

Agenda



UWSA Board of Directors

DATE: Thursday, November 24th, 2016

Time of meeting: 5:30

Location of meeting: Council Chambers

Directors/Senators: Ahmed Khalifa, Chase Tribble, Amber Shaheen, Makram Al-Matary, Yasin Avci, Ayub Khan, Youshaa El-Abed, Ronald (R.J.) D'Aguiar, Ghadeer Alghosein, Waseem Abunnadi, Israa El-Sabbagh, Justin Bueayong, Andres Curbelo-Novoa, Jeremiah Bowers, Dayana Hassoun, Abdul Abu Libda, Katy Webb, Liam Adams, Shahan Mahmood, Hagar Elsayed (5:49)

Matthew Dunlop, Justin Binkley, Vuk Zubic, Moussa Hamadani, Daniel Popaj, Layale Bazzi

Absent: Shawn Kingsbury, Bethany Russell, Mazen Saadi, Anthony Dalla Bona

1.0 Call to Order – 5:45 PM

2.0 Chair's Business

3.0 Approval of the Agenda

4.0 Approval of the Minutes

5.0 Proposals/Posted Motions

5.1 Whereas board members weren't given a proper opportunity to voice their opinion on the matter regarding the LSRC legal advice that was given and;

Whereas various board members' comments were deemed irrelevant regarding the matter at hand, which may have had a sway on the results of the motion.

BIRT that the following motion that was voted on and passed on November 10th be rescinded for immediate reconsideration: **(PASSED)**

"BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force."

5.2 BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force. **(FAILED)**

- 6.0** **Reports**
 - 6.1** Executive
 - 6.2** Committees
 - 6.3** Senate

- 7.0** **Unfinished Business**

- 8.0** **New Business**

- 9.0** **Question Period**

- 10.0** **Adjournment – 11:10 PM**



Minutes

1.0 Call to Order

The meeting was called to order at 5:45 PM.

2.0 Chair's Business

3.0 Approval of the Agenda

3.1 BIRT the agenda of today be approved as amended

Moved: Tribble Seconded: Abunnadi

3.1.1 BIRT item 7.0 be moved to 5.0

(All in favour) PASSED

(All in favour) PASSED

4.0 Approval of the Minutes

4.1 BIRT the minutes of Thursday, November 10, 2016 be approved

Moved: D'Aguilar Seconded: Abunnadi

(All in favour) PASSED

Shaheen noted that in-camera minutes were sent to non-board members and asked for more care in the delivery of confidential minutes.

5.0 Proposals/Posted Motions

5.1 Whereas board members weren't given a proper opportunity to voice their opinion on the matter regarding the LSRC legal advice that was given and;

Whereas various board members' comments were deemed irrelevant regarding the matter at hand, which may have had a sway on the results of the motion.

BIRT that the following motion that was voted on and passed on November 10th be rescinded for immediate reconsideration:

"BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force."

Discussion

BIRT the meeting move in-camera with executives

The Board deliberated going in-camera for the rescinding motion due to the confidential discussions related to the rescinding. Argument against that was to have an open conversation about the topic with board observers present. The board ultimately decided to go in-camera and expunge certain topics.

Motion called to question. **PASSED**

BIRT that the following motion that was voted on and passed on November 10th be rescinded for immediate reconsideration:

“BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force.”

PASSED

BIRT the meeting move out-of-camera

FAILED

BIRT the in-camera minutes from Thursday, November 10, 2016 be expunged

PASSED

BIRT the meeting move out of in-camera

PASSED

5.2 BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force.

Board observers were allowed into the meeting room and were given speaking rights by Directors to give their opinion on the motion at hand. The meeting entered a speaker's list.

“BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force.”

Let it be noted that GSS unofficial referendum results were not released at the time of the meeting. As noted by executives, UWSA unofficial results were released two hours after voting closed for the referendum last year. A representative from the pro-LSRC advocates reminded the Board that results were to be announced on Friday, November 25, 2016 as stated in the referendum notice.

Justin, former president of the UWSA from 2006-2007 was present to share information. He informed the Board that students were approached 25 years ago for capital fees to

build the St. Denis Centre, then were approached again 13 years ago for fees to build stadium and forge. Upon passing of the referendum, an ARS capital fee board was formed to oversee expenditure. \$100,000 was put aside to spend on athletics-related expenses. To his knowledge, the capital fee board has been dissolved and money has been forgotten. He also said that the forge was supposed to be double the size it is today. Claimed that the referendum was a repeat from 13 years ago without a capital fee board clause.

Pro-LSRC advocates gave their opinions on why the UWSA should accept the legal advice that enabled referendum results from last year to be enforced this year. They did not understand how students could be against the project as it is a positive investment for all.

