

Official Notice of SSMU Winter 2012 Elections and Referenda

Electoral Timeline:

Winter Referenda

Last Council for Notice of Motion for Questions: **January 26th**

Last Council for Approval of Council-Initiated Questions: **February 9th**

Deadline for Submission of Student-Initiated Referenda: **February 17th**

Meeting for Committee Chairs: **February 28th**

Campaign Period: **March 5th -14th**

Polling Period: **March 8th -14th**

SSMU Executive & Senator Elections

Nomination Period: **February 1st-27th**

Extended Nomination Period: **February 27th -29th**

Candidates Information Meeting: **March 1st**

Campaign Period: **March 5th -14th**

Candidate Debates: **March 6th**

Polling Period: **March 8th -14th**

Referendum Questions:

1. Addition of an Interfaculty Arts and Science Representative on the SSMU Legislative Council

Whereas, Article 4.1 of the SSMU Constitution currently reads, "Council shall be composed of the following: ...one (1) councillor elected by or from each Faculty or School for every two thousand students (2,000)..." but has not yet been amended to encompass students from the relatively new Interfaculty of Arts and Science, created in September of 2004;

Whereas, Students of the Interfaculty of Arts and Science are currently represented on SSMU Legislative Council by representatives from the Faculty of Arts or the Faculty of Science;

Whereas, Approximately 600 students are currently enrolled in the Interfaculty of Arts and Science, which is larger than some Faculties and Schools that currently have seats on the Legislative Council, and;

Whereas, The Interfaculty Arts and Science program is a distinct entity within the McGill student body due to the joint nature of administration and experiences from under the dissimilar Arts and Science faculties and the presence of major/minor programs unique to the B.A. & Sc. degree;

Whereas, A seat on the SSMU Legislative Council would allow for guaranteed representation of Interfaculty of Arts and Science students, and B.A. & Sc. students would not be able to run for Arts or Science reps to SSMU, and;

Whereas, The SSMU plebiscite question regarding Interfaculty Arts & Science Representatives received 78.7% in favour during the Fall 2010 Referendum, and;

Whereas the Arts Undergraduate Society has resolved to support efforts to create a seat on the SSMU Legislative Council for the Interfaculty of Arts & Science students, as approved at AUS Council on February 1st, 2012,

Whereas Interfaculty Arts & Science students have voted 98.11% in a recent BASiC (Bachelor of Arts & Science Integrative Council) referendum to support BASiC in pursuing this councillor seat, then;

Do You Agree, That Article 4.1 of the SSMU Constitution shall be amended with the addition of the following clause: “-one (1) councillor elected by and from students in the Interfaculty of Arts and Science”?

2. Referendum Question Regarding the Composition of Council

Whereas Article 4.1 of the SSMU Constitution currently reads:

Council shall be composed of the following:

- *The executive officers as described in Section II of the Title elected in accordance with this Constitution and Bylaws;*
- *One (1) councilor elected by and from each Faculty or School for every two thousand students (2,000) or part thereof to a maximum of four (4) councilors in accordance with the procedures set out by that constituency;*
- *Three (3) councilors elected by and from the Society's activities, clubs and functional groups in accordance with this Constitution and Bylaws;*
- *Three (3) councilors elected by and from the undergraduate student members of the Senate, excluding the President and Vice-President (University Affairs), in accordance with this Constitution and Bylaws;*

- *One (1) councillor elected by and from students living in McGill residences in accordance with the procedures set out by that constituency;*
- *One (1) councillor elected by and from the Students' Athletics Council in accordance with the procedures set out by that constituency;*
- *The First Year Councillor;*
- *The Speaker (non-voting) chosen in accordance with this Constitution and Bylaws;*
- *The General Manager of the Society (ex-officio, non-voting).*

Whereas, some student societies representing the students of a School, including the Architecture Students' Association and McGill Environment Students' Society, are officially recognized as departmental societies of faculty-level student societies and therefore are already represented by student representatives on Council;

Whereas, the only change from current practice that passing this question will cause is the removal of the Architecture Councillor seat, to which the Architecture Students' Association has assented, as they are now represented by the Engineering Undergraduate Society;

Whereas, it has become common practice to employ two Speakers of Council to ensure a higher standard of procedure;

Whereas, the Recording Secretary is responsible for taking minutes throughout all Council meetings;

Whereas, all other changes represent clarifications in wording and do not deviate from current practice;

Do you agree that Article 4.1 of the SSMU Constitution be amended to read as follows?

