

# MINUTES

72nd Semi-Annual General Meeting of the British Columbia Federation of Students  
Wednesday, July 26 to Saturday, July 29, 2017

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19:01 the meeting was called to order by Chairperson Simka Marshall.

## 1. ACKNOWLEDGEMENT OF TERRITORY

Chairperson Marshall acknowledged the traditional territory of the Snuneymeux First Nations, on which the meeting would take place.

## 2. ROLL CALL OF MEMBER LOCAL UNIONS

Local 12 University of British Columbia Students' Union Okanagan	Present
Local 17 Camosun College Student Society	Present
Local 06 Douglas Students' Union	Present
Local 10 Emily Carr Students' Union	Present
Local 09 Kwantlen Student Association	Absent
Local 04 College of New Caledonia Students' Union	Present
Local 20 Northern British Columbia Graduate Student Society	Present
Local 15 North Island Students' Union	Present
Local 14 Northwest Community College Students' Union	Present
Local 01 Okanagan College Students' Union	Present
Local 02 Selkirk College Students' Union	Present
Local 05 Thompson Rivers University Students' Union	Present
Local 16 Students' Union of Vancouver Community College	Present
Local 13 Vancouver Island University Students' Union	Present

Marshall declared quorum had been achieved.

## 3. RATIFICATION OF PLENARY SPEAKER AND REVIEW OF PLENARY PROCEDURES

Marshall explained that the plenary was the formal decision-making assembly at the general meeting. She said that the Executive Committee was recommending Ashkon Hashemi be ratified as the Plenary Speaker. She said that Hashemi had a long history of involvement with the Federation, and had extensive experience chairing general and board meetings for students' unions and other organisations.

### 2017/07:001 MOTION

Local 5/Local 1

Be it resolved that Ashkon Hashemi be ratified as the plenary speaker of the 72<sup>nd</sup> semi-annual general meeting.

**CARRIED**

## 4. ADOPTION OF PLENARY AGENDA

### 2017/07:002 MOTION

Local 6/Local 2

Be it resolved that the plenary agenda for the 72<sup>nd</sup> Semi-Annual General Meeting be adopted.

**CARRIED**

## 5. ADOPTION OF GENERAL MEETING AGENDA

### 2017/07:003 MOTION

Local 20/Local 15

Be it resolved that the agenda for the 72<sup>nd</sup> Semi-Annual General Meeting be adopted.

**CARRIED**

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### 6. OVERVIEW OF PROCEDURES

#### a. Rules of Order and Plenary Procedures

Hashemi provided a brief overview of Robert's Rules of Order—the system of meeting rules and procedures that the Federation employs for plenary sessions, general meeting committee meetings, and caucus meetings.

#### b. Anti-Harassment Procedures for the General Meeting

Marshall said that the Federation strives to create an environment at its general meetings that is free of harassment. She said that Internal Affairs Policy F-1 (b) states “at each general meeting of the Federation, plenary shall strike a harassment grievances committee and ratify its members.” She said that the Committee shall be comprised of two women and one man and that two of the members shall be selected by Women's Caucus and the third shall be selected by plenary.

Marshall reported that the Women's Caucus selected Local 1 delegate Brianne Berchowitz and Local 17 delegate Rachel Grant to serve as members of the Harassment Grievances Committee. She said that the general meeting would now select a third, male member of the Committee.

Local 16 delegate Jenelle Davies nominated Local 13 delegate James Bowen. Bowen accepted the nomination.

#### 2017/07:004 MOTION

Local 1/Local 4

Be it resolved that Local 1 delegate Brianne Berchowitz, Local 17 delegate Rachel Grant, and Local 13 delegate James Bowen be ratified as members of the Harassment Grievances Committee.

**CARRIED**

#### c. Presentation by the Staff Relations Officer

Chairperson Simka Marshall, who served as the Federation's Staff Relations Officer, made a brief presentation on the collective agreement between the Federation and its employees as it pertains to the rights and responsibilities of Federation employees at general meetings.

### 7. ADOPTION OF 35th ANNUAL GENERAL MEETING MINUTES

#### 2017/07:005 MOTION

Local 2/Local 15

Be it resolved that the minutes of the 35<sup>th</sup> Annual General Meeting be adopted.

**CARRIED**

### 8. PREPARATION FOR COMMITTEES

#### a. Striking of General Meeting Committees

Hashemi said that as per Internal Affairs Policy F-2 the following committee were automatically struck:

- the Campaigns Committee;
- the Finance Committee;
- the Organizational and Services Development Committee; and
- the Policy Review and Development Committee.

#### b. Adoption of Committee Agendas

#### 2017/07:006 MOTION

Local 1/Local 17

Be it resolved that the Campaigns Committee agenda be adopted.

**CARRIED**

- 2017/07:007 MOTION**  
Local 1/Local 17  
Be it resolved that the Organizational and Services Development agenda be adopted.  
**CARRIED**
- 2017/07:008 MOTION**  
Local 1/Local 17  
Be it resolved that the Finance Committee agenda be adopted.  
**CARRIED**
- 2017/07:009 MOTION**  
Local 1/Local 17  
Be it resolved that the Policy Review and Development Committee agenda be adopted.  
**CARRIED**

## **9. PRESENTATION OF THE REPORT OF THE EXECUTIVE COMMITTEE**

Chairperson Marshall, Secretary-Treasurer Patigdas, Campaigns Coordinator Armutlu, and Services Coordinator Sullivan provided an overview of the Report of the Executive Committee.

- 2017/07:010 MOTION**  
Local 13/Local 10  
Be it resolved that the 2016-17 Report of the Executive Committee be adopted.  
**CARRIED**

## **10. CONSIDERATION OF MOTIONS**

### **a. Consideration of Motions Served with Due Notice**

Hashemi said the following motions had been submitted with due notice for consideration at the meeting.

- 2017/07:011 MOTION**  
Local 2/Local 16  
Whereas British Columbia's recent general election, completed May 9, 2017, resulted in a hung parliament with a tenuous balance of power; and  
Whereas a tenuous balance of power for government can be an opportunity for social movements to impact policy; and  
Whereas governing bodies of post-secondary institutions in British Columbia include majority factions of appointees assigned by orders-in-council (cabinet decision of government) on the advice of the Board Resourcing and Development Office; and  
Whereas the existing structure of representation on post-secondary institution governing bodies is undemocratic because those intended to represent the local community are appointed by a committee that may not include even one elected representative of the community; therefore  
Be it resolved that the Federation, in conjunction with coalition partners where appropriate, investigate and draft a campaign plan for consideration at the next general meeting to expand student representation within post-secondary institutions, including boards of governors, senates, education councils, and other bodies.
- 2017/07:012 MOTION TO REFER**  
Local 2/Local 13  
Be it resolved that Motion 2017/07:011 be referred to the Campaigns Committee.  
**CARRIED**
- 2017/07:011 REFERRED**
- 2017/07:013 MOTION**  
Local 2/ Local 16  
Whereas there is an ongoing crisis of leadership in the Canadian Federation of Students; and

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Whereas members of the National Executive, staff, and others associated with the Canadian Federation of Students have made slanderous accusations and insinuations about students and their leaders in British Columbia; and

Whereas the Canadian Federation of Students has illegally withheld funds from the British Columbia Federation of Students that are necessary to defend students' rights and interests; and

Whereas delegates to the June 2017 general meeting of the Canadian Federation of Students were told by representative of the Federation and delegates from other provinces to "put it in the past" and "get over it", referring to the ongoing schism between student movement leaders in British Columbia and the dysfunctional federal group; and

Whereas telling the subjects of an ongoing attack to "get past it" is gas lighting, a form of psychological manipulation that is highly prevalent tactic by abusers (the Canadian Federation of Students' leadership) in abusive relationships, because it implies that the real, objective experience of students in British Columbia is in fact imagined in an effort to confuse the subject, in this case members; and

Whereas delegates to the June 2017 general meeting of the Canadian Federation of Students reported that no action was taken on the part of the CFS's National Executive to address its crisis of leadership; therefore,

Be it resolved that a letter be sent the Canadian Federation of Students outlining the impacts of gas lighting as a form of psychological manipulation and condemning its use against students in British Columbia.

**2017/07:014 MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:013 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:013 REFERRED**

**2017/07:015 MOTION**

Local 2/Local 16

Whereas the Federation is a signatory of the Union of British Columbia Indian Chiefs' Coast Protectors, a pledge to support First Nations' struggle for self-determination in the establishment of energy projects on their territory; and

Whereas Indigenous Peoples have consistently and repeatedly rejected the Kinder Morgan pipeline and tanker project, including the arrest of UBCIC President, Grand Chief Stewart Phillip on Burnaby Mountain in November 2014; and

Whereas approval and construction of the Kinder Morgan pipeline is a violation of inherent Indigenous Title and Rights, and a violation of the United Nations' Declaration on the Rights of Indigenous Peoples; and

Whereas Alberta Premier Rachael Notley has made several public statements declaring the Government of Alberta's intention to force the construction of pipelines in the interest of oil companies; and

Whereas the Alberta NDP Government's support for pipeline construction stands in opposition to the decisions of Indigenous Peoples and their national governments; therefore,

Be it resolved that a letter be sent to Alberta Premier Rachael Notley condemning the Alberta NDP Government for its dismissal of Indigenous Peoples' right to national self-determination; and

Be it further resolved that member local unions be encouraged to circulate the Union of British Columbian Indian Chiefs' Coast Protectors pledge.

**2017/07:016 MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:015 be referred to the Campaigns Committee.

**CARRIED**

**2017/07:015 REFERRED**

- 2017/07:017 MOTION**  
 Local 2/Local 16  
 Whereas member local unions rely on the research produced by the Federation to engage in meaningful dialogue with government about access to education; and  
 Whereas many of the staple markers for access to education have not been explored by Federation researchers for several years; therefore  
 Be it resolved that up to date fact sheets on international education be created and presented no later than the next general meeting.
- 2017/07:018 MOTION TO REFER**  
 Local 2/Local 13  
 Be it resolved that Motion 2017/07:017 be referred to the Campaigns Committee.  
**CARRIED**
- 2017/07:017 REFERRED**
- 2017/07:019 MOTION**  
 Local 10/Local 16  
 Whereas members of institutional Boards of Governors are not professionals specializing in the post-secondary system; and  
 Whereas members of institutional Boards of Governors are required to decide on institutional budgets, possibly without all the requisite information; therefore  
 Be it resolved that a customizable backgrounder on post-secondary education issues be created for member locals to distribute to members of Boards of Governors; and  
 Be it further resolved that a toolkit be produced to provide resources to student representatives on Boards of Governors.
- 2017/07:020 MOTION TO REFER**  
 Local 2/Local 13  
 Be it resolved that Motion 2017/07:019 be referred to the Campaigns Committee.  
**CARRIED**
- 2017/07:019 REFERRED**
- 2017/07:021 MOTION TO AMEND INTERNAL AFFAIRS POLICY**  
 Local 6/Local 16  
 Whereas regulations about the Federation's general meetings exist in several different statutes;  
 Whereas a consolidation of those regulations would make finding the rules easier; and  
 Whereas certain regulations relating to the rights of members to participate ought to be in either internal policies or bylaws; therefore  
 Be it resolved that Internal Affairs Policy Section F, General Meetings be amended to include the following, with all remaining sub-sections renumber accordingly:
- 1. General Meeting Delegations and Delegate Fees**
    - a. Size of Delegations
 

Member local unions shall be permitted to send up to six (6) delegates to each annual and semi-annual general meeting at a rate subsidized by the Federation. Additional delegates may be sent at full cost recovery. No member local union shall be permitted to send more than fifteen (15) delegates.

Member local unions are encouraged to send a diverse delegation including constituency representatives to ensure that voting delegates at each general meeting represent the wider diversity found on our respective member local union campuses.
    - b. Setting of Delegates' Fees
 

The Federation shall assume the accommodation, food, and travel costs for the first delegate from each member local union for each annual and semi- annual general

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meeting. The Federation shall further subsidize the cost of an additional five (5) delegates per member local union by charging a reduced delegate fee which:

- i. shall be set on a meeting-to-meeting basis by the Executive Committee; and
- ii. shall not exceed \$250.00 for the first six delegates for a member local union.

Should a member local union wish to send additional delegates beyond those receiving subsidy, they shall be charged a fee per delegate that represents the full cost of all direct general meeting expenses.

c. Commitment to Pay Fees

Member local unions shall be responsible for paying delegate fees for all delegates whom they commit to the Federation to attend a BC general meeting, including any delegates who register and do not participate in the meeting. Registration will not be accepted from member local unions with outstanding delegate fees more than 180 days old.

d. Reduced Delegates' Fees for Smaller Budget Locals

Reduced delegates' fees shall be charged to any member local union with an annual net fee revenue of \$150,000 or less, as per a formula established by the Executive Committee.

e. Delegates' Fees for Non-Member Unions

The fee for a non-member local union shall be set by the Executive Committee prior to each general meeting, subject to the following:

- i. the fee shall be no less than twice the fee for a delegate of a member local union;
- ii. a scaled fee shall be charged to non-member local unions with an annual net fee revenue of \$150,000.00 or less, as per a formula established by the Executive Committee.

f. Travel Costs of Delegates

The travel costs of delegates attending BC general meetings shall be assumed by the Federation, notwithstanding that the Executive Committee shall have the authority to decide appropriate modes of transportation and maximum costs to be paid.