GSS HK Faculty representative Austin said that GSS entered the referendum on the notion that UWSA and OPUS would stand firm on their results from last year. It was claimed that there's no difference between UWSA and OPUS and that he'd never seen a council not stand by legal advice presented by a lawyer. Noted that the building would protect the university brand and enhance quality of reputation. He also said that, by not accepting the legal advice, they would open the door to unwanted repercussions, such as a shake in the UWSA membership loyalty.

Other members argued that the LSRC presents huge opportunity to enhance the school's reputation and that previous athletics referenda did not meet the students' needs. They also claimed that no university has built an athletic centre without student support and that it will inevitably happen once the building falls apart. The new proposed facility provides benefits other than athletics-related and aids the community. They criticized the UWSA's deliberation of the legal advice, as they believe that professionals should be respected. Many expressed their discontent with the Board and one mentioned an "underlying agenda".

The opposing side spoke as well, highlighting that students should not pay for university infrastructure with rising tuition costs, that first-years should get a say in the decision-making process as they may end up paying the fee at some point. They disagreed in the claim that UWSA and OPUS are the same – 60-70% of students at the University of Windsor are full-time undergraduates, and so the UWSA constitutes a large majority of the student body. They also pointed out that many existing buildings are not up-to-par and require upgrades, with desks, chairs missing as well as falling ceiling tiles and leaks.

A counter-argument presented to allowing first-years to vote was that the fourth-years who voted left a legacy that should be respected.

The UWSA VP of Events and Development in 2013, Ivana, presented some history to the board. As part of the steering committee for the referendum, she said that the decision was not made overnight and that there is no ARS board because many students were

included in the steering committee and decision-making prior to posing of referendum. Proud to be on the committee but understands the anger surrounding dollar value of the referendum. Wants to decrease tuition fees and understands that people pay fee for forge but says that Windsor is 30 years behind every university of Ontario and that the money will make the facility much better. Reminded UWSA that bylaws stipulate that they are there to service students and enhance the student experience. Regarding legal advice, she said that students have a lot of responsibility and their viewpoint becomes narrow and that people from outside are needed to explain the consequences of heavy decisions. Going back and changing what was said affects the university, administration and community and will tarnish relationships.

Khalifa answered a few questions that had occurred during the meeting, notably the reason for not accepting legal advice. He informed observers and directors that OPUS rejected the legal advice in which it was stated that they should reject referendum results from last year and launch new one. Also, made it clear that international and marginalized students suffer the most when it comes to tuition increases, as they are stopped from continuing their education.

El-Abed reminded observers that majority are not against the facility, but against students shouldering the cost of the construction. Questioned the university's portion of the cost.

Former UWSA president Justin reminded the board that all must respect the pillars of democracy and to not ignore their people when they vote and make a decision, but noted that it is not difficult to challenge the process. He only asks for accountability from the university i.e.: find where the money from previous referenda went. Also wanted to clarify that the referendum from 13 years ago did meet student needs' today as it accounted for future expansions and expenses. Noted that if students wish to pay for capital infrastructure, they can do it but they must have an informed opinion and voice.

Tribble said that he is in favour of the LSRC fee and acknowledged that nice things cost money. Noted that the forge is in competition with gym chain Fit-For-Less and disagreed that previous referenda were relevant today.

The Chair asked for discussion to re-focus on the question of legal advice being accepted.

Ivana pointed out that many concerns are about not trusting administration or tracking lost money but said that the referendum was proposed because GSS was under the impression that OPUS and UWSA would stand by their previous referendum results.

Jill, in favour of the LSRC, suggested the board accept the legal advice as they voted for a bus pass that she cannot use but will pay to help support students. It was then clarified

by UWSA president Hamadani that the students and not the Board voted in favour of the bus pass.

Khalifa did not agree that the bus pass was a fair comparison as it is a discounted city service designed to make student lives easier, whereas university infrastructure is a different service. Said that legal advice was given after a lawyer inspected newly-adopted referendum policy (one year old). Using that policy, it is possible to come back after 15 years and use the same referendum results. Clarified for the minutes that the board does not have an “underlying agenda” but are there to represent all students and marginalized students.

Shaheen spoke of the money involved, in which it was said that the fee would be capped at \$175. With already existing fees, the total would amount to \$400 per year per student. Said that \$400 is a lot of money for students who need to support families, argued against the burden of pay shouldered by students and asked why referendum results to represent the will of the union when only a small fraction voted. Said that many labs are unsafe for students and those are mandatory to take and should be prioritized in maintenance.

Ivana spoke about the ARS capital fee board and its dissolution as claimed by Justin and said that it was not dissolved completely and he made a false claim.

