

## REFORM THE CFS, YOU SAY?

A wave of dissent has emerged amongst the members of the Canadian Federation of Students (CFS), and members in locals representing more than 200,000 students are making their voices heard.

Over the past three decades, the CFS has become a corporate bureaucracy; its litigious streak has been compared unfavourably in the national media to coal mining companies and criminal organizations.

Although the vicious litigious nature of the CFS has silenced those that would reform or criticize the organization, students across the country have finally had enough.

The student movement should **not** be:

- A highly centralized bureaucracy;
- A corporate merchandising enterprise;
- Tyrannical and anti-democratic;
- Litigious and preoccupied with self-preservation;
- Preoccupied with image, branding and marketing pre-fabricated messages;
- Run by out-of-touch, ex-student politicians turned permanent staff.

A healthy and vital student movement **should** be:

- Open and participatory;
- Genuinely democratic and responsive to the will of its members;
- Decentralized and adaptive;
- Goal oriented and pragmatic;
- Resilient and compassionate;
- Transparent and accountable;
- Fair and democratic in its affiliation and disaffiliation processes.

The goal of the following package is to apply basic democratic tenets and organizing principles to the CFS. Students across Canada expect governments to uphold these principles – let us lead by example.

For years, critics have been challenged to reform the CFS from the inside, even as the opportunities for defederation were culled away; with this package, we take up that gauntlet. Taken together, these reforms contain the changes that we, the dissatisfied members of the Canadian Federation of Students, genuinely believe to be necessary to save the organization. These reforms must pass if the CFS is to shake off its institutional lethargy and make real advances for students' interests; with these small changes, the Federation will be able to move forward in a transparent and open manner, instead of scrambling to hold onto dissatisfied locals.

For years, we have also been told that any criticism of the CFS and its policies must necessarily be evidence of a conservative, separatist, anti-democratic, chauvinist plot against the student movement. But what is actually more realistic? That more than a dozen member locals from across the country are controlled by elitist cabals of conservative separatists, or that a multi-million-dollar organization has a problem with entrenched central control?

For those open to reform, we look forward to meeting with you; for those with an interest in the status quo, we ask that you let the members of CFS make up their own minds.

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# ACCOUNTABILITY, TRANSPARENCY, & FINANCIAL REFORMS

## ***1. Motion to end consolidation of CFS/CFS-Services financial statements***

WHEREAS the presentation of Consolidated Financial Statements for both the Canadian Federation of Students (CFS) and its subsidiary the Canadian Federation of Students – Services (CFS-S) represents a significant departure from Canadian generally accepted accounting principles;

WHEREAS this fact is recognized explicitly in the CFS' own audited financial statements;

WHEREAS the above-mentioned consolidation impairs the ability of the Canadian Federation of Students to credibly maintain its stated position that the CFS and CFS-S are separate companies;

WHEREAS the consolidation of finances may tend to obscure important differences in spending patterns between the two organizations, especially in regards to legal disbursements, payments for salary and professional services, and inter-organizational transfers;

BIRT Standing Resolution 24 be amended to include as point 1 the following text:

“The financial statements of the CFS and CFS-Services shall be presented to the membership as segregated, non-consolidated documents, in line with Canadian generally accepted accounting principles.”

## **2. Motion to disclose all legal actions taken by the CFS in the past three years**

WHEREAS the CFS(-Services) has taken a considerable number of legal actions and threats against its own members, members of the press, and various members of our society in the name of the students it purports to represent;

WHEREAS the majority of these actions have been taken without reference to the national plenary,

BIRT an Operating Policy be adopted that reads as follows:

### “Disclosure of Legal Activities

The CFS(-Services) shall maintain a list of all of the legal actions (including threat / demand letters issued, and any and all procedures filled in any court at any jurisdiction) it has taken in the past three years, and the cost of these actions. This list shall be maintained and presented in a publicly accessible section of the CFS(-Services) website entitled ‘Legal Actions’. Upon request of a member association, copies of all documents and materials generated in pursuit of any of the listed legal actions shall be delivered to the requesting association.”

### **3. Motion to require salary disclosures for past 5 years and in the future**

WHEREAS the full range of salaries and benefits of both employees and national executives of the Federation are not currently available to members of the public, to member locals, or to individual members of the Federation;

WHEREAS the salaries and benefits of both employees and national executives of the Federation is of concern to members of the Federation, since it is student money that is paying for these salaries and benefits;

WHEREAS in many other similar organizations, the salaries and benefits of the employees and elected representatives are disclosed to its members;

WHEREAS it was long standing past practice of the Federation to provide longitudinal information regarding staff salaries at general meetings;

WHEREAS the Federation's organization must be evaluated to consider its non-disclosure of salaries and benefits;

WHEREAS it is an obvious conflict of interest to allow elected officials of the Federation to supplement their current honoraria (greater than \$44,000 per year after inflation indexing, plus health and dental) for performing 'services for the Federation' of an undisclosed nature, which services may include selling products to member locals;

WHEREAS the Federation's Executive should not be distracted from their full-time obligation of lobbying for the federation by obligations to the organization's commercial component;

WHEREAS Bylaw V(14)b,

“Should any member of the National Executive be employed by or perform services for the Federation other than as a member of the National Executive, or be a member of a firm or shareholder, director or officer, of a company that is employed by, or performs services for the Federation, this shall not disentitle such member of the National Executive or such firm, as the case may be, from receiving proper remuneration for such services.”

creates reason to be suspicious of the amount of remuneration distributed by the Federation in the last 5 years, particularly when combined with recent National Executive activities vis-à-vis securing service contracts between member unions and the Federation;

BIRT the text of bylaw V(14)b be replaced with:

“The National Executive shall not be allowed to receive any remuneration from the Federation, nor from any of its subsidiaries apart from that already provided for in bylaw V(14)a and its subordinate clauses.”

