

University of Melbourne Student Union

Minutes of Students' Council

Meeting 7/09

CONFIRMED

11 AM at, 20th April 2009

Location: Graham Cornish A/B, Union House



Agenda

1. Procedural Matters

- 1.1 Election of Chair
- 1.2 Acknowledgement of Indigenous Owners
- 1.3 Attendance
- 1.4 Apologies
- 1.5 Proxies
- 1.6 Membership
- 1.7 Adoption of Agenda

2. Confirmation of Previous Minutes

- 2.1 Minutes from Meeting on 31-03-2009

3. Proposed Dismissal of April 21 General Meeting

4. Proposed Direction of a General Meeting

5. Next Meeting

6. Close

(3) To dismiss the Special General Meeting called for the 21st of April at 12pm for North Court, on the basis that the meeting is unconstitutional.

(4) That Students' Council call a constitutional Special General Meeting to discuss what is called for in the Uphold the Appeals petition and other properly constituted business.

Meeting opened at: 11.21AM, by Carla Drakeford

Agenda Item 1; Procedural Matters

1.1 Election of Chair

Motion 1: That Carla Drakeford chair the meeting
Moved: Carla Drakeford
CWD

1.2 Acknowledgement of Indigenous Owners

1.3 Attendance

Students Council:

Dominique Ottobre, Onagh Bishop, Zoe Edwards, Liam Byrne, Josh Schmidt, Phoebe Kelloway, Taylor Kendall, Scott Bloodworth, Dan Musil, Brendan Thomas-Noone.

Office Bearers:

Carla Drakeford (President), Shaun Khoo (Secretary), Tim Arnot (Education –Public), Rachel Barrett (Environment), Sam Cossar-Gilbert (Environment), Gemma Leigh-Dodds (Education –Academic) emic), Adelaide Rief (Arts), Frances Lewis (Welfare), Yoshua Wakeham (Media), Bhakthi Puvanenthiran (Media), Zoe Sanders (Media) Gillian Kilby (Media), Laura Harris (Education – Academic)

Other

Adam McMillan
Bruno Friedel
Candice Cranmer (minute taker)

Absent

Students Council:

Sisi Ying, Jesse Overton-Skinner, Stephanie Gold, Rudolph Hosri, Clinton Markwell, James Smith, Kyle Dadleh, Goldie Pergl

Office Bearers:

Sadia Schneider (Education-Public), Tristan Clack (Welfare), Chris Summers (Arts), Chris Kloester (Activities), David Liubinas (Activities), Stefania Capogreco (Queer), Ezekiel Gould (Queer), Katherine Klaus (Clubs and Societies), Piper O'Dowd (Clubs and Societies), Kyle Lancaster (Indigenous), Ruby Warber (Indigenous), Cosima Nyx Stone (Wom*ns)

1.4 Apologies

Goldie Pergl

1.5 Proxies

1.6 Membership

Jessie Overton-Skinner has been elected as a representative on Students' Council via the Count Back Election.

1.7 Adoption of Agenda

Discussion on agenda order occurs.

Motion 2: That the Agenda Item 2 Confirmation of Previous Minutes (2.1 Minutes from Meeting on 31/03/09) is moved down and becomes Agenda Item 4.

Moved: Onagh Bishop

Seconded: Dominique Ottobre

CARRIED

Agenda Item 2: Proposed Dismissal of April 21 General Meeting

The Chair invites the mover and seconder of the motion – To dismiss the Special General Meeting called for the 21st of April at 12pm for North Court, on the basis that the meeting is unconstitutional – to speak to the motion.

As the motion has no specific mover and seconder, the Chair opens a speaking list and invites all speakers.

Extensive speaking list is drawn up and the following issues are raised and discussed:

- The constitutional validity of the petition and the Secretary's role in its dissemination (tabled - Meeting 6)
- The accessibility of the petition listing all students' names.
- The appropriateness of the venue selected for the General Meeting
- The discrepancies between the presented petition and the motions presented as a result.

Possible solutions raised and discussed:

- Dismissing the General Meeting on April 21 and calling another.
- Selecting an indoors venue.

