

Referendums and Plebiscites at the U of A Students' Union

Any student can create change in the Students' Union by submitting a plebiscite or referendum question to appear on the next general election ballot. However, the bylaw that governs the process of getting that question on the ballot can be a bit confusing, so here is a breakdown of how referendum and plebiscite questions go from being from ideas to ballot questions.

1 Submit your idea to the Chief Returning Officer (CRO) of the SU

Send the following items to the CRO:

- The intent of the question
- Whether the question is a plebiscite or a referendum
- Your name, faculty, and student ID
- A twenty-five dollar (\$25.00) deposit in the form of cash or a certified cheque or money order payable to the University of Alberta Students' Union

Plebiscite or Referendum?

A referendum is legally binding for Students' Council, and requires a valid petition bearing the names, signatures, and student ID numbers of at least 15% of the total membership of the Students' Union.

A plebiscite is not legally binding for Students' Council, and requires a valid petition bearing the names, signatures, and student ID numbers of 5% of the total membership of the Students' Union.

2 Bylaw Committee creates a petition question

The CRO will immediately forward the intent of the question to the Bylaw Committee, who will then turn it into a petition question which fully reflects the intent you submitted, and will not violate any Students' Union bylaws or federal or provincial laws. There are additional rules to govern how the petition question must look if it intends to approve the collection of fees.

3 Students' Council approves the petition question

The petition question will be sent to Students' Council for approval, provided it doesn't create a breach in Council's fiduciary responsibility to the Students' Union. Council might also send the question back to Bylaw Committee to be reworded, if necessary. This can extend the time it takes to approve a petition question by two to three weeks every time it is sent back.

What is Fiduciary Responsibility?

By virtue of being elected to an organization that collects mandatory dues, Students' Council has been given powers that their constituents would normally keep to themselves. Because Council has power to act on behalf of others, it has a responsibility to act in their best interests.

4 Signatures are collected

You will need to collect valid signatures from 15% of the total SU membership for a referendum question, and 5% for a plebiscite question.

A signature is considered valid if the given name and ID number matches up with the name and ID number of someone on the SU's list of voting members. It's a good idea to try to get a few more signatures than necessary, in case some of them are not valid.

5 The valid petition is submitted to the CRO

Once you have all the signatures you need, you can submit the petition to the CRO, who then has to validate it. From there, representatives for the yes and no sides of the question are selected, campaigning ensues, the question appears on the ballot, and students vote.

A petition is considered valid when it has been through the process described above, and received the appropriate percentage of valid signatures.

Timeline

If you want your referendum or plebiscite question to appear on the next general election ballot, you will need to submit a valid petition to the CRO at least 31 days before that election is scheduled to take place. Executive and Board of Governors general elections always happen on the Thursday and Friday in the second week after the Winter Semester Reading Week.

This means you need to work out a timeline to get your question together, based off of when the next election is and how long you think it will take to get the appropriate amount of signatures.

Action Required	Amount of time it will take
CRO receives the intent of the question	Forwards to Bylaw Committee within 48 hours
Bylaw Committee creates petition question	Within 14 days
Council votes on petition question*	Within 14 days
Signatures are collected	How long do you expect this to take?
Valid petition submitted to CRO	At least 31 days before the election

** It may go back to bylaw committee to be reworded before Council will vote on it, which could add anywhere from 7 to 28 days to the process each time it happens.*

If you want a referendum or plebiscite question to appear on the next general election ballot, you will need to start the process a minimum of two months before that election, though you probably want a little more time than that to allow for additional Council readings and the collection of signatures.

Council-initiated Referendum Process

What's Different

According to Bylaw 2200, Section 6, Council may call a referendum question without a petition. Students' Council votes on the first principles of the question, Bylaw Committee drafts an official question at their next meeting, and then Council votes on the second reading of the question.

However, if the question concerns the collection of dedicated fees, it's important to understand what type of fee you're looking to collect, as different types have different processes.

Class A Fees

SU bylaw has specific processes laid out for other types of dedicated fees, but has no specific process outlined for Class A Fees. According to Bylaw 3000, Section 7, Class A fees fall under the authority of Students' Council and/or the general membership, as they may only be amended or abolished by Council or referendum.

This implies that Class A Fees follow the same process as referendum questions that don't include a fee. According to the Bylaw Committee Standing Orders, Section 14, the process is as follows:

1. First reading approved in Council
2. Bylaw Committee Chair assigns a drafts person
3. Drafts person prepares a draft question for the next Bylaw Committee meeting following the Council meeting when the first reading was approved
4. Bylaw finishes drafting and approves the official referendum question to go to ballot
5. Council makes any necessary amendments and votes on the official referendum question to go to ballot

The first reading may be brought to Council by any member of Students' Council, and may go through any route of drafting and consultation prior to Council's first reading.

For example, the SUB Renovation Fund referendum question was driven by the Executive and General Manager, and after extensive planning, budgeting, and consultation, was brought to Students Council in first reading by VP Operations and Finance, Andy Cheema on January 10, 2012 (SC 2011-17). The final question was drafted by Bylaw Committee on January 17, 2012. It was approved by Students' Council in second reading on January 24, 2012 (SC 2011-18) and went to ballot in the next General Election.

Class B Fees

According to Bylaw 3000, Class B Fees are managed under Bylaw 6100, which makes these fees "Dedicated Fee Units". DFUs are different from other SU Dedicated Fees in that these fees are collected by the SU to be distributed to another entity for use in granting or covering that entity's operating costs. This is made clear in Bylaw 6100, Section 2.1.

According to Bylaw 6100 and other relevant sections of SU legislation, the process is as follows:

1. The entity wishing to collect a fee submits a proposal to the Students' Union
2. The proposal is immediately forwarded to the Bylaw Committee
3. Bylaw Committee approves a petition question
4. Students' Council votes on the petition question
5. The entity wishing to establish the fee returns a completed petition to the CRO to be included on the ballot

If the entity in question is a SU operation or service, they may skip the petition step and have Bylaw Committee submit a referendum question directly to the CRO.

For example, the Landing was established as a service by the Students' Union and then separated to become a separate entity after a successful DFU referendum. The referendum question was approved by Council on the recommendation of Bylaw Committee on November 18, 2014 (SC 2014-15).

Student Representative Association Membership Fees

These fees are created under Bylaw 8200, and are only voted on and collected from members of the SRA looking to establish the fee.

According to Bylaw 8200, the process is as follows:

1. The SRA wishing to establish a fee informs the SU of their intent to submit a proposal
2. The SRA submits a proposal to Students' Council
3. Students' Council votes on the proposal
4. A referendum question is drafted by the SRA or Bylaw Committee and forwarded to the appropriate returning officer to be voted on by the membership

Most SRAs include the additional step of presenting their proposal to Council before it's voted on.