Justin raised a point of personal privilege. Asked if she was referring to the ancillary fee board or the referendum fee board.

It was then clarified by Dunlop that the ARS board was dissolved into a capital fee board which has a student-majority. Justin clarified that he did not know the fate of the ARS board but only knew it had ceased to be under that title and representation.

Pro-LSRC advocates mentioned that alumnus Richard Peddie is pledging \$150,000 to the project. They also mentioned that the UWSA is bound to a document that had been ratified and voted on and that there is not point in having a government if documents are not followed.

A counter-argument was brought up in which GSS was allowed to hold referendum again despite referendum results from last year. Since a lot changes in a year, the UWSA should reserve the right to pass the referendum again.

El-Sabbagh did not agree with the fact that first-years do not have a voice in the referendum this year and stated that if the referendum were to be launched and passed she would agree with it fully.

At this point, the speaker’s list was closed.

BIRT the meeting go on a ten-minute recess

Moved: Shaheen Seconded: Webb
(All in favour) PASSED

Hamadani clarified that the UWSA did not give its support, but gave legal advice when asked if referendum results would be upheld from last year.

A first-year student who is pro-LSRC stated that using first-years and saying they need to vote is “beating around the bush”, because there will always be first-years, therefore it should not be used as an argument. Regarding international students, she said that it would be better to pass the fee now as tuition increases every year and it’ll be cheaper now than in the following years to come.

Another pro-LSRC student warned the Board that voting against accepting legal advice will cause students to view them negatively, and there are many layers on the issue and many people are uneducated regarding the decision-making body of the UWSA. Students will see a board that does not follow its word.

Tribble corrected the student in saying that all the information regarding the UWSA is available on various platforms. Students can learn about the UWSA through many information outlets.

UWSA residence representative Bueayong spoke to the accountability of the university by saying that passing the fee will improve the UWSA’s position with the university and will allow them to have more influence with the students and administration.

Elsayed agreed with many of sentiments displayed but disagreed in taking the “first-year voice” and “fourth-year legacy” arguments as legitimate. She took issue mainly with how the referendum was posed and its lack of limitation period, which in turn created an onus on the people. Regarding legal advice, she referred to it as advice which does not have to be taken.

Dunlop corrected a few statements thrown during the meeting such as the referendum posed 13 years ago being of the same magnitude as the 2016 LSRC referendum: the previous referendum was \$14million project and is not of equal force. The ARS fee board board Justin mentioned became a student-majority capital fee board. LSRC fee is not an operational fee (which comes from student tuition and amounts to approximately one million dollars per year for the University) but a capital fee. Also clarified that the three student unions (GSS, UWSA, OPUS) are autonomous organisations from the university of Windsor.

Zubic also mentioned that if the project does not receive student support then it will not move forward.

Hamadani clarified that the UWSA works on their own timeline as they are a separate entity from the UWSA and that their referendum policy is under review. There is no time limit for rescinding and rash decisions cannot be made about delicate matters. Also clarified that the UWSA council was neutral regarding the LSRC and that its membership voted in favour of the fee. They are not required to be neutral as it is a new board with a new vision.

He then addressed the observers and directors with a final talk. Found it concerning that students against students provokes activism, and made it clear that the UWSA's concerns are not with ancillary fees but with tuition fees. Clarified that he came to board to talk about the issue because it was not a decision to be made by executives alone. Spoke about how the UWSA received unwarranted backlash when membership voted in favour, and said that they have been working on the UWSA reputation for a while and do not pander to anyone. Mentioned that the UWSA paid \$800,000 for new Mondo track but did not receive any recognition. Asked all present to block out the administration, deans, renowned alumnus and resume benefits and to focus on the vulnerable students. The UWSA are between a rock and a hard place – told the Board to do what they see fit and to remember who voted them in.

BIRT the meeting move in-camera with executives

Moved: El-Abed **Seconded: Adams**
(All in favour) **PASSED**

BIRT the UWSA accept the legal advice provided August 15th 2016 regarding the LSRC Referendum that our results continue to be in force. **FAILED**

The following asked to have their stances noted in the minutes:

Shaheen was against; D'Aguiar was in favour; Tribble was in favour.

Abstaining parties asked to not be noted in the minutes.

BIRT the meeting move out of in-camera

PASSED

BIRT the meeting be adjourned

Moved: Elsayed **Seconded: Abunnadi**
(All in favour) **PASSED**

Meeting was adjourned at 11:10 PM.

- 6.0** Reports
- 6.1** Executive

- 6.2** Committee

- 6.3** Senate

- 7.0** Unfinished Business

- 8.0** New Business

- 9.0** Question Period

- 10.0** Adjournment – 11:10 PM