The Chair reads the speaking list (12.05pm)

Procedural Motion: That the speaking list be closed during the next speaker
Moved: Onagh Bishop
CWD

Speaking list continues until it is exhausted.
The Chair moves to put the motions

Motion 3: To dismiss the Special General Meeting called for the 21st of April at 12pm for North Court, on the basis that the meeting is unconstitutional
Moved: Taylor Kendall Seconder: Dominique Ottobre
CARRIED For: 9 Abstentions: 1

Motion 4: That Students' Council call a constitutional Special General Meeting to discuss what is called for in the Uphold the Appeals petition and other properly constituted business.
Moved: Taylor Kendall Seconded: Dominique Ottobre
CWD

Scott Bloodworth calls for a quorum count -10

Discussion on constitutional process of calling a Special General Meeting occurs.

Motion 5: A special General Meeting be held on the week beginning May 4th in a lecture theatre at a time and a date to be determined on Wednesday April 22nd's meeting of Student Council.
Moved: Onagh Bishop Seconded: Dominique Ottobre
CWD

Agenda Item 9: Next Meeting

Next meeting: 2pm, Wednesday 22nd, Graham Cornish A/B

Agenda Item 10: Close

Meeting closed at: 12.16 PM

Certified by Chair:

Signed:

Dated:

University of Melbourne Student Union

Minutes of the Students' Council

Meeting 6/09

UNCONFIRMED

2 PM, 31st March 2009

Location: Joe Nap B, Union House



Agenda

1. Procedural Matters

- 1.1 Election of Chair
- 1.2 Acknowledgement of Indigenous Owners
- 1.3 Attendance
- 1.4 Apologies
- 1.5 Proxies
- 1.6 Membership
 - Zoe Edwards appointed
- 1.7 Adoption of Agenda

2. Confirmation of Previous Minutes

- 2.1 Minutes from the Meeting on 18-03-09 (attached)

3. Appeals Against Committee Decision

- 3.1 Education Committee and Students for Palestine (attached)
- 3.2 Welfare Committee and Students for Palestine (attached)

4. Matters Arising from the Minutes

- 4.1 NUS Queer Campaign (attached)
- 4.2 Cage Free Campus Society Correspondence (attached)
- 4.3 Concession Cards Motions (attached)
- 4.4 Gaza Motion (attached)
- 4.5 Environment Department Capital Expenditure

5. Correspondence

6. Office Bearers' Reports

- 6.1 President (attached)
- 6.2 Secretary (attached)
- 6.3 Activities
- 6.4 Arts (attached)
- 6.5 Clubs and Societies (attached)
- 6.6 Education Academic Affairs (attached)
- 6.7 Education Public Affairs (attached)
- 6.8 Indigenous (attached)

- 6.9 Media (attached)
- 6.10 Queer
- 6.11 Welfare (attached)
- 6.12 Wom*ns

7. Standing Committee Reports

- 7.1 Staffing Sub-Committee
- 7.2 Finance Sub Committee (yet to meet)
- 7.3 VCASU Merger Committee

8. Motions on Notice

- 8.1 That UMSU condemns the actions of the Office Bearers who have posted without permission on the Indigenous Departments office window. This action represents an impingement on the rights of the office, a breach of section 11 of Union House Rules and shall not be tolerated. UMSU supports the Indigenous Department's right to convey any legal political message it so chooses that is within the regulations of the Union's constitution.
Moved: Sean Armistead
Seconded: Kyle Dadleh

9. Other Business

10. Next Meeting

11. Close

Meeting opened at: 2.20 PM, by Secretary Shaun Khoo

Agenda Item 1: Procedural Matters

Meeting Papers, UMSU Standing Orders and Environment Office Bearer's Report are circulated.