Be it further resolved that Internal Affairs Policy, Section F, General Meetings be amended to delete subsection 14, Composition of General Meeting Delegations, with remaining sections renumber accordingly; and

Be it further resolved Standing Resolution 6 be repealed, with remaining standing resolutions renumber accordingly.

**2017/07:022**

**MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:021 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:021**

**REFERRED**

**2017/07:023**

**MOTION TO AMEND INTERNAL AFFAIRS POLICY**

Local 6/Local 16

Whereas subsection one of the current internal policy on communications encourages member local unions to send hard copies of their student newspapers and board of director minutes to the BC office; and

Whereas the aforementioned documents now commonly exist online; and

Whereas the Societies Act of BC requires that all students' union board of director and general meeting minutes be publicly available; and

Whereas the subsection 2 of the policy is a statement of purpose of the organization rather than an internal policy; and

Whereas the policy exists of only those two subsections; therefore

Be it resolved that Internal Affairs Policy Section H, Communications, be repealed with all remaining sections renumber accordingly.

**2017/07:024**

**MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:023 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:023**

**REFERRED**

**2017/07:025**

**MOTION TO AMEND ISSUES POLICY**

Local 6/Local 16

Whereas some students' unions in BC have lobbied the government to allow institutions to be able to borrow money at market rates to build student housing; and

Whereas this practice would see students paying residences fees equal to or greater than market rents; and

Whereas student housing on campus should be a below-market cost option for students—particularly students new to the system, those from middle and low-income backgrounds, and students with families; and

Whereas the Federation believes that public institutions should be fully publicly funded, including their student and ancillary service offerings; therefore

Be it resolved that Education Issues Policy, Section I Housing, Subsections 1, 2 and 3 be replaced with the following:

**1. Public Funding and Fees for Student Housing**

Campus residences are a service provided to the student body that enhances post-secondary education accessibility, particularly for new students, students who move to attend a post-secondary institution, and student with families. On-campus housing should be available, affordable and of high quality, and should not be subject to fees and charges designed to generate profit for the institution, government or private investors.

The Federation supports:

- the construction of publically owned, funded and operated campus housing in communities with a shortage of affordable housing;
- the funding of campus housing projects directly by government through grants, and where necessary, long-term, interest-free loans;
- the maintenance of subsidize on-campus housing at varies of levels of subsidy to respond to varying levels of financial need among the student population;
- the creation and maintenance of variety of campus housing styles to serve the diverse student population including single students, couples, and families;
- the creation of fully funded community living services and activities to enhance and support the campus residence experience.

To aid in subsidizing student housing, the Federation supports:

- direct federal funding to post-secondary institutions for the construction of student housing;
- the granting, at no cost, of crown lands to post-secondary institutions as a venue for student housing; and
- fundraising initiatives by post-secondary institutions to raise funds for student housing.

Be it further resolved that the remaining subsections be renumbered accordingly.

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**2017/07:026      MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:025 be referred to the Policy Review and Development Committee.

**CARRIED**

**2017/07:025      REFERRED**

**2017/07:027      MOTION TO AMEND ISSUES POLICY**

Local 6/Local 16

Whereas BC's electoral system allows for unlimited financial donations, donations from unions and corporations, and donations from outside of British Columbia;

Whereas these electoral practices enable a small number of citizens and entities (including those representing interests outside of BC) to exercise enormous control over BC's political parties, and ultimately over the BC government;

Whereas for democracy to exist in a jurisdiction, citizens require equal access to the political system in that jurisdiction, and not a theoretical ability to cast an equal ballot;

Whereas the current system enables influence over government to be bought and sold, and without full public transparency and accountability; therefore

Be it resolved that Education Issues Policy, Section J Electoral Reform, be amended to add:

**7.    Election Finance**

The Federation supports:

- a complete ban on union and corporate donations to political parties;
- an annual cap on personal donations of \$1,500 per year, adjusted each year by the rate of change in the consumer price index;
- the public funding of political parties based on their vote share in the preceding general election; and
- increased regulation of the funding of third-party partisan campaigning during, and in the weeks preceding, an election.

**2017/07:028      MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:027 be referred to the Policy Review and Development Committee.

**CARRIED**

**2017/07:027      REFERRED**

**2017/07:029      MOTION**

Local 6/Local 16

Whereas the Federation has existing issues policy that articulates a series of improvements to the electoral system in BC that would improve democracy and increase youth participation;

Whereas the BC New Democrats and BC Liberals have both stated an intention to reform the provincial election laws; and

Whereas governments attempting to change the election rules or electoral system should accept submissions from citizens and citizen organizations before making substantive changes; and

Whereas the Federation has comprehensive policy on changes to the election laws in BC that would make the process more democratic, and increase student participation; therefore

Be it resolved that a submission on electoral reform in BC be developed with key recommendations to improve democracy and increase youth participation in the electoral system; and

Be it further resolved that a meeting be sought with each of the major parties in BC to present the submission.



**2017/07:030 MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:029 be referred to the Campaigns Committee.

**CARRIED**

**2017/07:029 REFERRED**

**2017/07:031 MOTION TO AMEND ISSUES POLICY**

Local 6/Local 16

Whereas the Federation’s existing issues policy on international students clearly lays out opposition to the practice of using international students to subsidize domestic post-secondary education;

Whereas the policy does not express support for mechanisms to curb this practice, or to bring fairness to the setting of international student fees on an annual basis;

Whereas the BC government has maintained a cap on domestic student tuition fees since 2005, and though deeply flawed in many ways, this cap has limited the cost inflation of post-secondary tuition fees in BC as compared to other provinces;

Whereas a cap or freeze on international student tuition fees would be a positive first step towards making international education in BC more fair for those students who are recruited from out of country to study in BC; and

Whereas the adoption of an issue policy on some reasonable first steps to make international education tuition fees more affordable and fair would provide necessary direction for the Federation’s campaigns and government relations work; therefore

Be it resolved that Issues Policy, Section E International Students, be amended to read:

**2. Differential Fees**

**Preamble**

The Federation recognizes the contribution international students make to Canadian society through cultural exchange, sharing of knowledge, and development of international relationships. The contributions made by international students are beneficial to both individual Canadians and institutions.

Many institutions actively recruit international students, not for the enhancement of the learning environment but solely to increase tuition fee revenues by charging differential tuition fees. These differentiated fees prevent all but the wealthiest international students from pursuing post-secondary education in Canada.

When setting tuition fee rates annually, many institutions use international student tuition fee increases as a means to offset projected budget shortfalls, or to generate more funds for institutional projects. When a majority of institutions engage in this practice, it creates a false “market rate” for international student fees, which only serves to justify further increases.

**Policy**

The Federation opposes government and institutional policies that promote recruitment of international students as a method of increasing revenues through the application of differential user fees.

The Federation supports such public policy mechanisms as tuition fee caps, freezes and reductions for international student tuition fees as a means to limit the use of international students as a budget balancing tool by institutions facing a projected deficit, or by institutions seeking to raise capital for a project or service.

**2017/07:032 MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:031 be referred to the Policy Review and Development Committee.

**CARRIED**

**2017/07:031 REFERRED**

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2017/07:033

### MOTION

Local 6/Local 16

Whereas Local 6 served a version of the following motion to the summer 2017 national general meeting of the Canadian Federation of Students(-Services); and

Whereas the motion was not included in the notice package, regardless of being submitted with the appropriate notice for consideration by member locals; and

Whereas is it more appropriate that the BC Component submit a motion regarding membership dues rather than an individual member local; therefore

Be it resolved that the following motion be served for consideration at the fall 2017 national general meeting of the Canadian Federation of Students(-Services):

“Whereas in the 1970’s university and college students in Canada were represented provincially and nationally by national and provincial organizations unconnected to one another and without any congruency of membership; and

Whereas, under these structure in the 1970’s, student unions could belong to either the national student advocacy organization, the National Union of Student (NUS), or the national student services organization, the Association of Student Councils-Canada (ASCC), or both; and

Whereas, under these structures, student unions could belong to their applicable provincial student advocacy organization, with or without belonging to either of the national student organizations; and

Whereas over time a consensus developed within the two national organizations and the four most established provincial organizations—BC Students’ Federation (BCSF), Federation of Alberta Students (FAS), Ontario Federation of Students (OFS), and Student Union of Nova Scotia (SUNS)—that students would be better served by all of them working together as part of a coordinated and united fashion; and

Whereas through a series of meetings and negotiations a vision for a more unified student movement developed in which each of these provincial and national organizations agreed to adopt a common statement of purpose and that each would work toward common memberships were applicable; and

Whereas, beyond those changes, each of the organizations—the two national organizations and the four provincial organizations—were to remain separately incorporated from one another with separate boards of directors, have full authority to adopt and maintain their own separate and distinct policy, be responsible for setting its own membership fee and collecting said fees, and in no way exercise authority over another; and

Whereas, in order to confirm this framework, written agreements were signed between the national organizations and the provincial ones; and

Whereas, amongst other things, the agreement between the Canadian Federation of Students and the Canadian Federation of Students – Pacific Region (CFS-PR) permits CFS-PR to use the name Canadian Federation of Students or the initials C.F.S. in its name for as long as the agreement is in effect though, importantly as you will read later on, did not obligate CFS-PR to use the name Canadian Federation of Student or the initials C.F.S.; and

Whereas most importantly, for the purpose of this motion, Clause 2 of the agreement states the following:

#### “(2) FEES

The provincial Component and the C.F.S. shall each be responsible for the collection of their own fees, which have been authorized by students at their local institution for payment to them, and shall be solely entitled to the benefit of the fees so collected.

The provision shall not preclude any additional arrangement between the parties regarding the procedure for the collection of such fees, provided the arrangement is not inconsistent with the provisions of this agreement.”

Whereas soon after an “additional arrangement between the parties regarding the procedure for the collection of such fees” was indeed put place; and

Whereas, in order to make it easier for member locals remitting fees, both parties agreed that the all CFS-PR (later CFS-BC and, even later, BCFS) fees and CFS fees would be made in one

common remittance to CFS-PR and that CFS-PR would then forward the CFS portion, without deduction and on a timely basis, to CFS; and

Whereas starting in 1990, with the adoption of the per member provincial allocation from the CFS, CFS agreed that CFS-BC (formerly CFS-PR) could transfer the CFS fee net of the allocation rather than transferring the gross amount and, later, receiving the allocation portion back from the CFS; and

Whereas the agreed upon arrangement, whereby all CFS fees would flow through the accounts of CFS-BC, remained in place for close to a quarter century; and

Whereas during this era every penny owing to CFS was transferred to CFS on a timely basis; and

Whereas in or around 2009, *CFS-BC/BCFS* agreed to an offer by CFS to take over the administration of membership fees remitted by BC member locals for the purpose of the understaffed CFS-BC/BCFS of the burden; and

Whereas CFS-BC/BCFS subsequently agreed to a proposal by CFS to receive its provincial allocation at the year-end in order to relieve CFS of the burden of having to calculate and remit it in numerous amounts over the course of the year; and

Whereas, initially, the new arrangement worked well, with CFS-BC/BCFS receiving its share of the fees, along with support documentation, on a regular basis; and

Whereas this changed abruptly in fall 2014 following the national general meeting in mid-October at which Bilan Arte, Anna Dubinski and Anne-Marie Roy were elected as CFS National Chairperson, Treasurer and National Deputy Chairperson respectively; and

Whereas, in response their vocal and notorious opposition to the uncontested election of these three individuals following an obviously coordinated re-organization of candidates previously identified as seeking election, BC member locals and their provincial organization, CFS-BC, were immediately targeted for retribution;

Whereas, an example of this was the withholding of fees by those working in the national office, because although BC member locals continued to remit their CFS-BC fees along with their CFS fees to CFS in accordance with the arrangement between CFS-BC and CFS and on the basis that CFS would transfer to CFS-BC its share of the fees, CFS instead withheld the CFS-BC fees; and

Whereas, even though CFS-BC was legally entitled to its component allocation for the previous year (2013-14), CFS refused to remit those; and

Whereas this organized and unjustified withholding of CFS-BC funds, orchestrated by those responsible for the CFS's financial management on a "day-to-day basis" continued throughout the 2014-15 membership year; and

Whereas, by the time CFS-BC and its member locals realized that the failure of CFS to transfer the fees and the allocation was not actually incompetence by CFS, but must be, due to the prime facia facts of the situation, intentional on the part of CFS, CFS-BC/BCFS was owed more than \$700,000; and

Whereas given that the total membership fees of CFS-BC/BCFS annually are little more than the amount that was being inappropriately withheld by CFS, it appeared to BC member local associations as an attempt by CFS to undermine the operational ability of CFS-BC/BCFS; and,

Whereas delegations from CFS-BC/BCFS attended multiple meetings of the National Executive between in 2015 and 2016 in an attempt to mediate the disputes between the CFS and CFS-BC/BCFS—its second largest provincial component—for the sake of preserving the functioning of the CFS; and

Whereas attempts by CFS-BC/BCFS to open dialogue at those meetings of the National Executive were met with a refusal to engage by the CFS Chairperson, CFS Deputy Chairperson and CFS Treasurer, and an insistence that there was nothing to discuss; and

Whereas, in response, most member locals in BC halted all fee transfers of any sort to CFS until the inappropriately withheld funds were recovered, and the guilty parties brought to light and held accountable; and

Whereas, at the behest of BC member locals wanting to know the amount of the funds inappropriately withheld by the CFS, BC Representative on the National Executive Jenelle Davies sought access to financial records of the CFS, a right of any member of the board of directors of corporation falling under the Canada Not-for-profit Corporations Act; and