BIRT Bylaw V(14)c be adopted as follows:

“The National Executive shall be required to separately disclose all salaries and benefits received from any entity that is employed by, or performs services for the Federation. All such disclosures shall be included in the Federation’s annual financial statements and distributed at the semi-annual general meeting.”

BIFRT the following text be included in Standing Regulation 29:

“The salaries and benefits of all executives and employees of the Federation will be disclosed on an annual basis to all individual members and locals of the organization upon request, and shall be included as separate line items in the financial statements presented at the semi-annual general meetings of the federation.”

#### **4. Motion to amend the standing resolution that sets the salaries of the national executive**

WHEREAS students in Canada are a financially burdened section of society, and should not be required to pay monies that are not absolutely vital to the function of the student organizations of which they are members;

WHEREAS the national executives of the Canadian Federation of Students earn substantially more than the average student, and substantially more than is needed to function in society according to the Consumer Price Index;

WHEREAS the national executives of the Canadian Federation of Students earn exorbitantly high salaries off the backs of debt-ridden students, and therefore financially thrive as individuals off of student debt;

WHEREAS it is only reasonable that individuals working at student groups, funded by student money, earn student wages;

WHEREAS the CFS National Executive are charged with advancing a “Raise the Minimum Wage” campaign;

BIRT Standing Resolution 29.1 be amended to read:

“Receive a salary consistent with a full-time, minimum-wage position, adjusted to reflect the minimum wage set out for the greater Ottawa/Hull area.”

**5. Motion to require Federation fees to be posted on the website and a letter indicating the fee to be received by a local the moment the new, indexed fee values become available**

WHEREAS Federation fees are notoriously difficult to calculate for member locals across the country;

WHEREAS there is no danger associated with presenting on the Federation's website the fees levied from its members;

WHEREAS member associations need to know what the Federation believes the fees it is due actually are on a yearly basis since the fee changes on an annual basis;

BIRT the Operating Policy entitled "Financial Policy Relating to the Collection of Membership Fees" be amended to include the following text:

"The Federation's membership fees including those of the National and provincial components shall be posted on the Federation's website in the 'About' section. The Federation shall send a registered letter to each member association indicating the applicable membership fee, and the letter shall be sent in a timeframe which guarantees each member sufficient time to ensure that the correct fee is levied. The Federation shall maintain on its website in the section 'Member Students' Union' the cumulative five (5) year total amount of fees collected from each individual union for both the National and applicable provincial component."

**6. Motion to require posting of number of individual members in each of the Federation's member associations**

WHEREAS the Federation regularly touts its number of individual members;

BIRT an Operating Policy entitled "Federation Website" be adopted which includes the following text:

"Number of Individual Members

The Federation shall maintain accurate and regularly updated data on the number of individual members in each of its member associations and present this information next to each of the member associations listed in the 'Member Students' Union' section of its website."

## **7. Motion to open Federation meetings to the press**

WHEREAS Federation general meetings do not discuss anything of a nature such that it should be obscured from the attention of its individual members;

WHEREAS exposing the Federation to media scrutiny may help inform the individual members, thereby allowing them to hold the organization accountable for the organization's use of their membership fees;

WHEREAS such scrutiny would serve either to reign in the litigious nature of the Federation Executive branch, or to justify such legal expenses as are incurred through a clear airing of the cause behind them;

WHEREAS such scrutiny can only help increase the transparency of the organization and its actual lobbying activities;

WHEREAS media scrutiny might encourage the Federation, its staff members, and its elected officials from systematically disenfranchising its members by applying procedural and rhetorical road blocks;

WHEREAS the NDP had 23 journalists at its last national meeting;

BIRT a section be added to the Operating Policy entitled "National General Meetings" that reads as follows:

"Press

All general meetings of the Federation shall be completely open and free to members of the press. Members of the press that are not part of an official delegation shall simply be required to keep visible a Federation supplied badge identifying them as a member of the press."

**8. Motion for publication of all fundamental documents of the Federation and its subsidiary organizations on the Federation website**

WHEREAS the Federation currently posts an incomplete list of its fundamental documents online, and only in a very cryptic location (i.e. under 'Constating Documents');

WHEREAS no fundamental documents are available for CFS-Services or its subsidiary companies;

WHEREAS it is impossible to verify questions of ownership and proper methods of reform without access to such materials;

BIRT the Bylaws, Letters Patent, Standing Resolutions, Operating Procedures, past five years' audited financial statements, and any and all other fundamental documents for each of the CFS, CFS-Services and their respective subsidiary organizations, be posted on the CFS website, in an obvious and easily located section, and updated as soon as possible after the changes to the documents have taken effect.