1.1 Election of Chair

<p>Motion 1: That Carla Drakeford chair the meeting Moved: Shaun Khoo CARRIED</p>

1.2 Acknowledgement of Indigenous Owners

So acknowledged

1.3 Attendance

Students' Council

Brendan Thomas-Noone, Josh Schmidt, Phoebe Kelloway, Dan Musil, Taylor Kendall, Onagh Bishop, Dominique Ottobre, Clinton Markwell, James Smith, John Shipp, Stephanie Gold, Kyle Dadleh, Goldie Pergl, Sisi Ying, Liam Byrne (at 3.25pm)

Office Bearers

Piper O'Dowd (Clubs and Societies), Yoshua Wakeham (Media), Gillian Kilby (Media), Zoe Sanders (Media), Rachel Barrett (Environment), Sam Cossar-Gilbert (Environment), Gemma Leigh-Dodds (Education-Academic), Laura Harris (Education-Academic), Carla Drakeford (President), Chris Kloester (Activities), Tristan Clack (Welfare), David Liubinas (Activities), Shaun Khoo (Secretary), Cosima Nyx Mathews (Wom*ns), Kyle Lancaster (Indigenous), Tim Arnot (Education -Public),

Francis Lewis (Welfare), Bhakthi Puvanenthiran (Media), Katherine Klaus (Clubs and Societies), Sadia Schneider at 2.40pm (Education-Public),

Others

Catherine McInnis
Katelyn Grimmer
Bruno Friedel
Jesse Overton-Skinner
Matt Incerti
Miranda Kiraly
Jackson Renolds
Josh Anderson
Astrid Høgestøl
Jenny Munt
Jonathan Donagan
Jonathan Hisbert
Rowan Duncan
Alexander Davis
Patrick Clearwater
Ollie Walsh
Daniel Baker
Nina Flanagan
Tim Forster
Max Kaiser (at 4.02pm)
Sam Rankin
Evan Wallace
Candice Cranmer (minute taker)

Absent

Office Bearers

Adelaide Rief (Arts), Stefania Capogreco (Queer), Ezekiel Gould (Queer)

1.4 Apologies

Scott Bloodworth, Zoe Edwards
Chris Summers (Arts)

1.5 Proxies

Liam Byrne to Phoebe Kelloway
Scott Bloodworth to Bruno Friedel
Zoe Edwards to Onagh Bishop
Rudolph Hosri to Jesse Overton-Skinner

Upon leaving:

Goldie Pergl to Sam Rankin
Evan Wallace to Mathew Incerti
James Smith to John Shipp
Sisi Ying to Evan Wallace

1.6 Membership

Zoe Edwards appointed to Students' Council

1.7 Adoption of Agenda

Several people make their intention to speak know. The Chair devises a speaking list - discussion and suggestions for agenda order occur.

<p>Motion 1: That Agenda Item 5 Correspondence is moved to Agenda Item 3</p>

<p>Moved: Goldie Pergl</p>

<p>CARRIED For: 11 Against: 4</p>
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Motion 2: That Agenda Item 4.4 Gaza Motion is moved to Agenda Item 8.2

Moved: John Shipp

LOST For: 6 Against: 10

Motion 3: That the Environment Office Bearer Report be added as Agenda Item 6.13

Moved: Rachel Barrett

CWD

Brendan Thomas-Noone announces to Students' Council that he is filming for a T.V program and there will be cameras outside, after the meeting if any one would like to say a few words.

The Agenda will now read as follows:

2 Confirmation of Previous Minutes

2.1 Minutes from the Meeting on 18-03-09 (attached)

3 Correspondence

4 Appeals Against Committee Decision

4.1 Education Committee and Students for Palestine (attached)

4.2 Welfare Committee and Students for Palestine (attached)

5 Matters Arising from the Minutes

5.1 NUS Queer Campaign (attached)

5.2 Cage Free Campus Society Correspondence (attached)

5.3 Concession Cards Motions (attached)

5.4 Gaza Motion (attached)

5.5 Environment Department Capital Expenditure

6 Office Bearers' Reports

6.1 President (attached)

6.2 Secretary (attached)

6.3 Activities

6.4 Arts (attached)

6.5 Clubs and Societies (attached)

6.6 Education Academic Affairs (attached)

6.7 Education Public Affairs (attached)

6.8 Indigenous (attached)

6.9 Media (attached)

6.10 Queer

6.11 Welfare (attached)

6.12 Wom*ns

6.13 Environment

7 Standing Committee Reports

7.1 Staffing Sub-Committee

7.2 Finance Sub Committee (yet to meet)

7.3 VCASU Merger Committee

Moved: LOST	For: 7	Against: 9
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Further discussion on appeals process and conditions as stated in the constitution.
Shaun Khoo reads from the constitution regarding the appeals process.