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Whereas, despite having no right to do so, Treasurer Anna Dubinski unlawfully denied Davies access to CFS financial records; and

Whereas, despite a legal opinion commissioned by CFS from its primary legal counsel, Gowling WLG, in 2010 that unequivocally confirmed that the CFS would have no legal basis for denying a director access to the financial records, Dubinski unlawfully denied multiple subsequent requests by Davies for access; and

Whereas, when he took over as CFS Treasurer from Anna Dubinski in June 2016, Peyton Veitch was viewed by CFS-BC as someone who might take steps to make full restitution to CFS-BC and hold the guilty parties accountable; and

Whereas, instead and as described below, BC locals have recently learned that CFS is now, through its legal counsel, asserting that all CFS-BC/BCFS fees from the BCFS member local union Kwantlen Student Association (KSA) should be paid to CFS, which is in direct contravention of common law and the affiliation agreement referred to herein; and

Whereas, even though CFS-BC had sent correspondence to the KSA instructing it to remit CFS-BC fees directly to the CFS, the instruction had not been passed on to the university which does the actual remitting; and

Whereas, in summer 2016, CFS-BC learned from the KSA that it recommenced remitting CFS and CFS-BC fees to CFS, following a period during which it was withholding fees; and

Whereas, in response, CFS-BC once again sent instructions to the KSA to remit all CFS-BC fees directly to CFS-BC and, to request of CFS that it return to the KSA any CFS-BC fees that it had not passed on to the CFS-BC; and

Whereas, in response to that, legal counsel for the KSA sought clarification from CFS; and

Whereas, instead of acknowledging CFS-BC's sole and legitimate right to its fees, Treasurer Veitch and Chairperson Arte instructed CFS legal counsel to lay claim to those CFS-BC fees as the following verifies; and



November 30, 2016

**Via Email**

David Borins  
Borins & Company  
2600-1055 West Georgia Street  
P.O. Box 11170, Royal Centre  
Vancouver BC V6E 3R5

Todd J. Burke  
Direct +1 613 786 0226  
Direct Fax +1 613 788 3513  
todd.burke@gowlingwlg.com  
File no. 03402489

Dear Mr. Borins:

**Re: Kwantlen Student Association ("KSA") - Membership dues of Canadian Federation of Students ("CFS")/Canadian Federation of Students-Services ("CFS-S")/Canadian Federation of Students-British Columbia (CFS-BC)/British Columbia Federation of Students ("BCFS")**

I write in response to your letter dated November 22, 2016 on behalf of the Canadian Federation of Students ("CFS"). The Canadian Federation of Students-British Columbia ("CFS-BC") now known as the British Columbia Federation of Students ("BCFS") continues as a provincial component of the CFS.

We encourage the Kwantlen Student Association ("KSA") to continue to remit all fees to the CFS. Should there be any dispute in relation to this arrangement the BCFS is encouraged to contact the CFS to address those concerns. There is no basis to alter the status quo.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd J. Burke".

Todd J. Burke

TJB/ar

cc. Mark Underhill

Gowling WLG (Canada) LLP  
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Whereas in February 2017, Veitch and Arte instructed CFS legal counsel to issue another letter the KSA, again laying false claim to membership fees not belonging to the CFS; and



February 27, 2017  
**Via Email**

David Borins  
Borins & Company  
2600-1055 West Georgia Street  
P.O. Box 11170, Royal Centre  
Vancouver BC V6E 3R5

Todd J. Burke  
Direct +1 613 786 0226  
Direct Fax +1 613 788 3513  
todd.burke@gowlingwlg.com  
File no. 03402489

Dear Mr. Borins:

**Re: Kwantlen Student Association ("KSA") - Membership dues of Canadian Federation of Students ("CFS")/Canadian Federation of Students-Services ("CFS-S")/Canadian Federation of Students-British Columbia (CFS-BC)/British Columbia Federation of Students ("BCFS")**

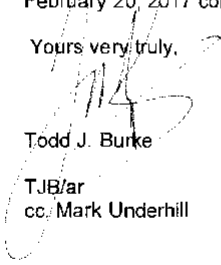
This is to acknowledge receipt of your letter dated February 20, 2017. As you are aware, the By-laws of the Canadian Federation of Students (CFS) are quite clear in relation to the payment of membership fees. The obligations of the Kwantlen Student Association (KSA) are as set out under By-law I (2)(vi) and (vii):

- (vi) A member shall be required to collect and remit to the Federation a member fee of \$3.00 per semester, per individual student member of the member local student association.
- (vii) In addition to Bylaw I, Section 2.a.vi, a member shall be required to collect and remit the membership fee of the Canadian Federation of Students-Services, as set out in the Bylaws of the Canadian Federation of Students-Services, and the applicable provincial component fee as set out by standing resolution. (emphasis added)

To eliminate any question, the KSA might have the CFS by-laws require that all fees be remitted to the CFS. Any issue as between the CFS and its provincial component are internal to CFS and should not be of concern to the KSA.

Given the clear obligations of the KSA under the by-laws of the CFS to which the KSA is contractually bound there is no requirement to proceed by way of a petition for interpleader relief as suggested in your February 20, 2017 correspondence.

Yours very truly,

  
Todd J. Burke

TJB/ar  
cc. Mark Underhill

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Whereas the CFS bylaw referenced by Mr. Burke was only adopted in 2014; and

Whereas Mr. Burke is or should have been made well aware, having been legal counsel for CFS for more than two decades, that “applicable provincial fee” does not apply (i.e. is not applicable) to separately incorporated provincial components such as CFS-BC and CFS-Ontario but, instead, to unincorporated provincial components such as CFS-Saskatchewan, hence the word “applicable”; and

Whereas, regardless, even if this language was intended to apply to all affiliated provincial organizations, CFS cannot unilaterally impose such terms on another corporation without that corporation agreeing, which CFS-BC and CFS-Ontario have not done; and

Whereas, the BCFS is not governed by the CFS bylaws any more that CFS is governed by the BCFS bylaws; and

Whereas this new Bylaw does not constitute an additional arrangement and, even if it did, which it does not, it is inconsistent with the provisions of affiliation agreement between CFS-BC and CFS that states:

“The provision shall not preclude any additional arrangement between the parties regarding the procedure for the collection of such fees, provided the arrangement is not inconsistent with the provisions of this agreement.”

Whereas, furthermore, the bylaws are rules internal to the CFS and, therefore, do not override the terms of a legally binding contract with another party (CFS-BC); and

Whereas it is inconceivable that legal counsel for CFS does not know these very basic elements of the law; and

Whereas a separate corporation such as BCFS cannot by definition be internal to another corporation such as CFS; and

Whereas the use of legal counsel for the purpose of inappropriately obtaining, withholding and benefitting from CFS-BC fees was never authorized by the CFS National Executive and, instead, was undertaken by Chair Bilan Arte and Treasurer Peyton Veitch; and

Whereas, as noted above, the affiliation agreement between CFS and CFS-BC permits, but does not obligate, CFS-BC to use the name Canadian Federation of Student and the initials C.F.S. in its name; and

Whereas, not wanting to be publicly associated with the lack of democracy and accountability within the Canadian Federation of Students, and in particular with the record of union busting, bylaw breaking, and rule circumventing among members of the self-titled “Executive At Large”, the members of the Canadian Federation of Student-British Columbia voted to change the name of their provincial organization to British Columbia Federation of Students (BCFS); and

Whereas BCFS did not, however, invoke the termination provisions set out in its affiliation agreement with CFS; and

Whereas, nevertheless, without any grounds and with a prior democratic decision of the membership or, most importantly, without taking even the first step of the many steps set out in the affiliation agreement for termination by CFS, Chairperson Bilan Arte walked into the July 2016 National Executive meeting and declared from her perspective as National Chairperson in front of what was mostly brand new National Executive members that the former CFS-BC was no longer an affiliated provincial component of the CFS; and

Whereas, at various times during the history of the CFS, CFS-Ontario went by the name Ontario Federation of Students for about a decade, and that CFS-Newfoundland and Labrador for years was known as the Newfoundland and Labrador Federation of Students; and

Whereas Chair Bilan Arte then proceeded to expel the BC Representative Jenelle Davies and former National Treasurer Michael Olson from the meeting because of their relationship to the BCFS; and

Whereas Davies was forced to hire legal counsel to defend her rights, including her right not to be arbitrarily and unlawfully barred from CFS board meeting; and

Whereas even though Arte was forced to back down and allow Davies re-entry into National Executive meetings and, after several months, conceded that BCFS remained an affiliated provincial organization, she never apologized for exceeding her authority or misleading the National Executive; and

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Whereas, in accordance with CFS Bylaws, a version of this motion was sent to the CFS head office six weeks prior to the June 2017 national general meeting for translation and inclusion in the general meeting motions package; and

Whereas the motion was unlawfully omitted from the motions package distributed to member locals; and

Whereas the CFS's legal counsel was engaged without the authority of the National Executive to attempt to undermine the right of members to serve motions for consideration; and

Whereas Chairperson Bilan Arte, Deputy Chairperson Anne-Marie Roy, and Treasurer Peyton Veitch deliberately and unlawfully omitted the motion from the motions package distributed to member locals; and

Whereas the CFS position adopted behind the back of the National Executive was that the "motion constitutes an ill-conceived effort on the part of authors to attempt to influence a... dispute between CFS and British Columbia Federation of Students", as if the members don't have an absolute right to submit motions regardless of how well conceived they are, and declaring that "the motion will not be entertained at the National Meeting"; and

Whereas the motion includes considerable background information and evidence; and

Whereas neither a lawyer working for a group of National Executive members, nor even the National Executive as a whole, has the right to declare a motion out of order or tamper with the process available to member locals to circulate proposals to the other member locals; and

Whereas the motion, as originally drafted, directly addressed the conduct of Arte, Roy, and Veitch, they should have recused themselves from any involvement with deciding the fate of the motion; and

Whereas Chairperson Arte and Deputy Chairperson Roy successfully manipulated the member local association's rights under the bylaws to hold them accountable for their actions before the expiration of their term; therefore

Be it further resolved that Peyton Veitch be censured as Treasurer for his role in the CFS' inappropriately obtaining, withholding and benefitting from CFS-BC/BCFS fees, specifically those CFS-BC/BCFS membership fees collected by the Kwantlen Student Association; and

Be it further resolved that the National Executive initiate the process for Mr. Veitch's removal from office; and

Be it further resolved that Todd Burke and Gowling WLG be terminated as legal counsel for CFS; and

Be it further resolved that the actions of CFS with respect to the inappropriately obtaining, withholding and benefitting from CFS-BC/BCFS fees, and its arbitrary declaration and assertion that CFS-BC/BCFS was not a provincial component be deemed a fundamental breach of trust by CFS/CFS-Services with respect to its BC member local associations."

**2017/07:034 MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:033 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:033 REFERRED**

**2017/07:035 MOTION**

Local 6/Local 16

Whereas Local 6 served a version of the following motion to the summer 2017 national general meeting of the Canadian Federation of Students(-Services); and

Whereas the motion was not included in the notice package, regardless of being submitted with the appropriate notice for consideration by member locals; therefore

Be it resolved that the following motion be served for consideration at the fall 2017 national general meeting of the Canadian Federation of Students(-Services):

"Whereas CFS Bylaw 1, Section 3.b.i. states that "each member of the Federation will have one (1) vote at and participate in general meetings of the Federation provided all outstanding delegate



fees for past meetings have been paid in full. This is subject to review by the National Executive on a case by case basis upon request”; and

Whereas since the start of 2015, CFS Treasurers—first Anna Dubinski and now Peyton Veitch—appear to have been extremely lax when it came to collecting outstanding delegate fees and, most importantly, enforcing Section 3.b.i. of Bylaw 1; and

Whereas the current BC Representative on the National Executive, Jenelle Davies, estimates that at least ten and as many as fifteen member locals that are actively attending national general meeting are actually ineligible to “vote at and participate in general meetings” due to owing delegate fees for past general meetings; and

Whereas for more than two years the current BC Representative on the National Executive, Jenelle Davies, has been seeking to exercise her right as a director of the CFS to examine the financial records in order to determine precisely which locals are ineligible to “vote at and participate in general meetings” due to owing delegate fees for past general meeting; and

Whereas for more than two years the so-called “Executive At-Large”, and specifically those serving in the Treasurer’s role, engaged in various tactics that, when taken together, constitute a strategy to limit the BC Representative on the National Executive Davies from examining the financial records of the CFS, which is her right under the Canada Not-For-Profit Corporation’s Act; and

Whereas, prior to the start of the fall 2016 national general meeting, Mr. Veitch, in his capacity as CFS Treasurer, had a duty and obligation to identify for the entire National Executive any member local not in compliance with Section 3.b.i. of Bylaw 1 so that those locals could be deemed ineligible to “vote at and participate in general meeting”; and

Whereas as a candidate for re-election as Treasurer at the fall 2016 national general meeting had an interest in ensuring that no member local that might be supporting him in the election was deemed ineligible to “vote at and participate in general meetings” due to owing delegate fees for past general meeting; and

Whereas Treasurer Peyton Veitch failed to inform the rest of the National Executive of this real or perceived conflict of interest, in violation of his fiduciary duties; and

Whereas the margin of victory for the Treasurer election was less than the suspected number of illegal votes cast in the election; and

Whereas, in accordance with CFS Bylaws, a version of this motion was sent to the CFS head office six weeks prior to this general meeting for translation and inclusion in the general meeting motions package; and

Whereas the motion was unlawfully omitted from the motions package distributed to member locals; and

Whereas the Federation’s legal counsel was engaged without the authority of the National Executive to attempt to undermine the right of members to serve motions for consideration; and

Whereas the argument put forward by the Federation’s legal counsel is incorrect in both point of fact (Mr. Burke argued that the motion was out of order because it sought to remove duly elected members of the national executive from office, when in fact it argued that the election itself was not valid and that those members were not actually elected; and because no party has the power to disallow or find out of order a duly served motion from a member local association outside of the meeting speaker); and

Whereas neither a lawyer working for CFS or a group of National Executive members, or even the National Executive as a whole, has the right to declare a motion out of order or tamper with the process available to member locals to circulate proposals to the other member locals; and

Whereas Chairperson Arte and Deputy Chairperson Roy successfully manipulated the member local association’s rights under the bylaws to hold them accountable for their actions before the expiration of their term; therefore

Be it resolved that the result of the election for CFS Treasurer for the 2017-18 term be overturned in light of the potential that the results were decided by ineligible and unlawful votes;

Be it further resolved that, in light of his role enabling the ineligible and unlawful votes and his failure to declare his conflict of interest in the matter, Peyton Veitch be declared ineligible to stand as a candidate in the by-election for CFS Treasurer; and

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Be it further resolved that Veitch be censured for tampering with the process set out in the Bylaws for member locals to communicate proposals to the other member locals in advance of the general meeting.”

