GOVERNANCE AND AGENDAS  
STANDING COMMITTEE REPORT TO COUNCIL  
MEETING DATE: October 15th, 2013

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<tr>
<th>Time and location:</th>
<th>Tuesday October 15th, 5:45pm, USC Board Room</th>
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<tbody>
<tr>
<td>Author:</td>
<td>Andrew Lalka, Speaker of Council (GAC Chair)</td>
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| Attendance:        | Arjun Singh  
 |                    | Andrew Lalka  
 |                    | Douglas Bricknell  
 |                    | Emily Soti     |
| Regrets            | Tom Granger  
| Absent no regrets: |                                                |
| Observers:         | Andrew Shaw (Legislative Assistant)  
 |                    | Pashv Shah (Chief Returning Officer)  
 |                    | Jack Litchfield (Senator, Chair: LTPB Committee) |

**Item #1 – Standing Orders of Council, for approval**

**Recommendation:**

That Council approve the attached Standing Orders Policy

**Summary:**

This item re-introduces the Standing Orders of Council that were presented at Meeting 3 in September as amended by the Governance and Agendas Standing Committee. The Standing Orders would govern meeting procedure, notably limiting debate times and setting a time for recess/adjournment. As with any procedural document its contents can be overridden by Council during meetings.

**Legislative History:**

The Standing Orders were originally drafted by the USC Policy Intern Andrew Shaw during the Summer of 2013. The original Standing Orders were accompanied by a Report explaining the Orders and rational in greater detail. At the discretion of the Speaker of Council the Standing Orders were referred back to the Governance and Agendas Committee for further discussion. They were re-evaluated and amended by the Committee with a recommendation that they be accepted as presented.
Discussion:

As a whole, the committee agreed that there is value in articulating Standing Orders to govern Council Meetings above Roberts Rules of Order to reflect the unique nature of the USC and its meetings. The section that generated the most discussion was section 4.00 regarding time limits. Specifically 4.04 indicating that Council shall only extend an item once beyond the set time period, and 4.05 indicating that Council meetings shall be recessed or adjourned prior to 12am (midnight).

Section 4.04: Only one extension shall be permitted on any question, amendment, or item of business

The principle concerns regarding this section centred around the potential to limit Council’s ability to have a full discussion on any points that might arise during the course of debate after an extension has already been granted for a set period. In spite of the Order limiting debate to one extension, Council does retain the right to override this limitation should a sufficient number of members see fit. Pragmatically, any extensions for any one item beyond the first would require 2/3 support of present voting members as opposed to ½ without the provision. The committee ruled that this would be acceptable provided that a section reminding Councillors of their right to overturn decisions of the Chair based on the Standing Orders be added. Additionally, the Committee directed the Chair to conduct a review of the Standing Orders at the GAC in 2014 before the 2014 AGM 1 and to include a section regarding the Right to Overturn as it applies to Councillor Training in his year-end report.

Section 4.05: Meetings of Council shall be recessed or adjourned by the Speaker no later than 12am (midnight)

Concerns brought forward regarding this section centred on ensuring that Councillors have sufficient time to arrive at well-reasoned decisions, that items are dealt with in a timely manner, logistics surrounding scheduling subsequent meetings, and implications for the attendance policy.

The Committee acknowledged that midnight is a reasonable time for adjournment to ensure that decision made are well-reasoned as opposed to made in an effort to end a meeting that has simply been dragged out to an unreasonable time. The Standing Orders include provisions to address significant or time-sensitive matters that extend meetings beyond midnight at the discretion of the Chair. Additionally, Council retains the right to extend in spite of a ruling of the Chair based on the Standing Orders with a 2/3 majority vote. The Committee did direct the Chair to conduct a review of the Standing Orders by the GAC at the same Committee Meeting that the issue of one extension is reviewed. This review should include the implications of a set adjournment/recess time on Council debates, implications for the attendance policy (particularly regarding recessed meetings that are reconvened at a later date), and the logistics of scheduling subsequent meetings and/or delaying items to the next regular meeting of Council.
Financial Implications:

As was mentioned in Mr. Shaw’s report that was presented for the 2013/2014 USC Meeting 3 in October, the set adjournment policy may result in fewer meetings running past 11:00pm potentially reducing the need to issue taxi chits however there is no estimate on potential cost savings and as such none should be anticipated. Furthermore, there are no anticipated additional costs for this policy.

Attachments:

Motion #3
Proposed Standing Orders of Council as amended by the Governance and Agendas Committee on October 15th

Consultation:

This policy was drafted and reviewed with consultation from the Governance and Agenda Committee, Governance Department, and input from both past and current members of Council.