## **9. *Mandatory tendering of contracts***

WHEREAS contracts awarded to the Federation for rendering its products and services to member locals are far too rarely subject to committee review, and are far too rarely subject to the standard procedures of open-bid tendering which would force the Federation to ensure competitive pricing and efficient delivery of its products and services;

WHEREAS the Federation has opposed these types of contracts on University campuses across Canada in terms of Food Services;

WHEREAS the Canadian Federal Government uses the Standard Acquisition Clauses and Conditions (SACC) for contracts exceeding \$25,000;

WHEREAS failure to engage in open tendering procedures has resulted in a perception, right or wrong, that CFS tends to be unable to compete with its private-sector substitutes;

WHEREAS the regular use of un-tendered contracts has led to serious questions being raised as to the integrity of CFS' relation to its member locals, and may serve to damage the goodwill and reputation of partner organizations;

BIRT a Bylaw be adopted reading as follows:

“The Federation shall never accept the awarding of a contract in which it or its partner organizations are to be paid for the delivery of services or products when the process of awarding the contract did not include a well advertised, open-bid tendering process with the selection of the service or product provider made by committee of no less than three individuals.”

## **10. *Motion to institute mandatory question periods***

WHEREAS there is currently limited opportunity for the general plenary to discuss issues of concern and to ask questions of the national executive, CFS employees and CFS board members;

WHEREAS such a question period would necessarily increase both the accountability of the National Executive and their cognisance of the desires and concerns of their various member locals;

BIRT the Operating Policy entitled “National General Meetings” be amended by adding the following section:

“Question Period

One (1) half-hour before lunch and one (1) half-hour after lunch shall be set aside during each day of a General Meeting for question period, and that members of the national and provincial executive and employees of the CFS and its subsidiaries be available during these times to answer questions.”

## **11. *Publication of boycott list***

WHEREAS the Federation has an Operating Policy requiring the maintenance of a boycott list;

BIRT the Operating Policy titled, "Boycotts" be amended to include

“The Federation shall publicly maintain its boycott list on the Federation's website in the 'Campaigns & Lobbying' section. This list shall be updated after each general meeting.”

## **12. *Publication of coalition list***

WHEREAS the Federation has an Operating Policy titled “Coalition Work”;

WHEREAS there is very little evidence of what coalitions the Federation might be involved in, and which might allow members to ensure the edicts of this Operating Policy are adhered to;

BIRT the Operating policy entitled, “Coalition Work” be amended to include the following:

“The Federation shall publicly maintain a list of all coalitions in which it is a participant and include this list on the Federation's website in the ‘Campaigns & Lobbying’ section. This list shall be updated every time the Federation joins or leaves a coalition, and notice of such an event shall be distributed on the Federation's ‘Members Listserv’.”

### **13. *Motion to ensure adherence to Federation rules and procedures***

WHEREAS the Federation has many Bylaws, Operating Policies, Standing Resolutions and Issues Policies that are ostensibly designed to empower its members and that members should insist that their elected officials adhere to;

BIRT Bylaw VI(5)a be adopted as follows:

“The Federation’s failure to adhere to its Bylaws, Operating Policies, Standing Resolutions, and Issues Policies in any of its day-to-day operations, shall constitute grounds for removal from office of any of the at-large National Executive.”

BIFRT pre-existing Bylaws VI(5)a through VI(5)j be incremented accordingly.

#### **14. Motion to create conflict of interest policy and procedures**

WHEREAS a glaring omission from the Federation's rules and regulations are standard provisions for handling conflicts of interest;

WHEREAS one of the primary criticisms of the Federation is the regular lapse of its employees and elected officials into positions of conflict of interest (e.g. The former National Deputy Chair sitting as the Chair of the Concordia Student Union while serving as the CFS Deputy National Chairperson, while the Federation negotiated a multi-year, multi-million dollar service contract with the union);

BIFRT an ad-hoc committee entitled "Federation Committee to Establish Conflict of Interest Policy and Procedures" be struck immediately to produce a comprehensive set of regulations for the Federation to manage conflicts of interests;

BIFRT the committee be composed of thirteen (13) individual members of the Federation, one from each province and territory, none of whom may have held any position whatsoever within the Federation for the past five (5) years, and who are to be appointed by lottery (a separate lottery for each provincial and territorial seat) during the closing plenary of this, November 2009, general meeting;

BIFRT the committee chair shall be selected by lottery of the members of the committee wishing to be included for consideration as chair;

BIFRT the committee shall table a report consisting of proposed policy and procedures (e.g. Bylaws, Standing Resolutions, and Operating Policy) necessary to manage conflicts of interest. This report shall be tabled at the next general meeting and shall be received by member associations a minimum of six (6) weeks in advance of that meeting.

**15. Motion to allow termination of contracts contradicting Federation rules**

WHEREAS the Federation has been entered into contracts which violate its own rules;

BIRT a Bylaw XII(2)d be adopted that reads as follows:

“If at any point a contract or agreement between the Federation and any other party contradicts the Bylaws, Standing Resolutions, or Operating Policy of the Federation, the other party or parties may terminate the contract or agreement immediately and without incurring any penalty, and the Federation shall not be entitled to pursue the other party or parties for any form of damages potentially arising in any way from the termination of said contract or agreement.”