**2017/07:036 MOTION TO REFER**

Local 2/Local 13

Be it resolved that Motion 2017/07:035 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:035 REFERRED**

**2017/07:037 MOTION**

Local 13/Local 16

Whereas Local 13 served a version of the following motion to the summer 2017 national general meeting of the Canadian Federation of Students(-Services); and

Whereas the motion was not included in the notice package, regardless of being submitted with the appropriate notice for consideration by member locals; and

Whereas is it more appropriate that the BC Component submit a motion regarding membership dues rather than an individual member local; therefore

Be it resolved that the following motion be served for consideration at the fall 2017 national general meeting of the Canadian Federation of Students(-Services):

“Whereas in 1992 the member locals voted to increase the combined CFS/CFS-Services’ membership fee from \$2.00 to \$3.00 per student per semester; and

Whereas at the same time the member locals voted in favour of annual increases in the fee, starting with the 1996-97 membership year, based on the rate of change in the Canadian Consumer Price Index during the prior calendar year; and

Whereas member locals established a two-year transition period for all locals to implement the new, higher base fee of \$3.00 per student per semester; and

Whereas by the start of the 1994-95 membership year most, but not all, locals had implemented the new, higher base fee of \$3.00 per student per semester, including all but one member local from British Columbia; and

Whereas most of the rest had the new, higher base membership fee implemented in time for the start of the 1995-96 membership year, including the one member local from British Columbia that had not implemented the higher fee during the original two-year transition period; and

Whereas by the end of the 1990s, while almost all member locals were collecting and remitting \$3.34 per student per semester (i.e. \$3.00 plus CPI adjustments), a handful of locals, exclusively from Ontario, were still collecting and remitting only the old base fee of \$2.00 per student per semester, including Carleton University Students’ Association (CUSA), and York Federation of Students (YFS); and

Whereas by the early 2000s all locals, other than the YFS, had implemented the correct base and almost all were remembering to implement the annual CPI adjustment;

Whereas, as the years progressed and until recently, CFS/CFS-Services continued to pursue the matter and discuss it as part of meetings of the National Executive, and regularly secured promises, however vague, from the YFS that the correct fee would be implemented; and

Whereas, as the combined CFS/CFS-Services’ membership fee with CPI adjustments surpassed \$4.00 per student per semester in 2010, the YFS continued to remit only \$2.00 per student per semester; and

Whereas today, twenty-three years after it was supposed to start collecting and remitting the higher base membership fee, the YFS continues to collect and remit the original fee of \$2.00 per student per semester established in 1981 (i.e. 36 years ago); and

Whereas the undergraduate students at York University, and their student union, continue to enjoy all of the rights and privileges of membership despite contributing less than half as much as students belonging to every other member local; and

Whereas, for the current membership year, while full-time undergraduate student at York University contributed \$2.00 per semester, full-time students elsewhere paid \$4.43 per semester—almost two and a half times as much; and

Whereas the shortfall between what the YFS should have remitted in membership fees over the years and what it actually remitted now exceeds \$1,000,000; and

Whereas the YFS has faced no penalties or sanctions and, in fact, has enjoyed the expanded influence in the organization associated with having a large number of its representatives move into leadership positions within the CFS/CFS-Services, including recent Ontario National Executive Representative Gayle McFadden; and

Whereas for many years the National Executive made sure that member locals were aware of the YFS's failure to collect and remit the correct membership fee in the hopes that the YFS would do the right thing and collect the correct amount; and

Whereas, in the past three years, it appears that Chairperson Bilan Arte, Deputy Chairperson Anne-Marie Roy, and Treasurer Peyton Veitch, along with their supporters on the National Executive have reversed that effort, dropping a proverbial cone of silence over the issue; and

Whereas Arte, Roy, Veitch, and their supporters on the National Executive (including recent Ontario Representative Gayle McFadden) have spent much of the past year demonizing various BC locals who are or may be withholding CFS/CFS-Services fees to protest the National Executive's flagrant disregard for the Bylaws and other democratic structures of the Federation; and

Whereas the combined amount of membership fees owed by all BC locals is less than the amount of membership fees owed by the York Federation of Students alone; and

Whereas Bylaw 1, Section 3.c. Responsibilities of Members, states that member local are responsible for upholding the bylaws and for ensuring that the Federation's fee is collected at their institutions; and

Whereas Bylaw 1, Section 5, Suspension and Expulsion of Members, states that "a member local student association may have its voting privileges suspended or may be expelled for violating its responsibilities as outlined in Bylaw 1, Section 3.c."; and

Whereas the York Federation of Students has been in violation of Bylaw 1, Section 3.c. for close to a quarter century; and

Whereas, in accordance with CFS Bylaws, a version of this motion was sent to the CFS head office six weeks prior to this general meeting for translation and inclusion in the general meeting motions package; and

Whereas the motion was inappropriately omitted from the motions package distributed to member locals; and

Whereas the Federation's legal counsel was engaged without the authority of the National Executive to attempt to undermine the right of members to serve motions for consideration; and

Whereas neither a lawyer working for a small group of National Executive members, or even the National Executive as a whole, has the right to declare a motion out of order or tamper with the process available to member locals for circulating motions to the other member locals; therefore

Be it resolved that the National Executive be directed to initiate the process for suspending the York Federation of Students' voting privileges, in accordance with Bylaw 1, Section 5.a., until the YFS starts remitting membership fees at the correct level; and

Be it further resolved that all current member locals be permitted to request and receive refunds of all of the membership fees they have paid in excess of the \$2.00 per student per semester that the YFS has been paying over the past twenty-three years; and

Be it further resolved that, in the event those fee refunds are not made, any member local wishing to do so be permitted to deduct those amounts in excess of \$2.00 per student per semester from future fee remittances, including from fees that are currently being withheld, until the full refund is recovered; and

Be it further resolved that any member local that is currently behind on its membership fee remittances but, by having paid more than the \$2.00 per student per semester paid by the YFS, has paid an effective rate in excess of \$2.00 per student per semester since 1994, be considered to be in compliance with Bylaw 1, Section 6.j.; and

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Be it further resolved that apologies be demanded from Ms. Arte, Ms. Roy, Mr. Veitch and their supporters on the National Executive for failing to pursue the more than \$1,000,000 owed by the YFS while, at the same time, threatening lawsuits over comparatively miniscule amounts owed by BC locals protesting flagrant violations of the CFS Bylaws and the Canada Not-for-profit Corporations Act; and

Be it further resolved that apologies be demanded from Ms. Arte, Ms. Roy, and Mr. Veitch for interfering with the process set out in the Bylaws for member locals to communicate motions to the other member locals in advance of the general meetings.”

**2017/07:038 MOTION TO REFER**  
Local 2/Local 13

Be it resolved that Motion 2017/07:037 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:037 REFERRED**

### **b. Consideration of Motions Served by the Executive Committee**

Hashemi said the following motion had been submitted by the Executive Committee for consideration at the meeting. He said it would require a mover and seconder during opening plenary.

**2017/07:039 MOTION TO ADOPT INTERNAL POLICY**  
Local 20/Local 1

Whereas delegates at the 35<sup>th</sup> Annual General Meeting resolved to create a Legal Defense Fund; and

Whereas delegates at the 35<sup>th</sup> Annual General Meeting directed the Executive Committee to develop terms of reference for the Fund; therefore

Be it resolved that the following Internal Affairs Policy be adopted:

#### **SECTION N**

#### **CFS Legal defense fund**

##### **1. Preamble**

Since Fall 2014, member local unions in British Columbia have raised concerns about serious issues with the operations of the Canadian Federation of Students and Canadian Federation of Students-Services (referred to collectively here as “the CFS”). Following several unsuccessful attempts address concerns with the CFS’ National Executive, member local unions in British Columbia resolved to seek a way to disaffiliate themselves and their members from those organizations.

The bylaws of the CFS prescribe power to the CFS’ National Executive over members in the referendum process on the basis that the National Executive will fairly and honestly administer the bylaws. However, since 2014 the National Executive has failed to uphold the bylaws on numerous occasions, including in relation to questions of membership. Further, select members of the National Executive working in the national office have demonstrated a willingness to act without the authority of the National Executive, including instigating legal action against a BC member local without knowledge of, or authority from, the National Executive.

Member local unions in British Columbia do not have equal access to financial resources to engage in legal battles with the CFS over respect of their rights as members. Therefore, at the January 2017 general meeting, delegates resolved to create a legal defense fund to help defray the legal costs of BC member local unions that may arise from exercising their rights under the CFS’ bylaws.

##### **2. Fund**

A Legal Defense Fund shall be maintained following an initial contribution of \$100,000 of retained earnings restricted for the Fund. Additional monies may be restricted to the Fund as necessary by resolution of the Executive Committee.

##### **3. Process**

- a. A member local union may apply in writing to the Executive Committee for assistance from the Fund.
- b. For matters instigated by CFS against a BC member local union between meetings of the Executive Committee, the Office Collective may authorize minimum payments to ensure a

member local is not at a legal disadvantage. All disbursements from the Fund must be ratified by the Executive Committee.

- c. To determine whether to support a legal challenge or defense with disbursements from the Fund, the Executive Committee shall base its decision on sound legal advice. Accordingly, a member local union requesting support shall authorize a representative of the Federation to receive an overview of the matter from said counsel, a summary of which shall be reported to the Executive Committee during a confidential session.
- d. The Office Collective shall have the authority to gather a legal opinion from the Federation's Counsel on any matter for which a request for support is received. The Federation's legal opinion may be shared with the respective member local union, subject to the advice of the Federation's counsel.

**4. Grants from the Fund**

- a. The level of support provided to a member local union from the Fund shall be determined by the Executive Committee, based on a recommendation from the Office Collective. In making a recommendation, the Office Collective may gather advice from the Federation's legal counsel regarding expected costs, fees, and charges.
- b. Support provided to a member local union shall not normally exceed \$10,000 per fiscal year, and shall be based on a cost-sharing model that may vary based on the size of the member local union.
- c. Notwithstanding the above, the Executive Committee may authorize larger disbursements for matters that are likely to set a precedent to which member local unions would need to adhere.
- d. In lieu of, or in addition to, the provision of support, the Federation may join a matter before the court as an intervener to support a member through its participation.

**5. Reporting**

- a. A member local union shall ensure that it regularly reports on the progress of its matter to the Federation, including making its legal counsel available for questions from the Federation's legal counsel to determine the ongoing viability of the matter.
- b. Use of the Legal Defense Fund will be reported to the Executive Committee at each meeting. Use of the Fund will also be reported in the Executive Committee's Annual Report to the membership at each semi-annual general meeting.
- c. Nothing herein is meant to limit the privileged relationship between a member local union and its legal representation, and the parties may sign a confidentiality agreement to provide comfort that matters discussed between the parties will not be publically disclosed.

**2017/07:040      MOTION TO REFER**  
 Local 6/Local 13

Be it resolved that Motion 2017/07:039 be referred to the Organizational and Services Development Committee.

**CARRIED**

**2017/07:039      REFERRED**

**11. LOGISTICAL ANNOUNCEMENTS**

Patigdas provided a series of logistical announcements.

**12. RECESS**

**2017/07:041      MOTION TO RECESS**  
 Local 4/Local 17

Be it resolved that the meeting recess until 9:30 am on Saturday, July 29, 2017.

**CARRIED**

19:45 the meeting recessed.

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9:52 the meeting was called to order by Plenary Speaker Hashemi.

### 1. ROLL CALL OF MEMBER LOCAL UNIONS

Local 12	University of British Columbia Students' Union Okanagan	Present
Local 17	Camosun College Student Society	Present
Local 06	Douglas Students' Union	Present
Local 10	Emily Carr Students' Union	Present
Local 09	Kwantlen Student Association	Absent
Local 04	College of New Caledonia Students' Union	Present
Local 20	Northern British Columbia Graduate Student Society	Present
Local 15	North Island Students' Union	Present
Local 14	Northwest Community College Students' Union	Present
Local 01	Okanagan College Students' Union	Present
Local 02	Selkirk College Students' Union	Present
Local 05	Thompson Rivers University Students' Union	Present
Local 16	Students' Union of Vancouver Community College	Present
Local 13	Vancouver Island University Students' Union	Present

Hashemi declared quorum to be present.