Procedural Motion: To put the motion to a vote Moved: Jessie Overton-Skinner CARRIED	For: 16	Against: 1
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Motion 5: The Education Committee Appeal be rejected due to lack of certainty to Student Councillors as to whether the Education Committee Appeal was received. Moved: Onagh Bishop CARRIED	For: 9	Seconded: Bruno Friedel Against: 8
For: Josh Schmidt, Liam Byrne via Phoebe Kelloway, Phoebe Kelloway, Dan Musil, Taylor Kendall, Scott Bloodworth via Bruno Friedel, Zoe Edwards via Onagh Bishop, Onagh Bishop, Dominique Ottobre, Against: Brendan Thomas-Noone, James Smith Clinton Markwell, Stephanie Gold, Sisi Ying, Rudolph Hosri via Jesse Overton-Skinner		

Point of Order is called for regarding validity of this motion.
Chris Kloester calls for Dissent in the Chair's Ruling.
Secretary Shaun Khoo takes the Chair.
Discussion about this ruling occurs through the Chair, who seeks to put it to a vote.

Motion 6: Dissent in Chair's ruling Moved: Chris Kloester LOST	For: 7	Against: 10
For: Rudolph Hosri via Jesse Overton-Skinner, Sisi Ying, Goldie Pergl, Kyle Dadleh, Stephanie Gold, James Smith, Clinton Markwell Against: Brendan Thomas-Noone, Josh Schmidt, Liam Byrne via Phoebe Kelloway, Dan Musil, Taylor Kendall, Scott Bloodworth via Bruno Friedel, Zoe Edwards via Onagh Bishop, Onagh Bishop, Dominique Ottobre		

The Chair is returned to Carla Drakeford

James Smith leaves and proxies to John Shipp at 3.09pm

Quorum count -11 voting members –the meeting continues

Agenda Item 4.2 Welfare Committee and Students for Palestine

Charlie Goodman leaves at 3.10pm
Sisi Ying leaves and proxies to Evan Wallace at 3.10pm

Francis Lewis speaks to the Welfare Committee and Students for Palestine document (attached).

Extensive speaking list drawn up.

Liam Byrne arrives at 3.25pm

Quorum count 3.25pm - still quorate –the meeting continues

Goldie Pergl leaves and proxies to Sam Rankin at 3.27pm
Kyle Lancaster leaves at 3.28pm

Discussion via the speaking list continues

Cosima Nyx Stone leaves at 3.35pm

Discussion via the speaking list continues

Quorum count -12- meeting continues, the Chair reads the extensive speaking list which continues accordingly.

Francis Lewis leaves at 3.46pm and returns at 3.48pm

Cosima Nyx Stone returns at 3.50pm

Katherine Klaus leaves at 3.51pm

Procedural Motion: To close the speaking list

Moved: Sam Cossar-Gilbert

CARRIED For: 10 Against: 7

Evan Wallace leaves at 3.54pm

Sam Cossar-Gilbert leaves at 3.56pm

The Chair reads a motion received from (mover) Onagh Bishop and seconded by Gemma Leigh-Dodds - to Students' Council and closes the speaking list.

The Chair reads another motion received by (mover) John Shipp and seconded by Kyle Dadleh.

The speaking list continues.

Bhakthi Puvanenthiran leaves at 4.13pm

The Chair, receives a foreshadowed motion from (mover) Josh Schmidt, seconded by Phoebe Kelloway.