## STRUCTURAL REFORMS

### **16. *Motion to separate CFS(-Services) and CFS boards***

WHEREAS there is a conflict between the priorities of a non-profit organization mandated to lobby for a reduction in student fees, and one designed to sell products and services to students;

WHEREAS CFS-Services, in particular the CFS' National Student Health Network, have consistently been at the centre of scandals on campuses across the country as a result of their business practices;

WHEREAS it is inappropriate that two groups with mutually exclusive mandates should be directed by very similar groups of individuals;

BIRT any and all directives, policies or internal discussions respecting a merger between the CFS and CFS-Services be rescinded;

BIFRT a Bylaw be adopted that reads as follows:

“Boards of Directors

The corporate affairs of the Federation will be managed by two distinct boards of directors, one for the CFS and one for CFS-Services.

1. The boards of directors of the CFS and CFS-Services shall be elected separately, by secret ballot, at the annual general meeting of the CFS.
2. The boards of directors of CFS and CFS-Services shall have no more than 20% of their membership in common.
3. Notices of elections to the CFS Board of Directors, the CFS-Services Board of Directors, and the Board of Directors of any of CFS/CFSS' subsidiaries be publicized at least six weeks in advance of the election, both on the CFS website and in emails to all member locals.
4. Notice of elections to the CFS Board of Directors, the CFS-Services Board of Directors, and the Board of Directors of any of CFS/CFSS' subsidiaries contain information regarding the procedure and timing of elections, the nomination process and the eligible voters.”

BIFRT the following line be stricken from Bylaw V:

“The affairs of the Federation will be managed by the board of directors, known as the National Executive.”

## **17. Motion to prevent conflicts of interest and entrenchment of power**

WHEREAS steps should be taken to avoid any perception that there is a revolving door between appointed positions and employment positions within the Federation;

WHEREAS term limits on Federation employees will serve to prevent the organization from developing a closed institutional bureaucracy;

WHEREAS more than one current employee of the Federation will soon have been employed by the Federation for longer than many current fee-paying individual members have been alive;

WHEREAS Federation employees have violated Federation rules with impunity;

BIRT a Bylaw be adopted entitled "Employment" and reading as follows:

- “1. Employment with the Federation shall be subject to a non-consecutive term-limitation of five (5) years total over all positions held within the organization.
2. Both employees and appointed officials of the Federation, Federation provincial components and/or its subsidiaries (if any) shall be precluded from consideration for employment with the Federation for a period of two years following the end of any period of employment or appointment with any or all of the above organizations.
3. Failure to uphold Federation Bylaws, Standing Resolutions, or Operating Policy may form grounds for dismissal.”

## **18. Motion to create a judicial board**

WHEREAS the CFS(-Services) constantly threatens its members, members of the press, and its critics with punitive legal actions as a means to silence any and all opposition;

WHEREAS the CFS(-Services) spent a minimum of \$225,000 on legal services between July 2006 and July 2008, much of this amount having been spent on litigation with member locals;

BIRT a bylaw of the CFS(-Services) be adopted reading:

### “Judicial Board

1. The CFS and CFS-Services shall have a joint judicial board consisting of five (5) members, none of which may hold any other position whatsoever within the CFS(-Services), its subsidiaries or partners (including elected, employment, or appointed positions) or have held such a position within the last 5 years;
2. The joint judicial board shall have the exclusive power of beginning, ending, and continuing any legal actions and/or responses taken by the CFS(-Services), and shall have exclusive authority over allocating money from any and all legal budget lines in the CFS(-Services) budget;
3. The joint judicial board shall be appointed by lottery at the CFS(-Services) annual general meeting with nominations of names to be included in the lottery requiring the endorsement of two full member locals of the CFS(-Services). Subsequent to the lottery for selecting the board’s members, those selected may elect to advance their name for inclusion in a lottery to select the chair. The lottery for the chair position shall be held immediately after the lottery selecting the board’s members. If no candidate name is advanced for this lottery, the lottery for chair shall proceed including all of the members.
4. The term of office of a member of the joint judicial board shall be the same as the at-large National Executive, and removal from office for a member shall follow the same procedures as for the National Executive.
5. The lottery for the members of the CFS Judicial Board shall be carried out at the plenary, in such a way that it is clearly evident that the selection was free from tampering.
6. An individual delegate to the CFS annual general meeting shall have the right to challenge the legitimacy of any selection process, after which challenge they shall be permitted to examine the lottery ballots in order to ensure that the process was carried out in a fair manner.”

**19. Motion to make public statement during federal elections stating no support for any single party unless directly instructed to do so at a general meeting**

WHEREAS ties between the New Democratic Party of Canada and the Canadian Federation of Students are strong and have persisted throughout the years;

WHEREAS an interest group that is mandated to lobby the government on behalf of students cannot overtly endorse or otherwise support any single political party, lest it sacrifice its relationship with other political parties;

WHEREAS the CFS has given implicit support to the NDP by issuing ‘Report Cards’ in provincial and federal election campaigns that rate each political party, and in doing so has consistently ranked the NDP as the best political party;

WHEREAS this perception of unofficial partisan affiliation may help explain why the CFS has been unable to produce results in its campaigns to ‘lower tuition fees’ throughout all the many years of its operation, for example with tuition fees rising consistently since the CFS has initiated its drop tuition fees campaign;

WHEREAS making public an official policy of the CFS as being completely non-partisan will help restore some of the neutrality of the CFS, and will therein restore its credibility as a lobby group, rather than as a crutch for the NDP;

WHEREAS doing so will also make the CFS more representative of the ideological diversity of its constituents;

BIRT the following text be included in the CFS bylaws:

“Unless otherwise directed by plenary, throughout every federal and provincial election, the CFS will release a public statement which states that without question the CFS does not endorse or support any political party. In addition, the CFS will maintain a similar statement on its website which states that the CFS does not endorse or support any political party in Canada.”