### 2. PRESENTATION OF THE FINANCE COMMITTEE REPORT

#### 2017/07:042 MOTION

Local 13/Local 5

Be it resolved that the 2017-18 budget be adopted as presented.

**CARRIED**

#### 2017/07:043 MOTION

Local 5/Local 17

Be it resolved that operational policy for the bulk purchase and mobile application services be developed.

**CARRIED**

#### 2017/07:044 MOTION

Local 15/Local 14

Be it resolved that the Report of the Finance Committee be adopted.

**CARRIED**

### 3. PRESENTATION OF THE POLICY REVIEW AND DEVELOPMENT COMMITTEE REPORT

#### a. Proposal to Amend Policy on Student Housing

#### 2017/07:025 MOTION TO AMEND ISSUES POLICY

Local 6/Local 16

Whereas some students' unions in BC have lobbied the government to allow institutions to be able to borrow money at market rates to build student housing; and

Whereas this practice would see students paying residences fees equal to or greater than market rents; and

Whereas student housing on campus should be a below-market cost option for students—particularly students new to the system, those from middle and low-income backgrounds, and students with families; and

Whereas the Federation believes that public institutions should be fully publicly funded, including their student and ancillary service offerings; therefore

Be it resolved that Education Issues Policy, Section I Housing, Subsections 1, 2 and 3 be replaced with the following:

#### 1. Public Funding and Fees for Student Housing

Campus residences are a service provided to the student body that enhances post-secondary education accessibility, particularly for new students, students who move to attend a post-secondary institution, and students with families. On-campus housing should be available, affordable and of high quality, and should not be subject to fees and charges designed to generate profit for the institution, government or private investors.

The Federation supports:

- the construction of publically owned, funded and operated campus housing in communities with a shortage of affordable housing;
- the funding of campus housing projects directly by government through grants, and where necessary, long-term, interest-free loans;
- the maintenance of subsidized on-campus housing at varies of levels of subsidy to respond to varying levels of financial need among the student population;
- the creation and maintenance of a variety of campus housing styles to serve the diverse student population including single students, couples, and families;
- the creation of fully funded community living services and activities to enhance and support the campus residence experience.

To aid in subsidizing student housing, the Federation supports:

- direct federal funding to post-secondary institutions for the construction of student housing;
- the granting, at no cost, of crown lands to post-secondary institutions as a venue for student housing; and
- fundraising initiatives by post-secondary institutions to raise funds for student housing.

2017/07:045

**MOTION TO AMEND**

Local 17/Local 13

Be it resolved that Motion 2017/07:025 be amended to read:

**1. Public Funding and Fees for Student Housing**

Campus residences are a service provided to the student body that enhances post-secondary education accessibility, particularly for new students, students who move to attend a post-secondary institution, and students with families. On- and off-campus housing should be available, affordable, inclusive, and of high quality, and should not be subject to fees and charges designed to generate profit and/or surplus revenue for the institution, government or private investors.

The Federation supports:

- the construction of publically owned, funded and operated campus housing in communities with a shortage of affordable housing;
- the funding of campus housing projects directly by government through grants, and where necessary, long-term, interest-free loans;
- the maintenance of subsidized student housing at multiple of levels of subsidy to respond to varying levels of financial need among the student population;
- the creation and maintenance of a variety of inclusive campus housing styles to serve the diverse student population including single students, couples, and families;
- the creation of fully funded community living services and activities to enhance and support the campus residence experience.

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To aid in subsidizing student housing, the Federation supports:

- direct federal funding to post-secondary institutions for the construction of student housing;
- the granting, at no cost, of crown lands to post-secondary institutions as a venue for student housing where it does not affect natural habitats and/or Indigenous land claims; and
- fundraising initiatives by post-secondary institutions to raise funds for student housing.

**CARRIED**

**2017/07:025 CARRIED AS AMENDED**

**b. Proposal to Amend Policy on Electoral Reform**

**2017/07:027 MOTION TO AMEND ISSUES POLICY**

Local 6/Local 16

Whereas BC's electoral system allows for unlimited financial donations, donations from unions and corporations, and donations from outside of British Columbia;

Whereas these electoral practices enable a small number of citizens and entities (including those representing interests outside of BC) to exercise enormous control over BC's political parties, and ultimately over the BC government;

Whereas for democracy to exist in a jurisdiction, citizens require equal access to the political system in that jurisdiction, and not a theoretical ability to cast an equal ballot;

Whereas the current system enables influence over government to be bought and sold, and without full public transparency and accountability; therefore

Be it resolved that Education Issues Policy, Section J Electoral Reform, be amended to add:

**7. Election Finance**

The Federation supports:

- a complete ban on union and corporate donations to political parties;
- an annual cap on personal donations of \$1,500 per year, adjusted each year by the rate of change in the consumer price index;
- the public funding of political parties based on their vote share in the preceding general election; and
- increased regulation of the funding of third-party partisan campaigning during, and in the weeks preceding, an election.

**2017/07:046 MOTION TO AMEND**

Local 1/Local 17

Be it resolved that Motion 2017/07:027 be amended to read:

**7. Election Finance**

The Federation supports:

- a complete ban on union and corporate donations to political parties;
- an annual cap on personal donations of \$1,500 per year, adjusted annually by the rate of change in the consumer price index;
- the public funding of political parties based on their vote share in the preceding general election; and
- increased regulation of the funding of third-party partisan campaigning during, and in the weeks preceding, an election.

**CARRIED**

**2017/07:027 CARRIED AS AMENDED**

**c. Proposal to Amend Policy on International Students**



**2017/07:031 MOTION TO AMEND ISSUES POLICY**

Local 6/Local 16

Whereas the Federation's existing issues policy on international students clearly lays out opposition to the practice of using international students to subsidize domestic post-secondary education;

Whereas the policy does not express support for mechanisms to curb this practice, or to bring fairness to the setting of international student fees on an annual basis;

Whereas the BC government has maintained a cap on domestic student tuition fees since 2005, and though deeply flawed in many ways, this cap has limited the cost inflation of post-secondary tuition fees in BC as compared to other provinces;

Whereas a cap or freeze on international student tuition fees would be a positive first step towards making international education in BC more fair for those students who are recruited to from out of country to study in BC; and

Whereas the adoption of an issue policy on some reasonable first steps to make international education tuition fees more affordable and fair would provide necessary direction for the Federation's campaigns and government relations work; therefore

Be it resolved that Issues Policy, Section E International Students, be amended to read:

**2. Differential Fees****Preamble**

The Federation recognizes the contribution international students make to Canadian society through cultural exchange, sharing of knowledge, and development of international relationships. The contributions made by international students are beneficial to both individual Canadians and institutions.

Many institutions actively recruit international students, not for the enhancement of the learning environment but solely to increase tuition fee revenues by charging differential tuition fees. These differentiated fees prevent all but the wealthiest international students from pursuing post-secondary education in Canada.

When setting tuition fee rates annually, many institutions use international student tuition fee increases as a means to offset projected budget shortfalls, or to generate more funds for institutional projects. When a majority of institutions engage in this practice, it creates a false "market rate" for international student fees, which only serves to justify further increases.

**Policy**

The Federation opposes government and institutional policies that promote recruitment of international students as a method of increasing revenues through the application of differential user fees.

The Federation supports such public policy mechanisms as tuition fee caps, freezes and reductions for international student tuition fees as a means to limit the use of international students as a budget balancing tool by institutions facing a projected deficit, or by institutions seeking to raise capital for a project or service.

**2017/07:047 MOTION TO AMEND**

Local 13/Local 17

Be it resolved that Motion 2017/07:031 be amended to read:

**2. Differential Tuition Fees****Preamble**

The Federation recognizes the contribution international students make to Canadian society through cultural exchange, sharing of knowledge, and development of international relationships. The contributions made by international students are beneficial to both individual Canadians and institutions.

Many institutions actively recruit international students, not for the enhancement of the learning environment but solely to increase tuition fee revenues by charging differential tuition

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fees. These differentiated fees prevent all but the wealthiest international students from pursuing post-secondary education in Canada.

When setting tuition fee rates annually, many institutions use international student tuition fee increases as a means to offset projected budget shortfalls, or to generate more funds for institutional projects. When a majority of institutions engage in this practice, it creates a false “market rate” for international student fees, which only serves to justify further increases.

### Policy

The Federation opposes government and institutional policies that promote recruitment of international students as a method of increasing revenues through the application of differential user fees.

The Federation supports public policy mechanisms such as tuition fee caps, freezes and reductions for international student tuition fees as a means to limit the use of international students as a budget balancing tool by institutions. This may include but is not limited to institutions facing a projected deficit or seeking to raise capital for a project or service.

### CARRIED

2017/07:031 **CARRIED AS AMENDED**

2017/07:048 **MOTION**

Local 6/Local 10

Be it resolved that the Report of the Policy Review and Development Committee be adopted.

### CARRIED

## 4. PRESENTATION OF THE ORGANIZATIONAL AND SERVICES DEVELOPMENT COMMITTEE REPORT

### a. Proposal to Write Letter to CFS about Gaslighting

2017/07:013 **MOTION**

Local 2/ Local 16

Whereas there is an ongoing crisis of leadership in the Canadian Federation of Students; and

Whereas members of the National Executive, staff, and others associated with the Canadian Federation of Students have made slanderous accusations and insinuations about students and their leaders in British Columbia; and

Whereas the Canadian Federation of Students has illegally withheld funds from the British Columbia Federation of Students that are necessary to defend students' rights and interests; and

Whereas delegates to the June 2017 general meeting of the Canadian Federation of Students were told by representative of the Federation and delegates from other provinces to “put it in the past” and “get over it”, referring to the ongoing schism between student movement leaders in British Columbia and the dysfunctional federal group; and

Whereas telling the subjects of an ongoing attack to “get past it” is gas lighting, a form of psychological manipulation that is highly prevalent tactic by abusers (the Canadian Federation of Students' leadership) in abusive relationships, because it implies that the real, objective experience of students in British Columbia is in fact imagined in an effort to confuse the subject, in this case members; and

Whereas delegates to the June 2017 general meeting of the Canadian Federation of Students reported that no action was taken on the part of the CFS's National Executive to address its crisis of leadership; therefore,

Be it resolved that a letter be sent the Canadian Federation of Students outlining the impacts of gas lighting as a form of psychological manipulation and condemning its use against students in British Columbia.

Local 16 delegate Davies spoke against the motion, but requested that it be noted that this was not because the Local believed that the CFS hasn't been doing those things referred to in the whereas clauses but because it the Local didn't agree that the resolution was strategically the right correspondence.

**DEFEATED****b. Proposal to Consolidate Policies on General Meetings****2017/07:021 MOTION TO AMEND INTERNAL AFFAIRS POLICY**

Local 6/Local 16

Whereas regulations about the Federation's general meetings exist in several different statutes;

Whereas a consolidation of those regulations would make finding the rules easier; and

Whereas certain regulations relating to the rights of members to participate ought to be in either internal policies or bylaws; therefore

Be it resolved that Internal Affairs Policy Section G, General Meetings be amended to include the following, with all remaining sub-sections renumber accordingly:

**1. General Meeting Delegations and Delegate Fees****a. Size of Delegations**

Member local unions shall be permitted to send up to six (6) delegates to each annual and semi-annual general meeting at a rate subsidized by the Federation. Additional delegates may be sent at full cost recovery. No member local union shall be permitted to send more than fifteen (15) delegates.

Member local unions are encouraged to send a diverse delegation including constituency representatives to ensure that voting delegates at each general meeting represent the wider diversity found on our respective member local union campuses.

**b. Setting of Delegates' Fees**

The Federation shall assume the accommodation, food, and travel costs for the first delegate from each member local union for each annual and semi-annual general meeting. The Federation shall further subsidize the cost of an additional five (5) delegates per member local union by charging a reduced delegate fee which:

- i. shall be set on a meeting-to-meeting basis by the Executive Committee; and
- ii. shall not exceed \$250.00 for the first six delegates for a member local union.

Should a member local union wish to send additional delegates beyond those receiving subsidy, they shall be charged a fee per delegate that represents the full cost of all direct general meeting expenses.

**c. Commitment to Pay Fees**

Member local unions shall be responsible for paying delegate fees for all delegates whom they commit to the Federation to attend a BC general meeting, including any delegates who register and do not participate in the meeting. Registration will not be accepted from member local unions with outstanding delegate fees more than 180 days old.

**d. Reduced Delegates' Fees for Smaller Budget Locals**

Reduced delegates' fees shall be charged to any member local union with an annual net fee revenue of \$150,000 or less, as per a formula established by the Executive Committee.

**e. Delegates' Fees for Non-Member Unions**

The fee for a non-member local union shall be set by the Executive Committee prior to each general meeting, subject to the following:

- i. the fee shall be no less than twice the fee for a delegate of a member local union;
- ii. a scaled fee shall be charged to non-member local unions with an annual net fee revenue of \$150,000.00 or less, as per a formula established by the Executive Committee.

**f. Travel Costs of Delegates**

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The travel costs of delegates attending BC general meetings shall be assumed by the Federation, notwithstanding that the Executive Committee shall have the authority to decide appropriate modes of transportation and maximum costs to be paid.