Council shall be composed of the following:

- *The executive officers as described in Section II of the Title elected in accordance with this Constitution and Bylaws;*
- *One (1) councilor elected by and from each Faculty or School, if that School is not already represented by a faculty-level student association, for every two thousand students (2,000) or part thereof to a maximum of four (4) councilors in accordance with the procedures set out by that constituency;*
- *Three (3) councilors elected by and from the Society's clubs and services in accordance with this Constitution and Bylaws;*
- *Three (3) councilors elected by and from the undergraduate student members of the Senate, excluding the President and Vice-President (University Affairs), in accordance with this Constitution and Bylaws;*

- *One (1) councillor elected by and from students living in McGill residences in accordance with the procedures set out by that constituency;*
- *One (1) councillor elected by and from the Students' Athletics Council in accordance with the procedures set out by that constituency;*
- *One (1) councillor from the SSMU First Year Council in accordance with the procedures set out by that constituency;*
- *The Speakers (non-voting) chosen in accordance with this Constitution and Bylaws;*
- *The General Manager of the Society (ex-officio, non-voting);*
- *The Recording Secretary of the Society (non-voting).*

3. Referendum Question Regarding Reform of the Judicial Board to Comply with Quebec Law

Whereas, Constitution Article 30.1 states:

“There shall be a body entitled the Judicial Board which shall be the final authority on:

- the interpretation of the Constitution and Bylaws of the Society;
- the interpretation and legality of all motions passed by Council;
- the interpretation and legality of all procedures, questions and results of all referenda and elections;
- the interpretation and legality of the constitutions of all Society activities, clubs and functional groups;
- the interpretation and legality of any other groups as requested.”

Whereas, Constitution Article 30.3 states that “The Judicial Board shall have the power:

- to declare invalid any act of Council, the Executive Committee or the General Manager which violates this Constitution and Bylaws;
- to declare invalid any act of a Society activity, club or functional group which violates this Constitution and Bylaws or its own constitution;
- to declare invalid any referendum or election that violates this Constitution and Bylaws;
- to order the placing of a referendum question on a ballot in cases of undue procedural delay.”

Whereas, Constitution Article 30.4 states “All decisions of the Judicial Board shall be binding on the parties involved, and there shall be no appeal from such decision.”

Whereas, Quebec legislation requires that the Board of Directors be the highest governing and decision-making power of an organization such as the SSMU;

Whereas, the current SSMU Constitution, with respect to the powers afforded to the Judicial Board, is therefore not in compliance with Quebec law;

Whereas, this matter has been reviewed by the SSMU's legal counsel and the current Judicial Board justices;

Resolved, that the Constitution at Article 30.1 be amended to read "There shall be a body entitled the Judicial Board which shall have authority to adjudicate on matters of" instead of "There shall be a body entitled the Judicial Board which shall be the final authority on";

Resolved, that Constitution at Article 30.3 be amended to read "The Judicial Board may recommend rulings to the Legislative Council with respect to the following matters" instead of "The Judicial Board shall have the power";

Resolved, that Constitution Article 30.4 be amended to read "Rulings of the Judicial Board do not have the effect of binding judgment until ratified by the Board of Directors. Every final written decision of the Judicial Board must be presented to the Board of Directors by the Judicial Board within two (2) weeks of said decision, accompanied by any preliminary decisions rendered, at the request of either party to the proceedings or as the result of a motion that the Judicial Board heard. As a general rule, decisions of the Judicial Board shall be considered final and shall be ratified by the Board of Directors. Notwithstanding the above, the Board of Directors remains the final authority of the Society and may, at its discretion or at the request of a party to the proceedings:

- receive a written appeal of the final decision if the appeal, complete with all relevant documentation, is filed with the Chair of the Board of Directors no more than seven (7) days after the final written reasons are released by the Judicial Board. Preliminary decisions may be considered in the context of an appeal of the final decision, but may not be appealed independently or before the final decision has been released by the Judicial Board;
- After reviewing the decision in its entirety and considering such an appeal, the Board of Directors may either 1) ratify the original Judicial Board decision by a simple majority vote; or 2) send the decision back to the Judicial Board, along with the appeal and the Board of Directors' written rationale, for further consideration by a simple majority vote, to which the Judicial Board must issue a response either upholding their original decision or presenting a new decision for consideration by the Board of Directors within ten (10) business days; or 3) overturn the decision of the Judicial Board by a 4/5 majority vote, if it concludes, that the decision of the Judicial Board was manifestly unreasonable or was motivated by discrimination as

- understood under Section 10 of the Quebec Charter of Human Rights and Freedoms. Where the Board of Directors overturns the Judicial Board's decision, such decision will be considered of no further effect and will not be subject to further appeal."