**20. Motion to prevent use of outstanding membership dues as a disenfranchisement tool**

WHEREAS the Federation's Bylaws, most notably Bylaw I(6)j, provide a direct mechanism for the disenfranchisement of individual members should the individuals' union fail to remit their Federation membership dues in a timely manner;

BIRT Bylaw X(4)d be adopted as follows:

“Outstanding membership dues may never be used as pretext for preventing individual members from exercising their right to hold a vote on continued membership in the Federation.”

BIFRT Bylaw X(4)e be adopted as follows:

“Any outstanding membership fees not collected after a period of five (5) years shall be forgiven by the Federation. Any contracts or agreements relating to membership fees that have failed to be collected after a period of five (5) years shall become null and void.”

## **21. Motion to modify speaking rights to restore accessibility of meetings to delegates**

WHEREAS there is limited time during the Federation annual and semi-annual plenary sessions for individual members to make themselves heard;

WHEREAS decisions respecting the business of the Federation should be centred on the input and positions of its member locals, as expressed through their respective delegations;

WHEREAS it behoves the Federation to provide pride of place in speaking order to members of the Federation, rather than to the organization's employees, who may have significant financial stakes in the decisions of plenary, the corporations' highest governing body;

BIRT Standing Resolution 3.3 be amended to include section 3.3.d, to read as follows:

“Members of the national and provincial executives shall only be permitted to speak at plenary in the event that no individual delegate wishes to address plenary on the issue at hand. If, after the national executive have begun speaking, a delegate wishes to speak, they may take precedence over any further members of the national executive.”

BIFRT Standing Resolution 3.3 be amended to include section 3.3.e, to read as follows:

“National and provincial employees shall only be permitted to speak at plenary in the event that no delegate or member of the national executive wishes to address plenary on the issue at hand and only for clarification or informational purposes”

BIFRT Standing Resolution 3.3 be amended to include section 3.3.f, to read as follows:

“The speaking order for the national plenary will apply to all committee meetings, constituency groups, and caucuses touching upon business deriving from or destined for the plenary itself.”

BIFRT Standing Resolution 3.4 be amended to include the following:

“Nothing in this section will be construed as limiting speaking priorities set out in Standing Resolution 3.3.”

BIFRT Standing Resolution 4.4 be amended to read:

“The priority rules set out in Standing Regulation 3.4 shall govern the operation of all workshops.”

## **22. Motion to replace bylaw I(6) and bylaw I(7)**

WHEREAS the Federation disaffiliation procedures are subject to a great deal of criticism;

WHEREAS the Federation's policy on membership at its founding was to permit member student associations to hold referenda to decide questions of membership based on the rules set out by these respective organizations;

WHEREAS although over the past 30 years, the Federation's disaffiliation procedures have been altered a number of times, it has uniformly been altered in the direction of more stringent restrictions on disaffiliation;

WHEREAS the Federation has on more than one occasion used the perceived inability of a member student association's referendum to live up to Federation expectations as an excuse for nullifying the process of disaffiliation altogether;

WHEREAS the rules appear designed to force members to maintain their membership, and perpetuate the widespread but mistaken belief that if it weren't for these rules, the Federation would have no members at all;

BIRT bylaw I(6) be replaced with following text:

“1. A vote for a member student association to disaffiliate from the Federation and its provincial component shall be initiated and administered pursuant to the referendum provisions of an individual member local's constitution and/or bylaws;

2. The Federation, its staff, elected officials, and provincial components shall not interfere in the disaffiliation process, or to provide any material or human resource support to the member student association or its individual members during the campaign or voting”;

BIFRT bylaw I(7) be replaced with the following text:

“Upon receipt of a letter from the head of a member student association informing the Federation that it has successfully held a referendum to defederate from the Federation, the National Executive shall accept the termination of membership, and send the member local a letter of well wishes and ask that they not close their mind to future work with the Federation should the occasion arise.”

### **23. Motion requiring the recording of all meetings of the CFS(-Services)**

WHEREAS Federation meetings do not discuss anything of a nature that should be kept behind closed doors from members of the Canadian Federation of Students;

WHEREAS recording Federation meetings may help restrict the volume of litigation to which the CFS has engaged in and will engage in, in the future;

WHEREAS recording Federation meetings may encourage the organization and its staff members and elected officials from systematically disenfranchising its members by applying procedural and rhetorical road blocks;

WHEREAS recording Federation meetings will ensure that decisions it makes collectively will be implemented in such a way that is consistent with the decisions made by voting members at the general meetings of the organization;

WHEREAS recording Federation meetings will ensure that meeting minutes accurately reflect events within minutes, and that challenges to meeting minute contents will not be subject to arbitrary rulings;

BIRT a subsection be added to the Operating Policy entitled “National General Meetings” that reads as follows:

#### “Recordings

All Federation meetings including plenary, committee meetings shall be audio recorded and archived at the Federation national office. All recordings shall be available to individual members for inspection upon written request.”