Be it further resolved that Internal Affairs Policy, Section G, General Meetings be amended to delete subsection 14, Composition of General Meeting Delegations, with remaining sections renumber accordingly; and

Be it further resolved Standing Resolution 6 be repealed, with remaining standing resolutions renumber accordingly.

**CARRIED**

**c. Proposal to Strike Policy on Communications**

**2017/07:023 MOTION TO AMEND INTERNAL AFFAIRS POLICY**

Local 6/Local 16

Whereas subsection one of the current internal policy on communications encourages member local unions to send hard copies of their student newspapers and board of director minutes to the BC office; and

Whereas the aforementioned documents now commonly exist online; and

Whereas the Societies Act of BC requires that all students' union board of director and general meeting minutes be publicly available; and

Whereas the subsection 2 of the policy is a statement of purpose of the organization rather than an internal policy; and

Whereas the policy exists of only those two subsections; therefore

Be it resolved that Internal Affairs Policy Section I, Communications, be repealed with all remaining sections renumber accordingly.

**CARRIED**

**d. Proposals to Serve Motions to the Fall 2017 CFS(-S) National General Meeting**

**2017/07:033 MOTION**

Local 6/Local 16

Whereas Local 6 served a version of the following motion to the summer 2017 national general meeting of the Canadian Federation of Students(-Services); and

Whereas the motion was not included in the notice package, regardless of being submitted with the appropriate notice for consideration by member locals; and

Whereas is it more appropriate that the BC Component submit a motion regarding membership dues rather than an individual member local; therefore

Be it resolved that the following motion be served for consideration at the fall 2017 national general meeting of the Canadian Federation of Students(-Services):

“Whereas in the 1970’s university and college students in Canada were represented provincially and nationally by national and provincial organizations unconnected to one another and without any congruency of membership; and

Whereas, under these structure in the 1970’s, student unions could belong to either the national student advocacy organization, the National Union of Student (NUS), or the national student services organization, the Association of Student Councils-Canada (ASCC), or both; and

Whereas, under these structures, student unions could belong to their applicable provincial student advocacy organization, with or without belonging to either of the national student organizations; and

Whereas over time a consensus developed within the two national organizations and the four most established provincial organizations—BC Students’ Federation (BCSF), Federation of Alberta Students (FAS), Ontario Federation of Students (OFS), and Student Union of Nova Scotia (SUNS)—that students would be better served by all of them working together as part of a coordinated and united fashion; and

Whereas through a series of meetings and negotiations a vision for a more unified student movement developed in which each of these provincial and national organizations agreed to adopt a common statement of purpose and that each would work toward common memberships were applicable; and

Whereas, beyond those changes, each of the organizations—the two national organizations and the four provincial organizations—were to remain separately incorporated from one another with separate boards of directors, have full authority to adopt and maintain their own separate and distinct policy, be responsible for setting its own membership fee and collecting said fees, and in no way exercise authority over another; and

Whereas, in order to confirm this framework, written agreements were signed between the national organizations and the provincial ones; and

Whereas, amongst other things, the agreement between the Canadian Federation of Students and the Canadian Federation of Students – Pacific Region (CFS-PR) permits CFS-PR to use the name Canadian Federation of Students or the initials C.F.S. in its name for as long as the agreement is in effect though, importantly as you will read later on, did not obligate CFS-PR to use the name Canadian Federation of Student or the initials C.F.S.; and

Whereas most importantly, for the purpose of this motion, Clause 2 of the agreement states the following:

“(2) FEES

The provincial Component and the C.F.S. shall each be responsible for the collection of their own fees, which have been authorized by students at their local institution for payment to them, and shall be solely entitled to the benefit of the fees so collected.

The provision shall not preclude any additional arrangement between the parties regarding the procedure for the collection of such fees, provided the arrangement is not inconsistent with the provisions of this agreement.”

Whereas soon after an “additional arrangement between the parties regarding the procedure for the collection of such fees” was indeed put place; and

Whereas, in order to make it easier for member locals remitting fees, both parties agreed that the all CFS-PR (later CFS-BC and, even later, BCFS) fees and CFS fees would be made in one common remittance to CFS-PR and that CFS-PR would then forward the CFS portion, without deduction and on a timely basis, to CFS; and

Whereas starting in 1990, with the adoption of the per member provincial allocation from the CFS, CFS agreed that CFS-BC (formerly CFS-PR) could transfer the CFS fee net of the allocation rather than transferring the gross amount and, later, receiving the allocation portion back from the CFS; and

Whereas the agreed upon arrangement, whereby all CFS fees would flow through the accounts of CFS-BC, remained in place for close to a quarter century; and

Whereas during this era every penny owing to CFS was transferred to CFS on a timely basis; and

Whereas in or around 2009, *CFS-BC/BCFS* agreed to an offer by CFS to take over the administration of membership fees remitted by BC member locals for the purpose of the understaffed CFS-BC/BCFS of the burden; and

Whereas CFS-BC/BCFS subsequently agreed to a proposal by CFS to receive its provincial allocation at the year-end in order to relieve CFS of the burden of having to calculate and remit it in numerous amounts over the course of the year; and

Whereas, initially, the new arrangement worked well, with CFS-BC/BCFS receiving its share of the fees, along with support documentation, on a regular basis; and

Whereas this changed abruptly in fall 2014 following the national general meeting in mid-October at which Bilan Arte, Anna Dubinski and Anne-Marie Roy were elected as CFS National Chairperson, Treasurer and National Deputy Chairperson respectively; and

Whereas, in response their vocal and notorious opposition to the uncontested election of these three individuals following an obviously coordinated re-organization of candidates previously identified as seeking election, BC member locals and their provincial organization, CFS-BC, were immediately targeted for retribution;

Whereas, an example of this was the withholding of fees by those working in the national office, because although BC member locals continued to remit their CFS-BC fees along with their CFS fees to CFS in accordance with the arrangement between CFS-BC and CFS and on the basis that CFS would transfer to CFS-BC its share of the fees, CFS instead withheld the CFS-BC fees; and

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Whereas, even though CFS-BC was legally entitled to its component allocation for the previous year (2013-14), CFS refused to remit those; and

Whereas this organized and unjustified withholding of CFS-BC funds, orchestrated by those responsible for the CFS's financial management on a "day-to-day basis" continued throughout the 2014-15 membership year; and

Whereas, by the time CFS-BC and its member locals realized that the failure of CFS to transfer the fees and the allocation was not actually incompetence by CFS, but must be, due to the prime facia facts of the situation, intentional on the part of CFS, CFS-BC/BCFS was owed more than \$700,000; and

Whereas given that the total membership fees of CFS-BC/BCFS annually are little more than the amount that was being inappropriately withheld by CFS, it appeared to BC member local associations as an attempt by CFS to undermine the operational ability of CFS-BC/BCFS; and,

Whereas delegations from CFS-BC/BCFS attended multiple meetings of the National Executive between in 2015 and 2016 in an attempt to mediate the disputes between the CFS and CFS-BC/BCFS—its second largest provincial component—for the sake of preserving the functioning of the CFS; and

Whereas attempts by CFS-BC/BCFS to open dialogue at those meetings of the National Executive were met with a refusal to engage by the CFS Chairperson, CFS Deputy Chairperson and CFS Treasurer, and an insistence that there was nothing to discuss; and

Whereas, in response, most member locals in BC halted all fee transfers of any sort to CFS until the inappropriately withheld funds were recovered, and the guilty parties brought to light and held accountable; and

Whereas, at the behest of BC member locals wanting to know the amount of the funds inappropriately withheld by the CFS, BC Representative on the National Executive Jenelle Davies sought access to financial records of the CFS, a right of any member of the board of directors of corporation falling under the Canada Not-for-profit Corporations Act; and

Whereas, despite having no right to do so, Treasurer Anna Dubinski unlawfully denied Davies access to CFS financial records; and

Whereas, despite a legal opinion commissioned by CFS from its primary legal counsel, Gowling WLG, in 2010 that unequivocally confirmed that the CFS would have no legal basis for denying a director access to the financial records, Dubinski unlawfully denied multiple subsequent requests by Davies for access; and

Whereas, when he took over as CFS Treasurer from Anna Dubinski in June 2016, Peyton Veitch was viewed by CFS-BC as someone who might take steps to make full restitution to CFS-BC and hold the guilty parties accountable; and

Whereas, instead and as described below, BC locals have recently learned that CFS is now, through it's legal counsel, asserting that all CFS-BC/BCFS fees from the BCFS member local union Kwantlen Student Association (KSA) should be paid to CFS, which is in direct contravention of common law and the affiliation agreement referred to herein; and

Whereas, even though CFS-BC had sent correspondence to the KSA instructing it to remit CFS-BC fees directly to the CFS, the instruction had not been passed on to the university which does the actual remitting; and

Whereas, in summer 2016, CFS-BC learned from the KSA that it recommenced remitting CFS and CFS-BC fees to CFS, following a period during which it was withholding fees; and

Whereas, in response, CFS-BC once again sent instructions to the KSA to remit all CFS-BC fees directly to CFS-BC and, to request of CFS that it return to the KSA any CFS-BC fees that it had not passed on to the CFS-BC; and

Whereas, in response to that, legal counsel for the KSA sought clarification from CFS; and

Whereas, instead of acknowledging CFS-BC's sole and legitimate right to its fees, Treasurer Veitch and Chairperson Arte instructed CFS legal counsel to lay claim to those CFS-BC fees as the following verifies; and



November 30, 2016

**Via Email**

David Borins  
Borins & Company  
2600-1055 West Georgia Street  
P.O. Box 11170, Royal Centre  
Vancouver BC V6E 3R5

Todd J. Burke  
Direct +1 613 786 0226  
Direct Fax +1 613 788 3513  
todd.burke@gowlingwlg.com  
File no. 03402489

Dear Mr. Borins:

**Re: Kwantlen Student Association ("KSA") - Membership dues of Canadian Federation of Students ("CFS")/Canadian Federation of Students-Services ("CFS-S")/Canadian Federation of Students-British Columbia (CFS-BC)/British Columbia Federation of Students ("BCFS")**

I write in response to your letter dated November 22, 2016 on behalf of the Canadian Federation of Students ("CFS"). The Canadian Federation of Students-British Columbia ("CFS-BC") now known as the British Columbia Federation of Students ("BCFS") continues as a provincial component of the CFS.

We encourage the Kwantlen Student Association ("KSA") to continue to remit all fees to the CFS. Should there be any dispute in relation to this arrangement the BCFS is encouraged to contact the CFS to address those concerns. There is no basis to alter the status quo.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd J. Burke".

Todd J. Burke

TJB/ar

cc. Mark Underhill

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Whereas in February 2017, Veitch and Arte instructed CFS legal counsel to issue another letter the KSA, again laying false claim to membership fees not belonging to the CFS; and



February 27, 2017  
Via Email

David Borins  
Borins & Company  
2600-1055 West Georgia Street  
P.O. Box 11170, Royal Centre  
Vancouver BC V6E 3R5

Todd J. Burke  
Direct +1 613 786 0226  
Direct Fax +1 613 788 3513  
todd.burke@gowlingwlg.com  
File no. 03402489

Dear Mr. Borins:

**Re: Kwantlen Student Association ("KSA") - Membership dues of Canadian Federation of Students ("CFS")/Canadian Federation of Students-Services ("CFS-S")/Canadian Federation of Students-British Columbia (CFS-BC)/British Columbia Federation of Students ("BCFS")**

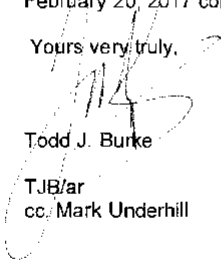
This is to acknowledge receipt of your letter dated February 20, 2017. As you are aware, the By-laws of the Canadian Federation of Students (CFS) are quite clear in relation to the payment of membership fees. The obligations of the Kwantlen Student Association (KSA) are as set out under By-law I (2)(vi) and (vii):

- (vi) A member shall be required to collect and remit to the Federation a member fee of \$3.00 per semester, per individual student member of the member local student association.
- (vii) In addition to Bylaw I, Section 2.a.vi, a member shall be required to collect and remit the membership fee of the Canadian Federation of Students-Services, as set out in the Bylaws of the Canadian Federation of Students-Services, and the applicable provincial component fee as set out by standing resolution. (emphasis added)

To eliminate any question, the KSA might have the CFS by-laws require that all fees be remitted to the CFS. Any issue as between the CFS and its provincial component are internal to CFS and should not be of concern to the KSA.

Given the clear obligations of the KSA under the by-laws of the CFS to which the KSA is contractually bound there is no requirement to proceed by way of a petition for interpleader relief as suggested in your February 20, 2017 correspondence.

Yours very truly,

  
Todd J. Burke

TJB/ar  
cc. Mark Underhill

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Whereas the CFS bylaw referenced by Mr. Burke was only adopted in 2014; and



Whereas Mr. Burke is or should have been made well aware, having been legal counsel for CFS for more than two decades, that “applicable provincial fee” does not apply (i.e. is not applicable) to separately incorporated provincial components such as CFS-BC and CFS-Ontario but, instead, to unincorporated provincial components such as CFS-Saskatchewan, hence the word “applicable”; and

Whereas, regardless, even if this language was intended to apply to all affiliated provincial organizations, CFS cannot unilaterally impose such terms on another corporation without that corporation agreeing, which CFS-BC and CFS-Ontario have not done; and

Whereas, the BCFS is not governed by the CFS bylaws any more that CFS is governed by the BCFS bylaws; and

Whereas this new Bylaw does not constitute an additional arrangement and, even if it did, which it does not, it is inconsistent with the provisions of affiliation agreement between CFS-BC and CFS that states:

“The provision shall not preclude any additional arrangement between the parties regarding the procedure for the collection of such fees, provided the arrangement is not inconsistent with the provisions of this agreement.”

