

Bylaw and Policy Review Committee Update

REPORT TO COUNCIL

November 13, 2017 to December 1, 2017

The Bylaw and Policy Review Committee has been hard at work going through our bylaws to put forward recommendations to Council and our membership. We have completed our first read through of the by-laws and have received some feedback from councillors which we really appreciated. Currently, significant bylaw proposals fall under these main themes:

Election of Faculty Representatives

1. Faculty Societies would put forward their representative through Society elections.
 - a. We could insist the President is Rep or Societies could include a DSU Rep position amongst their Executive.
 - b. Possible issues include: ensuring fair practice in Society elections, determining the composition of a Faculty Society if there are currently multiple Societies under the DSU Rep's position. E.g. Graduate Rep is responsible to DAGS and MBA Society.
 - c. Possible solutions: the DSU Society Ratification could include a standardized elections requirement which may include a Society CRO role or possible the DSU could expand the CRO role to have responsibilities in respect to Society elections; the DSU can re-evaluate the mandates of Faculty Societies who are represented under one Council seat and determine if one should be a sub-Society to one umbrella Faculty Society or if both Faculty Societies should be amalgamated.
 - d. Benefits to this model: Faculty seats on Council would be filled, increased engagement, lowered risk of member confusion, increased and more direct dual accountability to Council and Society. Model could be expanded to include Community Reps should the Faculty Society structure be mirrored within the DSU.

New Standing Committees

1. Judicial Board would allow for interpretation of policies and bylaws when in dispute.
 - a. Having this structure would provide support and guidance to Council outside of Council politics and allow for a formal process by skilled students in reaching a fully argued and recorded judgement which could then be considered.
 - b. By including a measure for elections appeal under its mandate, it would allow us to remove the Elections Appeals Committee which has little functionality until a serious electoral issue presents itself and already necessitates much the same committee composition as the Judicial Board would.
2. Formally recognize the Executive Officer Committee.

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- a. While the Executive does regularly meet, as it's necessary to a well functioning Union, there is no obligation in policy or bylaw leaving us vulnerable to the discretion of Executive Officers year to year in meeting.
3. Lowering barriers to Committee participation.
 - a. Clearly recognizing Committees that are Open for our Members to attend at their discretion allows Members to engage with the DSU on the topics they're interested in without the required year-long commitment.
 - b. This would also allow for a greater variety of personality types, some of whom may not feel comfortable appearing and speaking in a public session of Council, to participate at the Committee level.
 - c. This would also allow for newer students, or students who are unfamiliar with the DSU, to lightly engage with the Union and better understand our operations which may encourage further participation in the future.
 - d. Increased transparency for our Membership.
4. Tying Union Campaigns to Issues Policies (External Committee).
 - a. Ensuring Union Campaigns are in respect to Issues Policies would allow for more consistent and prolonged efforts.
 - b. Increased legitimacy in having Council approved stances which underpin initiatives.
 - c. Lowered vulnerability to internal disputes on campaigns and directional change across Executives.

Elections and Referenda oversight

1. Elections Committee would directly oversee the CRO.
 - a. Currently there is no clear process for appointment of the CRO. This could easily be brought under the mandate of the Elections Committee which is already imbued with the authority to administer all elections and referenda.
 - b. This would clarify the Elections Committee and CRO roles. I.e. the Elections Committee is broad oversight and the CRO is delegated the duties in carrying out day to day tasks of efficient operations and policy adherence. It would also allow for more direct supervision of the CRO as its only Council currently which isn't as aware of the CRO's performance and is less apt to take public disciplinary action.
 - c. Council would have a clear relationship to the Elections Committee through its Chair and Currently we are seeing Council delegating to the CRO with no knowledge of, or communication with, the Chair of the Elections Committee setting up possible conflicts and confusion.
2. Plebiscites
 - a. There is no formal mechanism for the Union to ask a question of the Membership outside of a fee increase.

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b. While the Union can informally issue a survey, for those questions/issues where we would like to show a higher process standard and legitimacy, a plebiscite could do so.

3. Referendum questions

a. Currently Council can only approve, refuse, or amend a proposed referendum question on the grounds of its bylaws although there does exist Councilors fiduciary duties in accepting the question. We should clarify and reinforce Council's fiduciary role in respect to referendum questions by adding language requiring clear language (not misleading), a need to indicate the ramifications of a yes vote to its Members, as well as the supporting documents/information Council may require in coming to a decision. For example, should a Society be requesting a new levy or an increase as a result of their desire to introduce a new service/business to their Members, the Society should be required to submit a business plan outlining a budget among other items for review by Council. It would not be responsible for Council to allow a referendum question that if passed would require a financial commitment from its Membership without confirming the funds would be used responsibly and within reason.