## **24. *Motion to Replace Bylaw on Prospective Membership***

WHEREAS misuse of Bylaw I(2)b has cost member student associations tens of thousands of dollars in legal costs in recent years, in particular within the province of Quebec;

WHEREAS a significant number of member locals have failed to successfully hold referenda within the time specified in Bylaw I(2)b, yet have not been removed from the ranks of prospective membership;

WHEREAS members should have to follow the same procedures to become members of the federation as to leave the federation;

BIRT bylaw I(2)b be repealed.

## **25. Motion to Rescind Standing Resolution 31**

WHEREAS Federation Standing Resolution 31, passed by the national plenary in November 2007 as an emergency motion in response to a temporary injunction on the activities of the Quebec provincial component, was understood at the time to be a temporary measure;

WHEREAS the temporary injunction was lifted only a few months subsequent to the passage of Standing Resolution 31, and no person has ever been elected to fill any of the roles set out in Standing Resolution 31;

WHEREAS Standing Resolution 31 has consequently never existed in a functional sense;

WHEREAS the Quebec member student associations never expressed any intention nor voted for the purpose of a) dissolving CFS Quebec, or b) transferring the provincial component's fee levy to the control of the national organization;

WHEREAS the CFS National Executive has disingenuously interpreted Standing Resolution 31 in order to usurp the fee owed to the Quebec provincial component, despite the repeated objection of a majority of the member student associations in Quebec;

WHEREAS at least three quarters of the member student associations within the province currently oppose the above actions of the National Executive;

WHEREAS a previous attempt to rescind Standing Resolution 31 at the May 2009 was curtailed, partly as a result of the actions of Federation staff who were granted speaking rights while the motion Movers and Seconders were denied the right to speak;

WHEREAS the current Deputy National Chairperson was recently responsible for an attempt to dissolve the eleven (11) year old CFS-Quebec (the not-for-profit corporation) without the support or knowledge of the member student associations of the province;

WHEREAS it is the stated desire of at least three-quarters of the province's member student associations that the CFS-Quebec continue to represent them at the provincial level and that their current, duly elected, National Executive Representative be recognized by the CFS National Executive;

WHEREAS CFS-Quebec, like so many other student groups, is currently subject to legal threats by the CFS National;

WHEREAS the continued disenfranchisement of member student associations within the province is one of the primary factors underlying the desire of many students to disaffiliate from the CFS;

BIRT Standing Resolution 31, relating to the Quebec Component of the Federation, be rescinded immediately in accordance with the desire of a super-majority of the member associations in Quebec.

## **26. *Motion to strike a campaigns committee to review, re-evaluate, and reinvigorate Federation campaigns***

WHEREAS the campaigns of the Federation have in many cases remained exactly the same for decades;

WHEREAS the priorities of students are not static over time;

WHEREAS the Federation's decades-old approach to federal-provincial relations is out of date, and ignores not only the distribution of powers set out in the constitution of Canada, but also 30 years of developing federal-provincial relations;

WHEREAS lobbying policy that is not grounded in a realistic view of Canadian federalism will not be taken seriously by the federal government;

WHEREAS the CFS National Chairperson has thus far proved incapable of explaining the organization's understanding of a proposed national education act;

BIRT an ad-hoc committee entitled "Federation Campaign Re-Evaluation Committee" be struck immediately to examine the campaigns of the CFS, and to make recommendations regarding the modernization of Federation Issues Policy, priorities, and campaigns;

BIFRT the committee be composed of thirteen (13) individual members of the Federation, one from each province and territory, none of whom may have held any position whatsoever within the Federation for the past five (5) years, and who are to be appointed by lottery (a separate lottery for each provincial and territorial seat) during the closing plenary of this, November 2009, general meeting;

BIFRT the committee chair shall be selected by lottery of the members of the committee wishing to be included for consideration as chair;

BIFRT the committee shall table a report on the strengths and weaknesses of each campaign and policy of the Federation, and providing recommendations for the improvement or repeal of each campaign and policy. This report shall be tabled at the next general meeting and shall be received by member associations a minimum of six (6) weeks in advance of that meeting.

**27. Motion to strike a committee to establish accomplishment metrics for National Executives**

WHEREAS there are currently no clear means by which the member locals of the federation can determine whether the National Executive is successfully doing its job;

WHEREAS it will help to orient the organization for the National Executive to be obliged to meet concrete targets for performance;

BIFRT an ad-hoc committee entitled “Federation Committee for the Establishment of Success Metrics” be struck immediately for the purpose of drafting a series of guidelines and criteria for measuring and monitoring the performance of the National Executive;

BIFRT the committee be composed of thirteen (13) individual members of the Federation, one from each province and territory, none of whom may have held any position whatsoever within the Federation for the past five (5) years, and who are to be appointed by lottery (a lottery for each provincial and territorial seat) during the closing plenary of this, November 2009, general meeting;

BIFRT the committee chair shall be selected by lottery of the members of the committee wishing to be included for consideration as chair;

BIFRT the committee shall produce a set of regulations (e.g. Bylaws, Standing Resolutions, Operating Policy) and an accompanying report detailing the implementation of performance metrics and progress tracking for the National Executive, for consideration at the next general meeting. These deliverables shall be received by member associations a minimum of six (6) weeks in advance of that meeting.