4. Referendum Question Regarding Judicial Board Procedural Accountability

Whereas, Constitution Article 30.2 states "The Judicial Board shall follow principles of natural justice, including equity and good conscience. The Judicial Board may establish its own rules of practice.";

Whereas, in recent years the Judicial Board's internal rules of practice have not been easily available to the student population;

Whereas, there are no specifications as to by what method or under what circumstances the Judicial Board's internal rules of practice may be changed or what notice must be given to SSMU's legislative bodies or members;

Resolved, that Constitution Article 30.2 be amended to read "The Judicial Board shall follow principles of natural justice, including equity and good conscience. The Judicial Board may establish its own rules of practice, subject to ratification by the Legislative Council, and must

file such rules with the General Manager and make such rules publicly available to all members of the Society."

5. Referendum Question Regarding the SSMU Health and Dental Plan

Whereas, ASEQ, Alliance pour la santé étudiante au Québec, provides McGill undergraduate students from Canada with health and dental insurance of \$184.60 for full-year coverage, and provides international students with dental insurance of \$98.20 for full-year coverage;

Whereas, the current SSMU Health and Dental Plan fee has not increased since 2005;

Whereas, since 2005, both the overall SSMU Health and Dental Plan coverage and volume of claims made by students have increased;

Whereas, if the current level of the SSMU Health and Dental Plan fee is unaltered, students will see a progressive decrease in overall coverage;

Whereas, students may withdraw from the health and dental plan if they already have comparable health and dental coverage;

Do you agree to increase the current SSMU Health and Dental Plan fee by \$35.40 (19.2%) for a total of \$220.00 for full-year coverage in order to maintain the current level of plan coverage?

6. Referendum Question Regarding CKUT Opt-Out

Whereas, Radio CKUT FM is licensed by the Canadian Radio-television and Telecommunications Commission as a campus-community radio station to broadcast at 90.3 on the FM band to the greater Montreal area;

Whereas, CKUT provides McGill students with news and music programming, radio training, journalism experience, internships, employment, and more;

Whereas, McGill undergraduate students have supported CKUT with a fee of \$4.00 each semester for full time students, and \$2.00 per semester for part time students, since 1988, and any student who pays said fee is automatically a member of CKUT, with all the rights and privileges pursuant thereto;

Whereas, in 2007 the McGill Administration moved the opt out system online without consulting CKUT;

Whereas, unregulated campaigning during the opt-out period negatively impacts all student fee-levy groups, including CKUT;

Whereas, other media organizations on McGill campus, such as the McGill Daily and the McGill Tribune (renewable every five years), are non-opt-outable;

Whereas, radio is a public good and all members and non-members have access to the airwaves as listeners, and may attend events CKUT organizes on and off McGill campus, etc;

Whereas, the costs of running a radio station increase each year and online opt outs significantly reduce student fees to CKUT, jeopardizing the station's ability to maintain the same level of activity and services;

Whereas, CKUT is consistently voted as the #1 or #2 Radio Station in the Mirror's Best of Montreal Readers Poll;

Do you support Radio CKUT's undergraduate fee becoming non-opt-outable to support the operations of Radio CKUT?

7. Referendum Question Regarding Composition of the Judicial Board

Whereas, Constitution Article 31.1 states “The Judicial Board shall consist of five (5) members of the Society who have completed at least four (4) full-time semesters in the Faculty of Law, or equivalent, appointed by the Nominating Committee, who shall serve a term of one year, or until their successors are appointed (whichever is later)”;

Whereas, Constitution Article 31.2 states “No member of Council, past or present, may sit as a member of the Judicial Board”;

Whereas, Constitution Article 31.3 states “The Judicial Board shall not sit with fewer than three (3) members”;

Whereas, diverse perspectives can contribute to stronger deliberations on student petitions;

Whereas, the workload of conducting Judicial Board hearings is substantial, and currently it would be difficult for the Judicial Board to undertake two petitions simultaneously;

Whereas, this matter has been reviewed by the SSMU’s legal counsel and the current Judicial Board justices;

Resolved, that Constitution Article 31.1 be amended to read “The Judicial Board shall consist of five (5) members of the Society who have completed at least four (4) full-time semesters in the Faculty of Law, or equivalent, and two (2) other members of the Society, appointed by the Nominating Committee, who shall serve a term of one year, or until their successors are appointed (whichever is later)”;

Resolved, that Constitution Article 31.2 be amended to read: “No member of Council, or of any McGill University faculty, school or departmental student association council, past or present, may sit as a member of the Judicial Board”;

Resolved, that Constitution Article 31.3 be amended to read “The Judicial Board shall not sit with fewer than three (3) members, of whom the majority must be members who have completed four (4) full-time semesters in the Faculty of Law, or equivalent”.