Whereas, furthermore, the bylaws are rules internal to the CFS and, therefore, do not override the terms of a legally binding contract with another party (CFS-BC); and

Whereas it is inconceivable that legal counsel for CFS does not know these very basic elements of the law; and

Whereas a separate corporation such as BCFS cannot by definition be internal to another corporation such as CFS; and

Whereas the use of legal counsel for the purpose of inappropriately obtaining, withholding and benefitting from CFS-BC fees was never authorized by the CFS National Executive and, instead, was undertaken by Chair Bilan Arte and Treasurer Peyton Veitch; and

Whereas, as noted above, the affiliation agreement between CFS and CFS-BC permits, but does not obligate, CFS-BC to use the name Canadian Federation of Student and the initials C.F.S. in its name; and

Whereas, not wanting to be publicly associated with the lack of democracy and accountability within the Canadian Federation of Students, and in particular with the record of union busting, bylaw breaking, and rule circumventing among members of the self-titled “Executive At Large”, the members of the Canadian Federation of Student-British Columbia voted to change the name of their provincial organization to British Columbia Federation of Students (BCFS); and

Whereas BCFS did not, however, invoke the termination provisions set out in its affiliation agreement with CFS; and

Whereas, nevertheless, without any grounds and with a prior democratic decision of the membership or, most importantly, without taking even the first step of the many steps set out in the affiliation agreement for termination by CFS, Chairperson Bilan Arte walked into the July 2016 National Executive meeting and declared from her perspective as National Chairperson in front of what was mostly brand new National Executive members that the former CFS-BC was no longer an affiliated provincial component of the CFS; and

Whereas, at various times during the history of the CFS, CFS-Ontario went by the name Ontario Federation of Students for about a decade, and that CFS-Newfoundland and Labrador for years was known as the Newfoundland and Labrador Federation of Students; and

Whereas Chair Bilan Arte then proceeded to expel the BC Representative Jenelle Davies and former National Treasurer Michael Olson from the meeting because of their relationship to the BCFS; and

Whereas Davies was forced to hire legal counsel to defend her rights, including her right not to be arbitrarily and unlawfully barred from CFS board meeting; and

Whereas even though Arte was forced to back down and allow Davies re-entry into National Executive meetings and, after several months, conceded that BCFS remained an affiliated provincial organization, she never apologized for exceeding her authority or misleading the National Executive; and

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Whereas, in accordance with CFS Bylaws, a version of this motion was sent to the CFS head office six weeks prior to the June 2017 national general meeting for translation and inclusion in the general meeting motions package; and

Whereas the motion was unlawfully omitted from the motions package distributed to member locals; and

Whereas the CFS's legal counsel was engaged without the authority of the National Executive to attempt to undermine the right of members to serve motions for consideration; and

Whereas Chairperson Bilan Arte, Deputy Chairperson Anne-Marie Roy, and Treasurer Peyton Veitch deliberately and unlawfully omitted the motion from the motions package distributed to member locals; and

Whereas the CFS position adopted behind the back of the National Executive was that the "motion constitutes an ill-conceived effort on the part of authors to attempt to influence a... dispute between CFS and British Columbia Federation of Students", as if the members don't have an absolute right to submit motions regardless of how well conceived they are, and declaring that "the motion will not be entertained at the National Meeting"; and

Whereas the motion includes considerable background information and evidence; and

Whereas neither a lawyer working for a group of National Executive members, nor even the National Executive as a whole, has the right to declare a motion out of order or tamper with the process available to member locals to circulate proposals to the other member locals; and

Whereas the motion, as originally drafted, directly addressed the conduct of Arte, Roy, and Veitch, they should have recused themselves from any involvement with deciding the fate of the motion; and

Whereas Chairperson Arte and Deputy Chairperson Roy successfully manipulated the member local association's rights under the bylaws to hold them accountable for their actions before the expiration of their term; therefore

Be it further resolved that Peyton Veitch be censured as Treasurer for his role in the CFS' inappropriately obtaining, withholding and benefitting from CFS-BC/BCFS fees, specifically those CFS-BC/BCFS membership fees collected by the Kwantlen Student Association; and

Be it further resolved that the National Executive initiate the process for Mr. Veitch's removal from office; and

Be it further resolved that Todd Burke and Gowling WLG be terminated as legal counsel for CFS; and

Be it further resolved that the actions of CFS with respect to the inappropriately obtaining, withholding and benefitting from CFS-BC/BCFS fees, and its arbitrary declaration and assertion that CFS-BC/BCFS was not a provincial component be deemed a fundamental breach of trust by CFS/CFS-Services with respect to its BC member local associations."

**CARRIED**

**2017/07:035**

**MOTION**

Local 6/Local 16

Whereas Local 6 served a version of the following motion to the summer 2017 national general meeting of the Canadian Federation of Students(-Services); and

Whereas the motion was not included in the notice package, regardless of being submitted with the appropriate notice for consideration by member locals; therefore

Be it resolved that the following motion be served for consideration at the fall 2017 national general meeting of the Canadian Federation of Students(-Services):

"Whereas CFS Bylaw 1, Section 3.b.i. states that "each member of the Federation will have one (1) vote at and participate in general meetings of the Federation provided all outstanding delegate fees for past meetings have been paid in full. This is subject to review by the National Executive on a case by case basis upon request"; and

Whereas since the start of 2015, CFS Treasurers—first Anna Dubinski and now Peyton Veitch—appear to have been extremely lax when it came to collecting outstanding delegate fees and, most importantly, enforcing Section 3.b.i. of Bylaw 1; and

Whereas the current BC Representative on the National Executive, Jenelle Davies, estimates that at least ten and as many as fifteen member locals that are actively attending national general

meeting are actually ineligible to “vote at and participate in general meetings” due to owing delegate fees for past general meetings; and

Whereas for more than two years the current BC Representative on the National Executive, Jenelle Davies, has been seeking to exercise her right as a director of the CFS to examine the financial records in order to determine precisely which locals are ineligible to “vote at and participate in general meetings” due to owing delegate fees for past general meeting; and

Whereas for more than two years the so-called “Executive At-Large”, and specifically those serving in the Treasurer’s role, engaged in various tactics that, when taken together, constitute a strategy to limit the BC Representative on the National Executive Davies from examining the financial records of the CFS, which is her right under the Canada Not-For-Profit Corporation’s Act; and

Whereas, prior to the start of the fall 2016 national general meeting, Mr. Veitch, in his capacity as CFS Treasurer, had a duty and obligation to identify for the entire National Executive any member local not in compliance with Section 3.b.i. of Bylaw 1 so that those locals could be deemed ineligible to “vote at and participate in general meeting”; and

Whereas as a candidate for re-election as Treasurer at the fall 2016 national general meeting had an interest in ensuring that no member local that might be supporting him in the election was deemed ineligible to “vote at and participate in general meetings” due to owing delegate fees for past general meeting; and

Whereas Treasurer Peyton Veitch failed to inform the rest of the National Executive of this real or perceived conflict of interest, in violation of his fiduciary duties; and

Whereas the margin of victory for the Treasurer election was less than the suspected number of illegal votes cast in the election; and

Whereas, in accordance with CFS Bylaws, a version of this motion was sent to the CFS head office six weeks prior to this general meeting for translation and inclusion in the general meeting motions package; and

Whereas the motion was unlawfully omitted from the motions package distributed to member locals; and

Whereas the Federation’s legal counsel was engaged without the authority of the National Executive to attempt to undermine the right of members to serve motions for consideration; and

Whereas the argument put forward by the Federation’s legal counsel is incorrect in both point of fact (Mr. Burke argued that the motion was out of order because it sought to remove duly elected members of the national executive from office, when in fact it argued that the election itself was not valid and that those members were not actually elected; and because no party has the power to disallow or find out of order a duly served motion from a member local association outside of the meeting speaker); and

Whereas neither a lawyer working for CFS or a group of National Executive members, or even the National Executive as a whole, has the right to declare a motion out of order or tamper with the process available to member locals to circulate proposals to the other member locals; and

Whereas Chairperson Arte and Deputy Chairperson Roy successfully manipulated the member local association’s rights under the bylaws to hold them accountable for their actions before the expiration of their term; therefore

Be it resolved that the result of the election for CFS Treasurer for the 2017-18 term be overturned in light of the potential that the results were decided by ineligible and unlawful votes;

Be it further resolved that, in light of his role enabling the ineligible and unlawful votes and his failure to declare his conflict of interest in the matter, Peyton Veitch be declared ineligible to stand as a candidate in the by-election for CFS Treasurer; and

Be it further resolved that Veitch be censured for tampering with the process set out in the Bylaws for member locals to communicate proposals to the other member locals in advance of the general meeting.”

**CARRIED**

2017/07:037

**MOTION**

Local 13/Local 16

Whereas Local 13 served a version of the following motion to the summer 2017 national general meeting of the Canadian Federation of Students(-Services); and

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Whereas the motion was not included in the notice package, regardless of being submitted with the appropriate notice for consideration by member locals; and

Whereas is it more appropriate that the BC Component submit a motion regarding membership dues rather than an individual member local; therefore

Be it resolved that the following motion be served for consideration at the fall 2017 national general meeting of the Canadian Federation of Students(-Services):

"Whereas in 1992 the member locals voted to increase the combined CFS/CFS-Services' membership fee from \$2.00 to \$3.00 per student per semester; and

Whereas at the same time the member locals voted in favour of annual increases in the fee, starting with the 1996-97 membership year, based on the rate of change in the Canadian Consumer Price Index during the prior calendar year; and

Whereas member locals established a two-year transition period for all locals to implement the new, higher base fee of \$3.00 per student per semester; and

Whereas by the start of the 1994-95 membership year most, but not all, locals had implemented the new, higher base fee of \$3.00 per student per semester, including all but one member local from British Columbia; and

Whereas most of the rest had the new, higher base membership fee implemented in time for the start of the 1995-96 membership year, including the one member local from British Columbia that had not implemented the higher fee during the original two-year transition period; and

Whereas by the end of the 1990s, while almost all member locals were collecting and remitting \$3.34 per student per semester (i.e. \$3.00 plus CPI adjustments), a handful of locals, exclusively from Ontario, were still collecting and remitting only the old base fee of \$2.00 per student per semester, including Carleton University Students' Association (CUSA), and York Federation of Students (YFS); and

Whereas by the early 2000s all locals, other than the YFS, had implemented the correct base and almost all were remembering to implement the annual CPI adjustment;

Whereas, as the years progressed and until recently, CFS/CFS-Services continued to pursue the matter and discuss it as part of meetings of the National Executive, and regularly secured promises, however vague, from the YFS that the correct fee would be implemented; and

Whereas, as the combined CFS/CFS-Services' membership fee with CPI adjustments surpassed \$4.00 per student per semester in 2010, the YFS continued to remit only \$2.00 per student per semester; and

Whereas today, twenty-three years after it was supposed to start collecting and remitting the higher base membership fee, the YFS continues to collect and remit the original fee of \$2.00 per student per semester established in 1981 (i.e. 36 years ago); and

Whereas the undergraduate students at York University, and their student union, continue to enjoy all of the rights and privileges of membership despite contributing less than half as much as students belonging to every other member local; and

Whereas, for the current membership year, while full-time undergraduate student at York University contributed \$2.00 per semester, full-time students elsewhere paid \$4.43 per semester—almost two and a half times as much; and

Whereas the shortfall between what the YFS should have remitted in membership fees over the years and what it actually remitted now exceeds \$1,000,000; and

Whereas the YFS has faced no penalties or sanctions and, in fact, has enjoyed the expanded influence in the organization associated with having a large number of its representatives move into leadership positions within the CFS/CFS-Services, including recent Ontario National Executive Representative Gayle McFadden; and

Whereas for many years the National Executive made sure that member locals were aware of the YFS's failure to collect and remit the correct membership fee in the hopes that the YFS would do the right thing and collect the correct amount; and

Whereas, in the past three years, it appears that Chairperson Bilan Arte, Deputy Chairperson Anne-Marie Roy, and Treasurer Peyton Veitch, along with their supporters on the National Executive have reversed that effort, dropping a proverbial cone of silence over the issue; and

Whereas Arte, Roy, Veitch, and their supporters on the National Executive (including recent Ontario Representative Gayle McFadden) have spent much of the past year demonizing various BC locals who are or may be withholding CFS/CFS-Services fees to protest the National Executive's flagrant disregard for the Bylaws and other democratic structures of the Federation; and

Whereas the combined amount of membership fees owed by all BC locals is less than the amount of membership fees owed by the York Federation of Students alone; and

Whereas Bylaw 1, Section 3.c. Responsibilities of Members, states that member local are responsible for upholding the bylaws and for ensuring that the Federation's fee is collected at their institutions; and

Whereas Bylaw 1, Section 5, Suspension and Expulsion of Members, states that "a member local student association may have its voting privileges suspended or may be expelled for violating its responsibilities as outlined in Bylaw 1, Section 3.c."; and

Whereas the York Federation of Students has been in violation of Bylaw 1, Section 3.c. for close to a quarter century; and

Whereas, in accordance with CFS Bylaws, a version of this motion was sent to the CFS head office six weeks prior to this general meeting for translation and inclusion in the general meeting motions package; and

Whereas the motion was inappropriately omitted from the motions package distributed to member locals; and

Whereas the Federation's legal counsel was engaged without the authority of the National Executive to attempt to undermine the right of members to serve motions for consideration; and

Whereas neither a lawyer working for a small group of National Executive members, or even the National Executive as a whole, has the right to declare a motion out of order or tamper with the process available to member locals for circulating motions to the other member locals; therefore

Be it resolved that the National Executive be directed to initiate the process for suspending the York Federation of Students' voting privileges, in accordance with Bylaw 1, Section 5.a., until the YFS starts remitting membership fees at the correct level; and

Be it further resolved that all current member locals be permitted to request and receive refunds of all of the membership fees they have paid in excess of the \$2.00 per student per semester that the YFS has been paying over the past twenty-three years; and

Be it further resolved that, in the event those fee refunds are not made, any member local wishing to do so be permitted to deduct those amounts in excess of \$2.00 per student per semester from future fee remittances, including from fees that are currently being withheld, until the full refund is recovered; and

Be it further resolved that any member local that is currently behind on its membership fee remittances but, by having paid more than the \$2.00 per student per semester paid by the YFS, has paid an effective rate in excess of \$2.00 per student per semester since 1994, be considered to be in compliance with Bylaw 1, Section 6.j.; and

Be it further resolved that apologies be demanded from Ms. Arte, Ms. Roy, Mr. Veitch and their supporters on the National Executive for failing to pursue the more than \$1,000,000 owed by the YFS while, at the same time, threatening lawsuits over comparatively miniscule amounts owed by BC locals protesting flagrant violations of the CFS Bylaws and the Canada Not-for-profit Corporations Act; and

Be it further resolved that apologies be demanded from Ms. Arte, Ms. Roy, and Mr. Veitch for interfering with the process set out in the Bylaws for member locals to communicate motions to the other member locals in advance of the general meetings."