## **28. Motion to establish procedures for individual-member-driven petitions**

WHEREAS individual, fee paying, members of the CFS are largely disenfranchised because they have no direct mechanism to hold the CFS accountable, or to directly access its governance structure;

BIRT a bylaw be adopted which reads as follows:

“A petition signed by no less than five percent (5%) of the individual members from a single member student association, or no less than one percent (1%) of all CFS individual members, whichever is less, shall be sufficient for the following purposes:

1. Submitting a motion for consideration at a general meeting.
2. Providing a designated individual the right to move a motion, as set out in the petition - such a designated person shall be granted the right to participate in all discussions concerning motions that they have presented for consideration within any and all bodies convened or called to order during a general meeting (e.g. committees, working groups, plenaries, etc.).
3. Submitting a text of no more than 1500 words in either official language to be translated and included in the materials distributed to all participants in the next general meeting. The text shall additionally be read out at the beginning of the opening plenary by an individual designated in the petition.
4. Any individual designated to present motions to the national meeting shall be exempted from costs charged to delegates of individual member student associations.”

**29. Motion to end arbitrary fee increases – consent required for increase**

WHEREAS it is highly improper for the Federation to directly impose or modify membership fees levied upon its individual members without the explicit consent of these self-same individual membership;

WHEREAS the Federation opposes inflationary increases in tuition and ancillary fees;

WHEREAS the Federation's Issues Policy entitled "Ancillary, Auxiliary, Incidental and Administrative Fees" opposes, "...any compulsory student fee or fee increases that is not set by general student referendum or through students' union approval";

BIRT Bylaw I(2)a.vii be amended to read as follows:

"Beginning in 1996, the Federation membership fee shall increase on August 1 each year by the rate of increase in the national Consumer Price Index during the previous calendar year. Notwithstanding the foregoing, this regular fee increase shall not be construed as affecting those member student associations which have not sought and received the approval of the individual members for such a regular increase."

### **30. *Individual Fee-levy Opt-Out***

WHEREAS the Canadian Federation of Students currently does not permit individual members to opt-out of fees to its national and provincial organizations;

WHEREAS it is the policy of some CFS member student associations to provide their respective individual members with the opportunity to opt out of ancillary students' union fees;

WHEREAS voting membership in the CFS does not show regard for the number of individual members represented by a member student association;

WHEREAS many individual members of the Federation maintain significant reservations as to the political stances adopted by the national organization, and should be accorded the right not to subsidize political views to which they are opposed;

WHEREAS the ability to opt out of membership fees is an option supported by hundreds of student organizations across the country (e.g. PIRGs, student newspapers, student radio stations) for the purpose of ensuring accountability of an organization to the wishes of its members;

BIRT the federation's bylaws be amended to include Bylaw I.2.ix, to read as follows:

“Individual members of the federation shall be permitted to opt out of their portion of the federation's fee, providing that they provide to their respective member student association notice in writing of their intention to do so, such notice to be provided within 30 days of the beginning of the semester.”

### **31. *Mandatory delegate-only discussion periods***

WHEREAS there is currently limited opportunity for the general plenary to discuss issues of concern in the absence of CFS employee direction;

WHEREAS an increase in the opportunity for frank and un-moderated exchanges in views would provide delegates with a greater opportunity for developing their own vision for the proper future direction for the organization;

BIRT the Operating Policy entitled “National General Meetings” be amended by adding the following section:

“Open Discussion

One (1) hour before lunch and one (1) hour before dinner shall be set aside during each day of a General Meeting for free-form, break-out discussions and brainstorming sessions amongst General Meeting delegates.”

### **32. *Individual Autonomy***

WHEREAS Federation member student associations are intended to be sovereign entities, separate from the Federation hierarchy and governance structure;

WHEREAS the Federation is regularly involved in the governance of locals (e.g. The former National Deputy Chair sitting as the Chair of the Concordia Student Union while serving as the CFS Deputy National Chairperson);

WHEREAS Noah Stewart-Ornstein was videotaped interfering in the 2009 general election of the Concordia Students' Union at a time when he was simultaneously Chairperson of CFS-Quebec and the National Deputy Chairperson-Elect of the national Federation;

WHEREAS the President of the York Federation of Students participated in the CFS affiliation referendum of the Students Federation of the University of Ottawa instead of working to represent the interests of his members during a labour relations crisis at York University;

WHEREAS this sort of participation in local politics impedes a student association's ability to act objectively with respect to its relationship to the CFS and invariably results in conflicts of interests within student associations on issues relating to service and CFS membership;

BIRT the CFS Bylaw V be amended to include the following section:

CFS Bylaw V(15)

“No member of the Federation's National Executive or the Federation's staff may participate in any capacity in any member student association's governing structures or associated bodies.

“All CFS employees and elected officials shall sign an agreement precluding them from participating in a student association or in the student media in any capacity for a period of two years after they have ceased to be a CFS employee or official.”

### **33. Motion to implement criteria for anti-harassment advisor**

WHEREAS the Federation needs serious criteria with which to select its anti-harassment advisor;

BIRT the subsection entitled “Advisor” under “Anti-Harassment” of the Operating Policy entitled “National General Meetings” be replaced with the following text:

“The Federation shall retain for the duration of all general meetings the services of a Harassment Advisor who will be available on a 24-hour basis. The Advisor shall be an experienced professional in dealing with incidents of harassment and sexual harassment, shall possess formal training in peer support, advocacy and active listening, have at minimum a bachelor’s degree in a related field, and a minimum of five (5) years of demonstrable employment experience in a related field.