Detailed Results:

SMU EXECUTIVES:

VP Internal: Michael Spzejda

Christina Sfeir: 15.0%
Michael Spzejda: 18.0%
Inna Tarabukhina: 6.8%
Samuel Sigere: 6.4%
Katie Larson: 13.9%
Salar Nasehi (Karim Mohamad): 8.8%
Robert Bell: 7.1%
NO OPINION: 24.1%

VP External: Robin Reid-Fraser

Robin Reid-Fraser: 37.8%
Raphael Uribe Arango: 24.8%
NO OPINION: 37.4%

VP University Affairs: Haley Dinel

Emil Briones: 13.7%
Haley Dinel: 33.8%
Matt Crawford: 23.5%
NO OPINION: 28.9%

VP Clubs and Services: Allison Cooper

Allison Cooper: 46.5%
Sahil Chaini: 24.3%
NO OPINION: 29.2%

VP Finance and Operations: JP Briggs

Claire Michela: 20.8%
Zhi Zhen Qin: 17.2%
JP Briggs: 37.0%
NO OPINION: 25.0%

President: Josh Redel

Josh Redel: 40.9%
Shyam Patel: 40.5%
NO OPINION: 18.6%

REFERENDUM QUESTIONS:

Arts Sci Councillor Seat: Yes

Yes: 48.7%
No: 8.6%
NO OPINION: 42.7%

Composition of Council: Yes

Yes: 32.0%
No: 6.4%
NO OPINION: 61.6%

Composition of Judicial Board: Yes

Yes: 28.0%
No: 7.3%
NO OPINION: 64.7%

Accountability of Judicial Board: Yes

Yes: 33.0%
No: 6.1%
NO OPINION: 60.9%

Reform of Judicial Board with Quebec Law: Yes

Yes: 26.9%
No: 7.8%
NO OPINION: 65.2%

CKUT Fee: No

Yes: 35.6%
No: 42.9%
NO OPINION: 21.4%

ASEQ Fee: Yes

Yes: 41.0%
No: 29.7%
NO OPINION: 29.3%

SENATORS:

Arts Senators (3): Max Zidel, Rodrigo Espinosa, Jimmy Gutman

Taylor Steele: 11.8%
Max Zidel: 20.5%
Stuart Atkinson: 10.9%
Noteh Krauss: 9.9%
Rodrigo Espinosa: 14.2%
Jimmy Gutman: 16.3%
NO OPINION: 16.3%

Science Senators (2): Shannon Herrick, Moe Nasr

Andrew Deighan: 3.1%
David Danielson: 8.8%
Margaret (Yuneng) Lu: 6.3%
Mete Seref Ahunbay: 8.0%
Moe Nasr: 12.0%
Sarah Jameel: 10.8%
Saurin Shah: 7.5%
Shannon Herrick: 12.5%
Shirley (Xiaoning) Guan: 9.8%
NO OPINION: 21.0%

Engineering Senators (2): George Azmy, Edward Chiang

Azfan Jaffeer: 5.3%
George Azmy: 21.7%
Farzan Subhani: 19.2%
Bassam Riman: 8.8%
Edward Chiang: 25.3%
NO OPINION: 19.7%

Management Senator: Avi Rush
(Acclaimed Candidate)

Yes: 64.7%
No: 7.4%
NO OPINION: 27.9%

Law Senator: Stephanie Bachelet

Alexander J. Spraggs: 43.2%
Stephanie Bachelet: 47.0%
NO OPINION: 9.8%

Medicine Senator: Laurence Bélanger

Laurence Bélanger: 45.0%
Kristina Rozintseva: 34.5%
David Alessandro Benrimoh: 10.5%
NO OPINION: 10.0%

Music Senator: Andrew Boudreau
(Acclaimed Candidate)

Yes: 77.1%
No: 2.4%
NO OPINION: 20.5%

CKUT REPRESENTATIVES (2): Tim Beeler, Carol Ellen Fraser
(Acclaimed Candidates)

Tim Beeler--
Yes: 38.3%
No: 15.7%
NO OPINION: 46.0%

Carol Ellen Fraser--
Yes: 45.0%
No: 15.0%
NO OPINION: 39.9%