**2017/07:049****MOTION**

Local 5/Local 17

Be it resolved that Motion 2017/07:037 be amended to remove the final two clauses.

**CARRIED****2017/07:037****CARRIED AS AMENDED**

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### **d. Proposal to Adopt Terms of Reference for Legal Defense Fund**

#### **2017/07:039 MOTION TO ADOPT INTERNAL POLICY**

Local 20/Local 16

Whereas delegates at the 35<sup>th</sup> Annual General Meeting resolved to create a Legal Defense Fund;  
and

Whereas delegates at the 35<sup>th</sup> Annual General Meeting directed the Executive Committee to  
develop terms of reference for the Fund; therefore

Be it resolved that the following Internal Affairs Policy be adopted:

#### **SECTION N**

##### **CFS Legal defense fund**

##### **1. Preamble**

Since Fall 2014, member local unions in British Columbia have raised concerns about serious issues with the operations of the Canadian Federation of Students and Canadian Federation of Students-Services (referred to collectively here as “the CFS”). Following several unsuccessful attempts address concerns with the CFS’ National Executive, member local unions in British Columbia resolved to seek a way to disaffiliate themselves and their members from those organizations.

The bylaws of the CFS prescribe power to the CFS’ National Executive over members in the referendum process on the basis that the National Executive will fairly and honestly administer the bylaws. However, since 2014 the National Executive has failed to uphold the bylaws on numerous occasions, including in relation to questions of membership. Further, select members of the National Executive working in the national office have demonstrated a willingness to act without the authority of the National Executive, including instigating legal action against a BC member local without knowledge of, or authority from, the National Executive.

Member local unions in British Columbia do not have equal access to financial resources to engage in legal battles with the CFS over respect of their rights as members. Therefore, at the January 2017 general meeting, delegates resolved to create a legal defense fund to help defray the legal costs of BC member local unions that may arise from exercising their rights under the CFS’ bylaws.

##### **2. Fund**

A Legal Defense Fund shall be maintained following an initial contribution of \$100,000 of retained earnings restricted for the Fund. Additional monies may be restricted to the Fund as necessary by resolution of the Executive Committee.

##### **3. Process**

- a. A member local union may apply in writing to the Executive Committee for assistance from the Fund.
- b. For matters instigated by CFS against a BC member local union between meetings of the Executive Committee, the Office Collective may authorize minimum payments to ensure a member local is not at a legal disadvantage. All disbursements from the Fund must be ratified by the Executive Committee.
- c. To determine whether to support a legal challenge or defense with disbursements from the Fund, the Executive Committee shall base its decision on sound legal advice. Accordingly, a member local union requesting support shall authorize a representative of the Federation to receive an overview of the matter from said counsel, a summary of which shall be reported to the Executive Committee during a confidential session.
- d. The Office Collective shall have the authority to gather a legal opinion from the Federation’s Counsel on any matter for which a request for support is received. The Federation’s legal opinion may be shared with the respective member local union, subject to the advice of the Federation’s counsel.

##### **4. Grants from the Fund**

- a. The level of support provided to a member local union from the Fund shall be determined by the Executive Committee, based on a recommendation from the Office Collective. In making a recommendation, the Office Collective may gather advice from the Federation’s legal counsel regarding expected costs, fees, and charges.

- b. Support provided to a member local union shall not normally exceed \$10,000 per fiscal year, and shall be based on a cost-sharing model that may vary based on the size of the member local union.
- c. Notwithstanding the above, the Executive Committee may authorize larger disbursements for matters that are likely to set a precedent to which member local unions would need to adhere.
- d. In lieu of, or in addition to, the provision of support, the Federation may join a matter before the court as an intervener to support a member through its participation.

**5. Reporting**

- a. A member local union shall ensure that it regularly reports on the progress of its matter to the Federation, including making its legal counsel available for questions from the Federation's legal counsel to determine the ongoing viability of the matter.
- b. Use of the Legal Defense Fund will be reported to the Executive Committee at each meeting. Use of the Fund will also be reported in the Executive Committee's Annual Report to the membership at each semi-annual general meeting.
- c. Nothing herein is meant to limit the privileged relationship between a member local union and its legal representation, and the parties may sign a confidentiality agreement to provide comfort that matters discussed between the parties will not be publicly disclosed.

**CARRIED**

**2017/07:050**

**MOTION**

Local 6/Local 20

Be it resolved that the Report of the Organizational and Services Development Committee be adopted.

**CARRIED**

**5. PRESENTATION OF THE CAMPAIGNS COMMITTEE REPORT**

**a. Proposal to Expand Student Representation on Institutional Bodies**

**2017/07:011**

**MOTION**

Local 2/Local 16

Whereas British Columbia's recent general election, completed May 9, 2017, resulted in a hung parliament with a tenuous balance of power; and

Whereas a tenuous balance of power for government can be an opportunity for social movements to impact policy; and

Whereas governing bodies of post-secondary institutions in British Columbia include majority factions of appointees assigned by orders-in-council (cabinet decision of government) on the advice of the Board Resourcing and Development Office; and

Whereas the existing structure of representation on post-secondary institution governing bodies is undemocratic because those intended to represent the local community are appointed by a committee that may not include even one elected representative of the community; therefore

Be it resolved that the Federation, in conjunction with coalition partners where appropriate, investigate and draft a campaign plan for consideration at the next general meeting to expand student representation within post-secondary institutions, including boards of governors, senates, education councils, and other bodies.

**CARRIED**

**b. Proposal to Support Coast Protectors Campaign**

**2017/07:015**

**MOTION**

Local 2/Local 16

Whereas the Federation is a signatory of the Union of British Columbia Indian Chiefs' Coast Protectors, a pledge to support First Nations' struggle for self-determination in the establishment of energy projects on their territory; and

Whereas Indigenous Peoples have consistently and repeatedly rejected the Kinder Morgan pipeline and tanker project, including the arrest of UBCIC President, Grand Chief Stewart Phillip on Burnaby Mountain in November 2014; and

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Whereas approval and construction of the Kinder Morgan pipeline is a violation of inherent Indigenous Title and Rights, and a violation of the United Nations' Declaration on the Rights of Indigenous Peoples; and

Whereas Alberta Premier Rachael Notley has made several public statements declaring the Government of Alberta's intention to force the construction of pipelines in the interest of oil companies; and

Whereas the Alberta NDP Government's support for pipeline construction stands in opposition to the decisions of Indigenous Peoples and their national governments; therefore,

Be it resolved that a letter be sent to Alberta Premier Rachael Notley condemning the Alberta NDP Government for its dismissal of Indigenous Peoples' right to national self-determination; and

Be it further resolved that member local unions be encouraged to circulate the Union of British Columbian Indian Chiefs' Coast Protectors pledge.

**CARRIED**

**2017/07:051**

**MOTION**

Local 13/Local 4

Be it resolved that Motion-2017/07:015 be amended to read:

"Be it resolved that a letter be sent to Alberta Premier Rachael Notley condemning the Alberta Government for its dismissal of Indigenous Peoples' right to national self-determination and its attempt to undermine the democratic will of BC citizens;

Be it further resolved that a letter be sent to BC Premier John Horgan expressing the Federation's support for the BC government's work to prevent the twinning of the Kinder Morgan Pipeline;

Be it further resolved that a letter be sent to Prime Minister Justin Trudeau condemning the federal government's approval of the Kinder Morgan project and demanding that the project's approval be reversed; and

Be it further resolved that member local unions be encouraged to circulate the Union of British Columbian Indian Chiefs' Coast Protectors pledge."

**2017/07:052**

**MOTION**

Local 16/Local 6

Be it resolved that Motion-2017/07:051 be amended to read:

"Be it resolved that a letter be sent to BC Premier John Horgan expressing the Federation's support for the BC government's work to prevent the twinning of the Kinder Morgan Pipeline;

Be it further resolved that a letter be sent to Prime Minister Justin Trudeau condemning the federal government's approval of the Kinder Morgan project and demanding that the project's approval be reversed; and

Be it further resolved that member local unions be encouraged to circulate the Union of British Columbian Indian Chiefs' Coast Protectors pledge."

**CARRIED**

**2017/07:051**

**CARRIED AS AMENDED**

**2017/07:015**

**CARRIED AS AMENDED**

**c. Proposal to Develop Factsheet on International Education**

**2017/07:017**

**MOTION**

Local 2/Local 16

Whereas member local unions rely on the research produced by the Federation to engage in meaningful dialogue with government about access to education; and

Whereas many of the staple markers for access to education have not been explored by Federation researchers for several years; therefore

Be it resolved that up to date fact sheets on international education be created and presented no later than the next general meeting.

**CARRIED**



**d. Proposal to Develop Toolkit for Student Representatives on Boards of Governors****2017/07:019 MOTION**

Local 10/Local 16

Whereas members of institutional Boards of Governors are not professionals specializing in the post-secondary system; and

Whereas members of institutional Boards of Governors are required to decide on institutional budgets, possibly without all the requisite information; therefore

Be it resolved that a customizable backgrounder on post-secondary education issues be created for member locals to distribute to members of Boards of Governors; and

Be it further resolved that a toolkit be produced to provide resources to student representatives on Boards of Governors.

**CARRIED****e. Proposal to Develop Submission on Electoral Reform****2017/07:023 MOTION**

Local 6/Local 16

Whereas the Federation has existing issues policy that articulates a series of improvements to the electoral system in BC that would improve democracy and increase youth participation;

Whereas the BC New Democrats and BC Liberals have both stated an intention to reform the provincial election laws; and

Whereas governments attempting to change the election rules or electoral system should accept submissions from citizens and citizen organizations before making substantive changes; and

Whereas the Federation has comprehensive policy on changes to the election laws in BC that would make the process more democratic, and increase student participation; therefore

Be it resolved that a submission on electoral reform in BC be developed with key recommendations to improve democracy and increase youth participation in the electoral system; and

Be it further resolved that a meeting be sought with each of the major parties in BC to present the submission.

**CARRIED****f. Motions Developed by the Committee****2017/07:053 MOTION**

Local 20/Local 12

Be it resolved that the 2017-18 Campaigns and Government Relations Plan be adopted.

**CARRIED****2017/07:054 MOTION**

Local 20/Local 5

Be it resolved that the Executive Committee investigate adding the \$10aDay Childcare campaign as a Coalition Campaign in the Campaigns and Government Relations Plan.

**CARRIED****2017/07:055 MOTION**

Local 16/Local 13

Be it resolved that the Report of the Campaigns Committee be adopted.

**CARRIED****6. PRESENTATION OF CAUCUS REPORTS**

Caucus facilitators provided reports on the discussions of the caucuses including Aboriginal Students, Racialised Students, Queer Students, Graduate Students and Students with Disabilities and/or Special Needs.

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### **7. OTHER BUSINESS**

**2017/07:056**

**MOTION**

Local 5/Local 4

Whereas the recent wildfires have left communities devastated throughout British Columbia; and

Whereas cash donations are the most effective method of supporting relief efforts; therefore

Be it resolved that a donation of \$2,000 be made to the Red Cross to aid in providing the necessary resources for those affected by the wildfires in British Columbia.

**CARRIED UNANIMOUSLY**

### **8. LOGISTICAL ANNOUNCEMENTS**

A series of logistical announcements was provided.

### **9. ADJOURNMENT**

**2017/07:057**

**MOTION TO ADJOURN**

Local 1/Local 2

Be it resolved that the meeting adjourn.

**CARRIED**

10:40 the meeting was adjourned.