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Item #2 – Amendments to By-Law#2 for approval

Recommendation:

That Council approve the amendments to By-Law #2 as attached

Summary:

Amendments presented by the Chief Returning Officer present several administrative and functional changes to By-Law #2 governing the USC’s elections procedures. Administrative changes include updating the language of the By-Law to reflect recent changes to the USC’s Corporate and Governance Structure. Functional changes include moving the opening period of balloting from midnight to 8:00am, altering notice periods for both the Elections Committee and Candidates, increasing fines for rule violations by approximately 50%, defining the Fair Market Value of App development as the publishing price, and referring Elections Committee appeals back to the Executive Officers as opposed to the Board of Directors.

Legislative History:

By-Law #2 is routinely reviewed and updated by Council at the advice of the appropriate Standing Committee and the USC’s Chief Returning Officer. This year’s amendments included a substantial number of administrative changes to reflect changes to the Corporate and Government structures of the USC. The functional changes are based on the recommendations of the 2012/2013 Elections Committee.

Discussion:

While the administrative changes generated little discussion, the Committee did review the functional changes with more scrutiny.

Changing the opening period of balloting from midnight to 8:00am:

This decision is motivated by the anticipated benefit of having the opening of balloting within USC business hours. This arrangement avoids the possible need to wait several hours for Staff to address an issue that arises at the beginning of the balloting period. Additionally it creates a brief 8-hour window or “cooling down period” between the end of the campaign period and the beginning of the balloting period.

Reducing Notice required from the CRO for disciplinary meetings with Candidates from 18 to 6 hours:

This amendment is based on logistical difficulties that a long notice period created. Given the short timeframes that often characterize elections, 6 hours is regarded as a more appropriate notice period. This would allow the Elections Committee to execute their mandate in a more
timely manner and address time-sensitive issues more promptly. Additionally it should confer a benefit on Candidates who can be informed of issues by the Committee while still relevant.

Adding a specific time period (at least 24 hours) to request special permission to distribute food:

This amendment articulates a minimum lead-time that the CRO must receive to grant permission to candidates to distribute food or beverage at a public campaign event. This clarifies previous ambiguity and provides a reasonable timeframe for the CRO to effectively review any requests.

Increasing Fines for Violations of By-Law #2:

This amendment increases the fines for rule violations from $6 per demerit point to $10 per demerit point for PVP Candidates and from $4 to $6 for all USC Candidates, BOG, and Senators. The intention of this amendment is to encourage greater adherence to By-Law #2.

Fair Market Value Definition of App Development:

This section defines the FMV of an App as the cost of publishing (approximately $100 or 1/15th of a PVP Slate’s budget). The rational for this decision is that development of an app, regardless of quality, may have been provided free of charge. Additionally market values of intellectual property in the emerging App Market are difficult to define. By defining the FMV at the cost of publishing an App we resolve any potential ambiguity.

Re-Directing Appeals of the Elections Committee from the Board of Directors to the Executive Officers:

The appeals process, as outlined in the proposed amendments to Section 19.00 of By-Law #2, would be referred to the Executive Officers for review and resolution. This is primarily to address logistical concerns regarding summoning the Board of Directors (given that the membership includes community members). Furthermore, Executive Officers are already prohibited from endorsing or publically supporting any Candidate under section 13.00 of By-Law #2. Finally, it is believed that Executive Officers, having navigated previous elections, would be well suited to make rulings on appeals.

Financial Implications:

None presented.

Attachments:

Motion#4

USC By-Law #2 with proposed amendments from the CRO and Governance and Agendas Committee
**Consultation:**

*These amendments were based on the reports of and consultations with the 2012/2013 Elections Committee through the CRO.*

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Item #3 – Gazette Agenda Briefing Pilot, for information

Recommendation:

That Council receive the following memorandum as information

Summary:

Based on discussions with the Chairs of the Communications and Student Outreach and Governance and Agendas Standing Committees, the Chair of the GAC will provide the Gazette a concise, one page brief of the USC Agenda prior to Meetings of Council.

Legislative History:

None.

Discussion:

This pilot was launched to facilitate discussion on campus of USC business prior to USC Council Meetings. The intention is to inform the Gazette of upcoming issues giving them an opportunity to report on issues before decisions are made.

Currently the briefing is drafted by the Chair of the Governance and Agendas Standing Committee and submitted to the Governance Officer and USC Vice-President Communications for review and comments. Afterwards it is presented to the members of the GAC and the Chair of the SOC for further review and comments. Once all parties have had an opportunity to review and comment on the draft a package is electronically sent to the Gazette. Ideally this process should be complete one business day following the release of the USC Council Meeting Agenda.

This arrangement is scheduled for review by the GAC in 2014 prior to the USC 2014 AGM 1. It is anticipated that the SOC will conduct their own independent review on a similar timeframe.

Financial Implications:

None anticipated.

Attachments:

Agenda Briefing for USC Meeting 4 (2013/2014)

Consultation:
This pilot was launched following consultation with the Chair of the Communications and Student Outreach Standing Committee (Emerson Tithecott), The USC Vice-Present Communications (Jasmine Irwin), the Governance Officer (Kojo Hayward), and the members of the Governance and Agendas Standing Committee.

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