Procedural Motion: To put the motions to a vote

Moved: John Shipp

CARRIED For: 9 Against: 7

Motion 7: That the Welfare Committee Appeal be upheld

Moved: John Shipp Seconded: Kyle Dadleh

LOST For: 6 Against: 9 Abstentions: 1

For: Rudolph Hosri via Jesse Overton-Skinner, Sam Rankin, Kyle Dadleh, James Smith via John Shipp, Stephanie Gold, Clinton Markwell via Miranda Kiraly,

Against: Dominique Ottobre, Zoe Edwards via Onagh Bishop, Onagh Bishop, Scott Bloodworth via Bruno Friedel, Taylor Kendall, Dan Musil, Phoebe Kelloway, Josh Schmidt, Liam Byrne

Abstentions: Brendan Thomas-Noone

Procedural Motion: To suspend standing orders so as the foreshadowed motion does not have to be voted upon.

Moved: John Shipp

LOST For: 6 Against: 10

Foreshadowed Motion: That the Appeal pertaining to the Welfare Committee be dismissed

Moved: Josh Schmidt Seconded: Phoebe Kelloway

CARRIED For: 9 Against: 6 Abstentions: 1

For: Dominique Ottobre, Zoe Edwards via Onagh Bishop, Onagh Bishop, Scott Bloodworth via Bruno Friedel, Taylor Kendall, Dan Musil, Phoebe Kelloway, Josh Schmidt, Liam Byrne

Against: Rudolph Hosri via Jesse Overton-Skinner, Sam Rankin, Kyle Dadleh, James Smith via John Shipp, Stephanie Gold, Clinton Markwell via Miranda Kiraly,

Abstentions: Brendan Thomas-Noone

Onagh Bishop speaks to the motion moved by her and seconded by Gemma Leigh-Dodds (motion 8)

Procedural Motion: For the motion to now be put

Moved: John Shipp

CARRIED For: 12 Against: 4

Motion 8: In light of the intense debate that these appeals have ignited, the Student Council asks the Welfare Officers to call a special meeting as soon as possible to seek clarification as to the additional moneys requested (approximately 300) and discuss safeguards for security for the week as well as clarifying the diversity of the clubs and organisations involved.

Moved: Onagh Bishop Seconded: Gemma Leigh-Dodds

CARRIED For: 11 Against: 3 Abstentions: 2

For: Scott Bloodworth via Bruno Friedel, Brendan Thomas-Noone, Zoe Edwards via Onagh Bishop, Onagh Bishop, Dominique Ottobre, Clinton Markwell via Miranda Kiraly, Stephanie Gold, James Smith via John Shipp, Kyle Dadleh, Goldie Pergl via Sam Rankin, Rudolph Hosri via Jesse Overton-Skinner

Against: Josh Schmidt, Phoebe Kelloway, Liam Byrne

Abstentions: Taylor Kendall, Dan Musil

Agenda Item 5: Matters Arising from the Minutes

Agenda Item 5.1 NUS Queer Campaign

Liam Byrne speaks to the Motion to Endorse NUS 'Statement for Equality' (attached)

Motion 9: UMSU Students' Council endorses the NUS National Queer Offices 'Statement for Equality'

Moved: Liam Byrne

Seconded: Ezekiel Gould

CWD

Sadia Schneider and David Liubinas leave at 4.35pm

Agenda Item 5.2 Cage Free Campus Society Correspondence

Carla Drakeford speaks of her correspondence with Katelyn Grimmer of the Cage Free Campus Society and invites Katelyn (who has left the meeting) back to speak at the next Students' Council meeting.

Quorum count -9 members –the meeting continues.

Agenda Item 5.3 Concession Cards Motion

Tristan Clack speaks to the Concession Card Amendment Motion (attached).

The Chair reads the motion:

Motion 10: UMSU recommends the abolishment of section 2.20DA of the 'public transport amendment act of 2007' on the grounds that it unfairly discriminates against postgraduate and international students. UMSU further endorses the public rally on

Moved: Tristan Clack

Seconded: Francis Lewis

CWD with amendments

Quorum count -10

Stephanie Gold and Kyle Dadleh left at 4.42pm

Quorum count 8 –Quorum lost

Agenda Item 9: Next Meeting

Next meeting on: 2pm, Wednesday April 22 in Graham Cornish A/B

Agenda Item 10: Close

Meeting closed at: 4.42pm PM

Certified by Chair:

Signed:

Dated:

Secretary's Report on Proposed Dismissal of a General Meeting



On March 31, a petition was received by the Secretary and Students' Council. The 'Uphold the Appeals' petition requested that Students' Council uphold appeals against decisions by the Education and Welfare Committees and stated:

"In the event that Students Council does not uphold these appeals, this petition serves to request a General Meeting on this issue, to be held on the soonest possible Tuesday at 12 noon."

The petition was signed by over 600 students. I have verified¹ signatures using available databases. I enquired with Student Administration as to whether or not they were able to provide me with independent verification, but this is not possible due to privacy legislation. While the text of the petition is available for inspection, the petition contains other details such as student numbers and email addresses which I am hesitant to circulate for privacy reasons (C166.2(a)). Those wishing to inspect these other details should apply to the Grievance Tribunal (C166.3).

Statistics obtained from the University Planning Office indicate that, as of March 31, there are 43,963 Enrolments, 34,633.26 EFTSL and a total of 42,716 students.

Rule 16(b) of the Constitution was therefore fulfilled on March 31 by the 'Uphold the Appeals' petition. Following March 31, I consulted with petition organisers regarding motions on notice for the meeting. The motions which were submitted to me were subsequently included in the agenda. These motions were referred to when notice was sent on Monday, April 6 by email to all members, on the website and on a prominent noticeboard in Union House. The sending of notice on April 6 complies with rule 17 of the Constitution because it was not later than the end of the fifth Academic Day after the day on which the necessary number of requests was received.

The date notified for the General Meeting was April 21, which was 12 academic days after date on which the requests were received (the University was closed April 10-14, weekends are not academic days). This is compliant with rule 18.1 of the Constitution.

As stated earlier, notice was sent by email to all members, on the website and on a prominent noticeboard in Union House, satisfying rule 20 of the Constitution. There are no additional requirements set out in regulations (C20(d)).

¹ Questions regarding student numbers were asked during Students' Council and in person. Student numbers are only useful for verifying the enrolment status of those students who have agreed to make their details available to the Student Union. A name search was usually sufficient and I was only unable to verify details in a few instances, perhaps due more to handwriting, misspelling, typos or database inaccuracies rather than non-students signing the petition. In approximately 30% of cases where I could not verify a signature, the student had provided a student number. After verification, the petition may still be considered to have been signed by over 600 students.

Between April 6 (day notice was sent) and April 21 (date of meeting) there were seven academic days (April 7-9, 15-17, 20). Rule 21 of the Constitution requires that there be at least five academic days between the day notice is sent and the date the meeting is held and is therefore satisfied by the seven academic days provided here.

Standing Orders, Procedures for Student Representatives and other Regulations do not apply to General Meetings.

Power to Dismiss a General Meeting

As demonstrated above, Constitutional requirements for the General Meeting were fulfilled. The time notified for the meeting is 15 minutes later than the time requested which is due primarily to venue restrictions and to give students time to get to the meeting from class.

The remaining rules in the Constitution regarding General Meetings are relevant to the conduct of a General Meeting – chairing, quorum, proxies, powers and minutes (C23-27). Therefore, if there is any fault in any of these areas, that specific matter should be dismissed, rather than the whole meeting.

Additionally, nothing in the Constitution gives Students' Council the right to dismiss a General Meeting. Rule 82A.1 states:

“Subject to any determination by the Electoral Tribunal or the Grievance Tribunal of a matter within their authority in accordance with this Constitution, the Students' Council has overall responsibility for UMSU and ultimate decision making power rests with the Students' Council. Any decision of the Students' Council is binding on all Committees, Departments and Collectives.”

The binding nature of the Decision of Students' Council on Committees, Departments and Collectives does not apply to a General Meeting.

Rather, the reverse is true, a General Meeting may:

“... pass a resolution stating the manner in which the Students' Council or any Committee should exercise its powers subject to the obligations of the Officers under this Constitution and the Act, if at least half of the Students voting vote in favour of the resolution.” (C26.1(a))

Therefore, if Students' Council were to dismiss a General Meeting, which has been called in accordance with the Constitution of UMSU, then it would be in violation of the spirit of the Constitution.

Shaun Khoo
Secretary
15 April, 2009.