The Advisor shall be available year-round to serve on Harassment and Grievance or Appeals committees, as per the remainder of this policy.”

## REFORMS ON MEMBERSHIP

### **34. *Motion to cease all litigation against the SFSS***

WHEREAS the members of the Simon Fraser Student Society (SFSS) voted in a democratic referendum held in March 2008 to disaffiliate from the Federation, with 67% voting in favour of disaffiliation;

WHEREAS more than \$100,000.00 worth of student money has been wasted on legal fees as a result of attempts by the Canadian Federation of Students to silence the democratic will of members of the SFSS;

WHEREAS if the CFS continues to litigate through to a full trial process in order to prevent the exercise of democracy, the CFS' members may be forced to spend upwards of half a million dollars on this case;

BIRT the National Executive be mandated to immediately begin negotiations to end all legal actions against the SFSS;

BIFRT the CFS recognize the democratic will of these students to terminate their membership with the CFS.

### **35. *Motion to cease all litigation against UPEI students***

WHEREAS the Canadian Federation of Students is currently embroiled in legal proceedings designed to silence the democratic will of the University of Prince Edward Island Student's Union (UPEISU);

WHEREAS if the CFS continues to litigate through to a full trial process in order to prevent the exercise of democracy, the CFS' members may be forced to spend upwards of half a million dollars on this case;

BIRT the National Executive be mandated to immediately end all legal actions against the UPEISU

### **36. *Motion to recognize independence of Dalhousie Grads***

WHEREAS the graduate students of Dalhousie University have never held any vote to affirm their full-status membership in the Canadian Federation of Students;

WHEREAS the CFS bylaws are quite specific as regards the maximum timeline for the holding of such a vote;

BIRT the CFS recognize that the prospective membership of Dalhousie's graduate students be revoked, and that all obligations on that society are consequently ended.

**37. Motion to recognize the inability of Holland College to be a member of the CFS**

WHEREAS the Holland College student union is not an independent student union;

WHEREAS the Holland College student union does not currently pay fees to the CFS;

WHEREAS the CFS bylaws require that a member be both independent and obligated to pay fees to the national organization;

BIRT the Canadian Federation of Students immediately recognize that Holland College is not a member of the Federation.

**38. *Motion to recognize the referendum results of Cape Breton University***

WHEREAS students at Cape Breton University have expressed their democratic will to terminate membership in the Canadian Federation of Students in a 2008 referendum, with 92% voting in favour of disaffiliation;

WHEREAS the CFS national plenary has yet to recognize the legitimacy of Cape Breton's students' vote respecting membership;

BIRT the Canadian Federation of Students immediately recognize the results of that referendum;

BIFRT the CFS immediately issue an apology to the students of Cape Breton University for failing to recognize the democratic will of their members at an earlier date.

**39. *Motion to recognize the de-federation of the University of Prince Edward Island Students' Union***

WHEREAS the University of Prince Edward Island Student's Union (UPEISU) has expressed its democratic will to terminate membership in the Canadian Federation of Students;

WHEREAS the CFS national plenary has yet to recognize UPEISU's decision regarding its membership in the Federation;

BIRT the Canadian Federation of Students immediately accept the UPEISU's decision to leave the Federation;

BIFRT the CFS immediately issues an apology to students from the University of Prince Edward Island for failing to recognize the democratic will of their members at an earlier date, and for having taken legal action against their union.

**40. *Motion to recognize the referendum results of Simon Fraser Student Society***

WHEREAS the individual members of the Simon Fraser Student Society (SFSS) have expressed their democratic will to terminate membership in the Canadian Federation of Students in a 2008 referendum;

WHEREAS the CFS national plenary has yet to recognize the legitimacy of the SFSS disaffiliation referendum;

BIRT the Canadian Federation of Students immediately recognize the results of the SFSS disaffiliation referendum;

BIFRT the CFS immediately issues an apology to the members of the SFSS for failing to recognize the democratic will of their members at an earlier date.

**41. Motion to overturn referendum results at USSU**

WHEREAS the Saskatchewan Court of Appeals has ruled that the referendum of the members of the University of Saskatchewan Students' Union (USSU) to affiliate to the Canadian Federation of Students is invalid as a result of its inability to adhere to the minimum standards of accountability set out in that students' union's electoral bylaws;

WHEREAS the Federation has yet to recognize the illegitimacy of the USSU referendum, irrespective the legal resolution thereto;

WHEREAS the USSU revoked its prospective membership in the CFS;

BIRT the CFS recognize immediately that the University of Saskatchewan Students' Union is neither a member nor prospective member of the Canadian Federation of Students.

## **IMPEACHMENT MOTIONS**

### ***42. Motion to impeach Noah Stewart-Ornstein***

NOTE a memorandum detailing alleged transgressions of the National Deputy Chair will be distributed at the November 2009 annual general meeting.

BIRT Noah Stewart-Ornstein be removed as the National Deputy Chair of the Canadian Federation of Students;

BIFRT elections to fill the position be held immediately, to run concurrently with the election for the National Deputy Chairperson for 2010-2011.

**43. *Motion to initiate dismissal procedures for Philip Link***

NOTE a memorandum detailing alleged transgressions of the Executive Director of CFS-Services will be distributed at the November 2009 annual general meeting.

BIRT that the employment of the Executive Director of CFS-Services be terminated immediately.