professions” be changed to the “Faculty of Health”.

Mover: Faculty of Health Professions Representative  Seconder: VP Academic and External
(17 – 0)
Motion Carries

a) CRO General Election update
   Joshua spoke on this.

   Joshua – Asked councillors to send emails to their constituents and contact them so as to get candidates for the two vacant election committee positions.

b) Strategic Planning Committee update
   Aisha spoke on this.

11. Executive Reports

Ruby – Looked at what people want from the reports. People said that they wanted a brief summary. But then after the exec review, it was stated that councillors and students wanted more details from the reports. How do you want the reports to be as they are contradictory feedbacks? Would like to know what is expected to be able to move forward with that.
Sandra – Some details of Pros and Cons and then outcomes would be useful.

Isa – A lot of feedback that was received and is trying to make it into a template for herself to use every week. There isn’t a single template that would work for everyone. Would it be better basing it on each of the Councillor’s respective goals?

Ameir – Thinks so.

a) President

Aisha – Set up a meeting with the accessibility center to talk about alternative avenues of access. Working with Isa to look into a written piece could look like. On Snapchat, will be running a pre and post council meeting show. Depending on the feedback received, could possibly do some with Instagram and so on. Hoping to work with the Gazette. Talking with the Chair and Secretary about expediting the process of getting the meeting minutes being posted online

Joshua – Can students now access recordings?

Aisha – Can ask the secretary for the recordings.

Aisha – Constituents can talk to their respective councillors regarding any questions and concerns they might have.

b) Vice-President (Internal)

c) Vice-President (Financial and Operations)

Isa – Audits are well underway and has been responsive to emails especially around audits and have been communicating with societies. If someone from a society is wondering about the status of their audit, they could email her.

d) Vice-President (Academic and External)

e) Vice-President (Student Life)

Motion 11.1

BE IT RESOLVED THAT a technical update to bylaws and policies be made to mention Indigenous Students Community Representative instead of Aboriginal Students Community Representative.

Mover: VP Internal  Seconder: Black Students Community Representative

(18 – 0)
Motion Carries

12. Councillor Reports

a) Black Students Representative – incl. report back on CFS conference

b) Faculty of Graduate Students Representative
c) BoG Representative  
d) Faculty of Medicine Representative  
e) Faculty of Computer Science Representative  
f) LGBTQ2S Representative  
g) Engineering Representative  
h) Faculty of Agriculture Representative  
i) Faculty of Dentistry Representative

13. Notices of Motion

14. Announcements
Chair – Mailing list has not yet been changed to councillor emails.  
Next meeting is on 15th January 2020

15. Adjournment
Motion 15.1
BE IT RESOLVED THAT the DSU Council adjourns at 8:44 pm.  
Mover: Faculty of Law Representative proxy  Seconder: President  
(18 – 0)  
Motion Carries

Meeting adjourned at: 8:44 pm  
Minutes submitted by Secretary: