

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

BETWEEN:

**UNIVERSITY OF TORONTO GRADUATE STUDENTS' UNION**  
**and ASHLEIGH INGLE**

Applicants

and

**CANADIAN FEDERATION OF STUDENTS and CANADIAN FEDERATION OF  
STUDENTS – ONTARIO**

Respondents

Application pursuant to Rule 14 of the *Rules of Civil Procedure*

**AFFIDAVIT OF ASHLEIGH INGLE**  
**(Affirmed May 5, 2014)**

I, **ASHLEIGH INGLE**, of the City of Toronto, in the Province of Ontario, make Oath and say as follows:

1. I am a member of the University of Toronto Graduate Students' Union (the "UTGSU") and I initiated and collected the petitions that are the subject matter of this proceeding. As such I have knowledge of the matters deposed to herein except where stated to be based upon information and belief in which case I disclose the source of that information and verily believe it to be true.

## **Background**

2. I am a graduate student at the University of Toronto doing a Masters degree at the Ontario Institute for Studies in Education (“OISE”) in child development. I have completed the first year of a two year program. Previously, I had been pursuing a Masters in Physics at the University of Toronto.

3. In the academic year 2012-2013, I served on the UTGSU’s executive committee. I was the Civics and Environment Commissioner. In that capacity, I had the opportunity to attend as a delegate of the UTGSU a number of the Canadian Federal of Students’ (“CFS”) general meetings at both the national and provincial level. I actively participated in those meetings by putting forward motions and engaging in debates.

4. When I ran in the UTGSU election for the position of Civics and Environment Commissioner, I was part of a “pro-CFS” slate. The members of that slate were generally in favour of maintaining UTGSU’s membership in CFS.

5. However, during my term on the UTGSU executive and as I attended CFS meetings, I came to the view that there were problems with CFS National’s and CFS’ Ontario’s (“CFS-O”) processes and I came to doubt whether it makes sense for the UTGSU to be a member of the CFS. For example,

- (a) At the first annual general meeting that I attended of CFS National in Spring of 2012, leaders from the Quebec student movement also attended at the meeting to speak about the Quebec student strike and the processes at their organizations had in place for decision-making and organizing students. I liked many of FEUQ’s ideas and proposed that they be adopted by CFS.
- (b) At the next annual general meeting of the CFS-O that I attended, I learned from friends and colleagues that my comments at the summer meeting were perceived as antagonistic.
- (c) At the November annual general meeting of CFS-National, I proposed a motion that the Quebec student unions who had voted to leave CFS, being the McGill

Post-Graduate and Graduate Students' Society and Concordia's Student Society, should be allowed to leave CFS-National and that CFS-National not spend its resources in a litigation against these student societies. My motion was not even voted upon but instead ruled by the chair of the meeting to be out of order.

- (d) At a number of the meetings, I proposed that minutes of the plenary sessions be typewritten and made public. These motions were voted down.

6. From my experience at these CFS National and CFS-O meetings, I came to the view that the organizations processes were not transparent, not open to change or criticism, and that decision-making was not driven by the member student unions but rather by the executive and staff at CFS-National and CFS-O.

### **Collecting the Petitions**

7. The CFS by-laws provide that the following requirements must be met in order for a petition to be valid to hold a referendum for the UTGSU to decertify from the CFS:

- (a) Bylaw 1, Section 3(a)(iii) requires that a petition be signed by not less than twenty per cent (20%) of individual members of the UTGSU;
- (b) Bylaw 1(6)(a) provides that the original petition must be delivered in its entirety to the National Chairperson, National Deputy Chairperson or the National Treasurer, by registered mail;
- (c) Bylaw 1(6)(a) provides that in order to be considered valid, a name on a petition must be reasonably legible, include the proper full name, be accompanied by a valid and corresponding student identification number and a unique signature.

8. The CFS-O by-laws have similar requirements to those of CFS and some additional requirements:

- (a) Bylaw II(5)(a)(i) provides that a petition calling for a vote on decertification that has been circulated, collected and submitted by individuals belonging to the

student union and that it signed by a notary public, must be delivered by mail to the head office of the CFS-O not less than six (6) months prior to the vote;

- (b) Bylaw II(5)(a)(ii) provides that the petition must include the exact dates and times of the proposed vote. No vote on decertification can be scheduled between April 15 and September 15 or between December 15 and January 15;
- (c) Bylaw II(5)(a)(iii) provides that the petition must be worded as follows: “We the undersigned petition the Executive Committee of the Canadian Federation of Students-Ontario to conduct a vote on decertification from the Canadian Federal of Students-Ontario”.
- (d) Bylaw II(5)(a)(vi) provides that in order to be valid, a name on a petition must be “reasonably legible, include the proper full name, be accompanied by a valid and corresponding student identification number and a unique signature.”

Attached as **Exhibit “A”** is an extract of the CFS’s and CFS-O’s by-laws relating to the petition.

9. I began to contemplate starting a petition to hold a referendum on UTGSU’s membership in CFS and CFS Ontario (“CFS-O”) in the Spring of 2013. I spoke to students at other universities who had experience with circulating such petitions in order to familiarize myself with the process and so that I could anticipate any potential difficulties that may arise. I also reviewed the CFS’ and the CFS-O’s by-laws. I spoke with David Borins, a lawyer in Vancouver, who has represented other student associations in their de-certification process against CFS. David assisted me in coming up with a list of guidelines on how to obtain signatures in manner that is compliant with the CFS and the CFS-O’s by-laws (the “Guidelines”). Attached and marked as **Exhibit “B”** is a copy of the Guidelines.

10. Given that the proposed dates of the referendum must be included on the petition and that the petition must be delivered 6 months before the referendum meant that I needed to complete and submit the petition before September 24, 2013 for a referendum to be held on March 24, 2014. This gave me just over two weeks from the date that graduate students arrived on campus to collect the signatures.

11. I began to collect signatures for the petitions on September 6, 2013 outside the UTGSU's orientation. This was the first day that graduate students are back on campus for the Fall semester.

12. Given that graduate students attend seminar classes, or work in laboratories, it is not easy to collect a large number of signatures at once. I recruited approximately six to eight friends and colleagues to go out and meet graduate students in order to obtain their signatures (the "Canvassers"). In order to assist the Canvassers with their task, I provided them with the Guidelines. The Canvassers and I went out to parts of the campus where we knew graduate students would be. Attached and marked as **Exhibit "C"** is a copy of my email dated September 5, 2013 to the Canvassers enclosing copies of the petitions with instructions on how to obtain signatures.

13. Whenever I approached a student for their signature on the petitions, I asked the student first whether he or she was a member of the UTGSU. If the student was unsure, I asked him or her through whom they received their health insurance as the health insurance plan for UTGSU members is unique to those students. I also tried to make sure that whenever a student filled out the petition that he or she provided his or her first name, last name, student number and signature. I did not ask students for their middle name or middle initial.

14. As I and the canvassers collected signatures, I tried to keep a running tally of the number of signatures we had obtained and how far we were from our target of 3,000 signatures. I only counted those signatures where we had obtained the full name, student number and signature of the student.

15. My aim was to exceed the threshold of 3,000 signatures. There was a big push in the last few days to obtain signatures. I reached out to the faculty representatives on the UTGSU council to assist in circulating petitions to graduate students.

16. On September 14, 2013, I sent an email to canvassers informing them that by my estimate we were only 800 signatures away from our target and asking them to obtain 10 more signatures each. Attached and marked as **Exhibit "D"** is a copy of my email dated September 14, 2014.

17. I sent out another email on September 15, 2014 stating that we needed another 500 signatures and encouraging the Canvassers to reach out to their departments. Attached and marked as **Exhibit "E"** is a copy of my September 15, 2014 email

18. One evening, I booked a table at the Harvest Noon, a graduate student run café, which is independent of the UTGSU, to answer questions students may have about the petitions. When I arrived at my table at the Harvest Noon, Alastair Woods and Kaley Kennedy, who are staff and executive members at CFS, were already there. I had posted the event on Facebook. They sat down directly in front of me at the table and told me that they were also there to answer students' questions. From my perspective, they were monopolizing the space that I had booked. I suggested that they book space independently through the Harvest Noon to hold their own event. They tried to argue with me and then I asked them to leave.

19. That same week, [REDACTED], Toby Whitfield, a CFS-O staff person, was standing outside my apartment building. It may have simply been a coincidence, but I had never seen him there before or since.

20. While I was collecting the petitions, I also ran into Kaley Kennedy outside of OISE a number of times.

21. Collecting signatures for the petitions became my full time job for the month of September. I was personally collecting signatures every day between my classes. If I was not collecting signatures, I was distributing petitions to other Canvassers, finding Canvassers, answering students' questions and giving interviews to the media. I had just started a new Masters program. I declined to attend conferences or participate in other activities so that I could obtain these signatures. Obtaining a single signature from a student could take anywhere from two minutes to ten minutes depending on whether the student had questions.

22. As part of my effort to obtain signatures, I created a press release that I circulated to the media. The story was picked-up by the Toronto Star, the Varsity (the University of Toronto's student newspaper), the Cord (a student paper at the University of Laurier), the Gazette (the student newspaper at the University of Western Ontario) among other newspapers. Attached and

marked as **Exhibit "F"** is a copy of my press release and copies of the electronic articles in those newspapers.

### **Submission of Petitions to CFS and CFS-O**

23. I submitted the petition to CFS-O on September 19, 2013 and to CFS on October 7, 2013.

24. After that, I followed-up a number of times with CFS and CFS-O for them to acknowledge receipt of the petitions. I had my lawyer, Andrew Monkhouse contact each of CFS and CFS-O to acknowledge receipt. Attached and marked as **Exhibit "G"** is a copy Mr. Monkhouse's letter to Alastair Woods at CFS-O dated September 19, 2013 asking the CFS-O to advise if I have not completed any required step or procedure required to trigger the referendum.

25. Mr. Monkhouse sent a follow up letter on October 9, 2013 asking for CFS-O to confirm receipt of the petition. Attached and marked as **Exhibit "H"** is a copy of Mr. Monkhouse's letter dated October 9, 2013.

26. Mr. Monkhouse also sent a letter to Jessica McCormick at the CFS dated October 8, 2013 requesting confirmation of receipt of the CFS-Petition. Attached and marked as **Exhibit "I"** is a copy of Mr. Monkhouse's letter to Jessica McCormick dated October 9, 2013.

27. Mr. Monkhouse sent a follow-up letter to both Mr. Woods at CFS-O and Ms. McCormick at CFS asking for confirmation of receipt of the petitions and confirming the next steps for the referendum to proceed on March 24 to March 28, 2014. Attached and marked as **Exhibit "J"** is a copy of Mr. Monkhouse's letter dated October 16, 2013.

28. Counsel for CFS-O responded on October 17, 2013 that the executive Committee of the CFS-O has initiated a process to verify the validity of the petition. The initial step is for the Executive Committee to determine the membership status of the individuals who signed the Petition. To that end, the letter states, the Executive Committee has written to the UTGSU to request a copy of their membership list. Attached and marked as **Exhibit "K"** is a copy of Tudor Carsten's letter dated October 17, 2013.

29. Counsel for CFS responded on October 18, 2013 that he is consulting with his client and will respond shortly. Almost a month later, on November 11, 2014, counsel for CFS wrote that CFS is in the process of reviewing the petition. He also indicated that CFS is not bound by the referendum dates that I had suggested. Attached and marked as **Exhibit "L"** are copies of Todd Burke's letters dated October 18, 2014 and November 11, 2014.

30. After those letters, I had no more communication with CFS or CFS-O about the petitions. I understand that most of the communication about the validity of the petitions was between CFS, CFS-O and Brad Evoy, the Vice President External (VP-External) of UTGSU.

31. I attended a number of UTGSU council meetings in order to keep apprised of developments and the dates for the referendum. Based on those attendances, I understood that the CFS and CFS-O had scheduled the referendum to proceed from March 24, 2014 to with the campaign period to begin on March 10, 2014.

### **Preparation for the Referendum**

32. I prepared to campaign for the referendum and designed campaign materials including posters and information pamphlets. I estimate that I probably spent approximately 40 hours preparing these materials.

33. As the campaign period was approaching, I contacted the chief returning officer ("CRO"), Stephen Littlely, to ask to him to review my campaign materials. I had heard from colleagues at Capilano University that during their referendum period, their CRO had ruled that a number of their campaign materials did not meet the CFS by-laws. I therefore wanted to make sure that my campaign materials would meet the by-laws before I went to the expense of having them printed. Attached and marked as **Exhibit "M"** is a copy of my email to Stephen Littlely dated February 28, 2014 and his response dated March 3, 2014. In his response, Mr. Littlely writes that he has prepared draft rules that he expects to release soon.

34. On March 6, 2014 I sent a follow-up email to Mr. Littlely informing him that I wished to register for the "No" side of the campaign and requesting that he provide me with the rules for the debate. Mr. Littlely responded on March 6 that "Because the verification of the petition has not been completed as of the time I write this, I can only offer the following as interim

ADVICE...". Attached and marked as **Exhibit "N"** is a copy of the exchange of emails between Mr. Littley and me dated March 6, 2014.

35. On March 7, 2014, I asked Mr. Littley what process he will be using when complaints arise about election materials. He responded that I should re-submit my question after he published the rules for the campaign. Attached and marked as **Exhibit "O"** is a copy of my email exchange with Mr. Littley dated March 7, 2014.

36. I did not hear anything further from Mr. Littley and he did not publish the rules for conducting the campaign.

37. On March 11, 2014, I received an email from Vanessa Hunt, National Deputy Chairperson, enclosing a letter informing me, as a courtesy, that the petition I submitted was "not in order as a requisite number of individual members did not request such a vote and therefore a referendum cannot proceed." Attached and marked as **Exhibit "P"** is a copy of Ms. Hunt's email and letter.

38. Copies of the petitions with signatures that I submitted to CFS-O and CFS, respectively, are attached to my affidavit. I attach as **Exhibit "Q"** the petition to decertify from CFO-O. I attach as **Exhibit "R"** a copy of the petition to decertify from CFS.

AFFIRMED BEFORE ME )  
at the City of Toronto )  
in the Province of Ontario )  
this 5<sup>th</sup> day of May, 2014 )  
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A Commissioner for taking Affidavits

  
ASHLEIGH INGLE

**Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015**

4. Application for Full and Prospective Membership

- a. Within sixty (60) days of receipt by the Executive Committee of the Federation of an application in writing for full and prospective membership, the Executive Committee shall consider the application and make a recommendation to the member local associations of the Federation regarding the application.
- b. There shall be a vote of the member local associations of the Federation at the next general meeting on the question of approving a recommendation of the Ontario Executive Committee regarding an application for membership. A majority of at least two-thirds (2/3) shall be required to accept the application.

5. Vote to Decertify

The individual members of the Federation belonging to a member local association may vote on whether to decertify, subject to the following rules and procedures:

a. Petition

- i. A petition calling for a vote on decertification in the Canadian Federation of Students—Ontario, that has been circulated, collected and submitted by individuals belonging to the member local association in question, and that is signed by a notary public, must be delivered by registered mail to the head office of the Federation not less than six (6) months prior to the vote;
- ii. The petition must include the exact dates and times of the proposed vote. No vote on decertification shall be scheduled between April 15 and September 15 or between December 15 and January 15;
- iii. The petition shall be worded as follows: "We the undersigned petition the Executive Committee of the Canadian Federation of Students—Ontario to conduct a vote on decertification from the Canadian Federation of Students—Ontario;"
- iv. The original, unaltered petition must be delivered in its entirety. Petitions received that are not original copies, have been altered in any manner, or have been received by any means other than registered mail are not valid;
- v. The petition must not contain any words or images, with the exception of those required by Bylaw 2, Section 5.a., and those required indicating which fields a signatory must complete;
- vi. In order to be valid, a name on a petition must be reasonably legible, include the proper full name, be accompanied by a valid and corresponding student identification number and a unique signature;
- vii. The Executive Committee will have the sole authority to determine whether the petition described in Bylaw 2, Section 5.a. is in order;
- viii. An individual member may request that her name be removed from a petition. If the Executive Committee receives such a request in writing before the conclusion of the verification process of the petition, the name must be struck from the petition. The name shall not be included in the total number of names on the petition; and

This is Exhibit "A" referred to in  
 affidavit of ASHLEIGH INBLE  
 sworn before me, this 5<sup>th</sup>  
 day of MAY 2015

Fédération canadienne des étudiantes et étudiants-Ontario / Canadian Federation of Students-Ontario

  
 A COMMISSIONER FOR TAKING AFFIDAVIT

BYLAW II – Membership

Commissioner, etc.,

while a Student-at-Law.  
Expires May 10, 2015

- ix. Failure to adhere to the petition provisions in Article 5 (a) shall invalidate the results of the vote.

b. Campaigning

- i. Campaigning shall take place for no less than two (2) weeks immediately preceding the voting during which time classes are in session, and on each and every day on which voting is to occur; and
- ii. Individual members and representatives of the member local association, representatives of the Federation and representatives of other Federation member local associations shall be permitted to participate in the campaign.
- iii. Campaign materials shall not be misleading, defamatory or false. The Chief Returning Officer shall be the sole arbiter of whether materials are misleading, defamatory or false.

Voting must take place at voting stations or, subject to the agreement of the Federation, at a general meeting of the prospective member association or by mail-out ballot;

- ii. There shall be no less than sixteen (16) hours of polling over no less than two (2) days, except in the case of voting being conducted at a general meeting;
- iii. In the event that polling is conducted at a general meeting, representatives of the Federation and Federation member local associations shall be extended full speaking rights in the meeting;
- iv. It shall be the responsibility of the voting member local to obtain and provide to the Federation, no later than seven (7) days in advance of the vote, a list of all of the individual members of the Federation eligible to participate in the vote. If the voting member local is unable to obtain or provide such a list, voting shall be conducted through a double envelope system, whereby the ballot is placed in an unmarked envelope, which is placed in a second envelope, on which the voter writes their full name and student identification number. After voting ends the envelopes will be compared to a list of the individual members who are eligible to participate in the vote. Duplicate ballots and ballots cast by ineligible voters shall be discarded. Once the validity of the votes has been verified, the outer envelopes will then be separated from the unmarked inner envelopes and tabulated.

**d. Quorum**

Quorum for the vote shall be that of the member local association's or ten percent (10%) of the individual members of the local association, whichever is higher.

**e. Chief Returning Officer**

For each vote to decertify, a Chief Returning Officer shall be appointed in accordance with the Bylaws of the Canadian Federation of Students.

The Chief Returning Officer shall oversee the referendum and be responsible for:

- i. Establishing the notice requirement for the referendum in accordance with the Bylaws of the Canadian Federation of Students.
- ii. Establishing the campaign period in accordance with Section 5.b of this Bylaw.

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Canadian Federation of Students-Ontario / Fédération canadienne des étudiantes et étudiants-Ontario

## BYLAW II – Membership

- iii. Approving all campaign materials in accordance with Section 5.b of this Bylaw and removing campaign materials that have not been approved.
- iv. Deciding the number and location of polling stations.
- v. Setting the hours of voting in accordance with Section 5.e of this Bylaw.
- vi. Overseeing all aspects of the voting.
- vii. Counting the ballots following the vote.
- viii. Establishing all other rules and regulations for the vote.

**f. Appeals**

For each vote to certify, an Appeals Committee shall be appointed to adjudicate any appeals of the referendum results or rulings by the Chief Returning Officer in accordance with the Bylaws of the Canadian Federation of Students.

**g. Minimum Period Between Decertification Votes**

In addition to Articles a. to f., in order for a vote on decertification to take place, a member local association may not have held a vote on decertification within the previous twenty-four (24) months.

**6. Procedure for Application for Decertification**

- a. Following the holding of a vote on decertification in accordance with Bylaw 2, Section 5 pursuant to which it is determined that membership shall not continue, the applicable member local association is required to send a letter by registered mail notifying the Federation of its intention

recommendation to the voting members of the Federation concerning the decertification.

- b. At the opening plenary of the next general meeting of the Federation, ratification of the decertification vote shall be put to a vote.
- c. For any decertification vote ratified at a semi-annual general meeting of the Federation, the decertification shall take effect on June 30, provided that all outstanding membership fees payable to such date shall have then been received by the Federation.
- d. For any decertification vote ratified held at a annual general meeting of the Federation, the decertification shall take effect on August 30, provided that all outstanding membership fees payable to such date shall have then been received by the Federation.

## 7. Binding Contract

A member local association's application for membership, once accepted by the plenary of the Federation, shall constitute a binding contract to pay Federation membership fees in each Federation fiscal year.

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Fédération canadienne des étudiantes et étudiants-Ontario / Canadian Federation of Students-Ontario

## RÈGLEMENT II – Adhésion

### RÈGLEMENT II – ADHÉSION

#### 1. Membres à part entière

Description générale : L'adhésion à part entière est d'une durée illimitée et comprend l'adhésion à la Fédération canadienne des étudiantes et étudiants, l'organisation dispensatrice de charte.

- a. Un syndicat étudiant ontarien peut soumettre une demande d'adhésion à part entière si ses membres ont approuvé l'adhésion par voie de référendum tenu dans les neuf (9) mois précédents, ainsi que la cotisation, qui comprend la cotisation nationale, la cotisation de l'élément de l'Ontario et les droits exigibles pour les services de la Fédération canadienne des étudiantes et étudiants.
- b. Le libellé officiel des questions référendaires visant l'adhésion à la Fédération doit se limiter à ce qui suit :
  - i. « Voulez-vous être membre de la Fédération canadienne des étudiantes et étudiants? »; et
  - ii. Toute autre formulation sera déterminée par le comité responsable de la campagne référendaire selon les dispositions de la section 3 (d) du présent règlement.
- c. L'adhésion à part entière entrera en vigueur une fois acceptée par :
  - i. la plénière de l'élément de l'Ontario de la Fédération; ou
  - ii. la plénière nationale de la Fédération canadienne des étudiantes et étudiants.
- d. Les syndicats étudiants qui sont des membres à part entière de l'Élément de l'Ontario et qui sont composés uniquement d'étudiantes et d'étudiants à plein temps, ou d'étudiantes et d'étudiants à plein temps et à temps partiel, versent à l'élément de l'Ontario une cotisation minimum de 2,50 \$ par semestre, ou de 5,00 \$ par année scolaire, par membre individuel du syndicat étudiant, proportionnellement calculée selon le mode de perception des droits du syndicat étudiant.  

Les syndicats étudiants qui sont des membres à part entière de l'Élément de l'Ontario et qui sont composés uniquement d'étudiantes et d'étudiants à temps partiel, versent à l'élément de l'Ontario une cotisation minimum de 1,25 \$ par semestre, par membre individuel du syndicat étudiant, proportionnellement calculée selon le mode de perception des droits du syndicat étudiant.
- e. À partir de 1996, la cotisation versée à l'élément de l'Ontario sera majorée le 1er août de chaque année en fonction du taux de croissance de l'indice national des prix à la consommation de

1. Seuls les membres individuels de la Fédération appartenant collectivement à un syndicat étudiant membre (section locale) ont le pouvoir de procéder, à l'aide d'une pétition signée par un minimum de vingt pour cent (20 %) des membres individuels et envoyée au Comité exécutif de la Fédération, à la tenue d'un vote sur la continuation de l'adhésion tel que prescrit dans le présent Règlement, qui entraîne aussi un référendum sur la continuation de l'adhésion à la Fédération canadienne des étudiantes et étudiants, sous réserve des dispositions des Règlements concernés de l'organisation nationale dispensatrice de charte.

## **2. Membres éventuels**

Description générale : L'adhésion d'un membre éventuel est d'une durée limitée et comprend l'adhésion à titre éventuel à la Fédération canadienne des étudiantes et étudiants, l'organisation dispensatrice de charte.

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Canadian Federation of Students-Ontario / Fédération canadienne des étudiantes et étudiants-Ontario

**5. Suspension and Expulsion of Members**

A member local association may have its voting privileges suspended or may be expelled for violating its responsibilities as outlined in Bylaw I, Section 3 (c), subject to the following procedure:

**a. Process for Initiating the Procedure of Suspension or Expulsion**

The procedure for suspending the voting privileges or expelling a member local association may be initiated by:

- i. resolution of the National Executive; or
- ii. a petition, submitted to the National Executive, signed by not less than one-third (1/3) of the voting member locals associations and listing the reasons for the proposed suspension of voting privileges or expulsion.

**b. Notice of the Suspension or Expulsion Procedure**

Upon resolution of the National Executive or receipt of a petition by the National Executive, initiating the process for suspending or expelling a member local association, the National Executive will:

- i. place the matter on the agenda for the next regularly scheduled national general meeting for which no less than four (4) week notice can be given; and
- ii. inform, by registered mail, the member local association against which the suspension or expulsion procedure has been initiated no less than four (4) weeks prior to the national general meeting at which the matter of suspension or expulsion will be considered.

**c. Required Majority**

A two-thirds vote of a national general meeting shall be required in order to suspend the voting privileges or expel a member local association.

**d. Appeal of Suspension or Expulsion**

Any student association, which has had its voting privileges suspended or has been expelled, may appeal the decision to the next world congress of the International Union of Students.

**e. Reinstatement of Voting Privileges**

A member local association, which has had its voting privileges suspended, may have its voting privileges reinstated subject to the following procedure:

- i. Upon receipt of a written application from a member local association requesting reinstatement of voting privileges, the National Executive will assess the merits of the application and make a recommendation to the voting member local associations at the next regularly-scheduled national general meeting.
- ii. A two-thirds majority vote shall be required to reinstate a member local association's voting privileges.

**6. Vote to Decertify**

The individual members of the Federation belonging to a member local association may vote on the question of continuing their membership, subject to the following rules and procedures:

**a. Petition**

As per Bylaw I, Section 3.a.iii a petition calling for a vote on decertification shall be signed by no less than twenty percent (20%) of the individual members of the member local association and delivered to the National Executive of the Federation.

The petition shall be worded as follows: "We, the undersigned, petition the National Executive of the Canadian Federation of Students to conduct a referendum on the issue of continued membership in the Canadian Federation of Students."

The original, unaltered petition must be delivered in its entirety to the National Chairperson, National Deputy Chairperson or National Treasurer, by registered mail. Petitions received that are not original copies, have been altered in any manner, or have been received by any means other than registered mail are not valid.

The petition may not contain any words or images, with the exception of those required by Bylaw 1.a and those required to indicate which fields a signatory must complete.

In order to be considered valid, a name on a petition must be reasonably legible, include the proper full name, be accompanied by a valid and corresponding student identification number, and a unique signature.

An individual member may request that her name be removed from a petition. If the National Executive receives such a request in writing, before the conclusion of the verification process of the petition, the

## Bylaw I

name must be struck from the petition. The name shall not be included in the total number of names on the petition.

### b. Schedule

- i. The National Executive will have the sole authority to determine whether the petition described in Bylaw I, Section 6.a is in order. Within 90 days of receipt of the petition, the National Executive will review the petition to determine if it is in order and, if it is, in consultation with the member local, will schedule a vote. The National Executive will endeavour to schedule the referendum between 60 days and 90 days following its determination that the petition is in order. The scheduling of the referendum shall be subject to the following conditions:
  - there shall be no fewer than two (2) and no greater than five (5) days of voting; and
  - there shall be no less than seven (7) days and no greater than 21 days for campaigning, during which classes are in session, immediately preceding and during voting.
- ii. No vote on decertification may be held between:
  - April 15 and September 15; and
  - December 15 and January 15.
- iii. There shall be no more than two (2) votes on decertification in any three-month period.
- iv. No vote on decertification shall take place without compliance with Sections 6.b.i, 6.b.ii and 6.b.iii.

### c. Chief Returning Officer

For each referendum on continued membership, the National Executive shall recommend an individual to serve as the Chief Returning Officer. The Chief Returning Officer's appointment is subject to ratification by a general meeting of the Federation.

The Chief Returning Officer shall oversee the referendum and be responsible for:

- i. establishing the notice requirement for the referendum in accordance with Section 6-d of this Bylaw and ensuring that notice is posted.
- ii. establishing the campaign period in accordance with Section 6-e of this Bylaw.
- iii. approving all campaign materials in accordance with Section 6-f of this Bylaw and removing campaign materials that have not been approved.
- iv. deciding the number and location of polling stations.
- v. setting the hours of voting in accordance with Section 6-g of this Bylaw.
- vi. overseeing all aspects of the voting.
- vii. counting the ballots following the vote.
- viii. establishing all other rules and regulations for the vote.

### d. Notice of Vote

Notice of the vote, that includes the referendum question and voting dates, shall be provided to the individual members of the member local association no less than two (2) weeks prior to the first day of voting.

### e. Campaigning

- i. The member local association, the individual members from the member local association and the Federation not shall engage in any campaigning outside of the campaign period.
- ii. Only individual members and representatives of the member local association, representatives of the Federation and individual members and representatives of Federation member local associations shall be permitted to participate in the campaign.
- iii. The campaign period is defined as the days the National Executive schedules for campaigning under Bylaw 6.b.i, and each and every day on which voting is to occur.

### f. Campaign Materials

- i. Campaign materials shall include all materials developed specifically for the campaign.
- ii. Materials produced by the Federation that promote campaigns and services of the Federation shall not be considered as campaign materials unless they include specific content about the vote.
- iii. The Federation website shall not be considered a campaign material unless it includes specific content about the vote.
- iv. The Federation's annual report, financial statements, research and submissions to government shall not be considered a campaign material.
- v. Campaign materials shall not be misleading, defamatory or false. The Chief Returning Officer shall be the sole arbiter of whether materials are misleading, defamatory or false.

This is Exhibit <sup>11 B</sup> referred to in the affidavit of ASHLEIGH INGLE sworn before me, this <sup>5th</sup> day of MAY 2014.

### Instructions for Petitioners

Alexander King, Commissioner for Taking Affidavits  
Province of Ontario,  
while a Student-at-Law.  
Expires May 16, 2015

#### *Why are we Circulating Petitions?*

- Purpose of the signatures is to trigger a referendum in the spring of 2013 on the question of whether UoT Graduate students will continue their membership in the Canadian Federation of Students ("CFS") and the Canadian Federation of Students-Ontario ("CFS-O").

#### *Why are there Two Petitions?*

- There are two petitions because there are two separate CFS entities – The national CFS and Provincial CFS-O.
  - One petition is designed for the CFS national.
  - The other petition is for CFS-O.
- Need to get signatures on both petitions.

#### *How many signatures do we need?*

- In order to trigger a referendum, we want to have 4000 signatures on each petition by September 14, 2013. This number will ensure that we have more than enough signatures to trigger a referendum. (The CFS and CFS-O have a bylaw that allows them to "counter-petition" – i.e. – collect signature to remove from the petition, so we need to get more than the 20% threshold.)

#### *What happens to the petitions after they are collected?*

- Once the petitions are collected, each petition will be sent by registered mail to the CFS-O and CFS. The petitions need to be delivered by registered mail at least six months before the referendum. That is why signatures need to be collected by September 14, 2013.

#### *What information needs to be on the petition?*

- The petitions contain three fields (name, student number, and signature). Names must be legibly printed with a correct legible student number next to each.
- Petitioners should be careful in collecting signatures from students:
  1. Ask each student to print their full proper name clearly; print their correct student number; and sign their name.
  2. Ask each student to see their student card to verify their name, student number, and signature. If a student refuses to show a student card or does not have a card, you should still allow the student to sign the petition.
  3. Ask students whether they have already signed the petition. If they have, do not allow them to sign it again.
  4. Make sure that each student signs both petitions.
- Do not markup the petition by putting any logos or other words on it.

*What should petitioners not do when petitioning?*

- Do not mislead students about what they are signing.
- Do not take advantage of students who are intoxicated who may not understand what they are signing.

This is Exhibit "C" referred to in the affidavit of ASHLEIGH INGLE sworn before me, this 5th day of MAY 2014.

Alexander Kitz, a Commissioner for Taking Affidavits, Province of Ontario, while a Student-at-Law. Expires May 10, 2015

----- Forwarded message -----

From: Ashleigh Ingle [redacted]  
Date: Thu, Sep 5, 2013 at 10:16 PM  
Subject: Grad students should have a say on the CFS: meeting follow-up  
To: Ashleigh Ingle [redacted]

Hey everyone,

Thanks for attending today's meeting. If each one of you could commit to collecting at least 50 signatures (but obviously more, if possible, especially if you're from a large department!) from your department or anywhere else you can find grad students, then we'll be in a decent position for Friday, September 13th! If there is anything I can do to help you achieve that number, please let me know. Do you have an event related to your department in the next week where there will be a lot of people? We can get people there. Have people expressed interest in signing but you're not in your department much? We'll be there. Do people want to have a Q&A about this? Let us know! We really can't do this without your help.

Attached to this email is a copy of both petitions. Please remember that you need to get people to sign both petitions. One petition is for the national component of CFS and one is for the provincial, but it's all about the exact same issue. Below is a blurb that you can send out to your department. I would recommend adding a personalized section at the top encouraging people to sign or saying when you'll be around to collect signatures (or whatever your plan is), as it makes people way more likely to participate.

The Q&A from the GSU isn't up yet on their website but it will be by morning. If there is any information not included in the message below that you think people will want, please email me requesting it and I will prepare something to send back to all of you (and put it up on the facebook page). If you can send me these requests tonight, I will guarantee it by the morning. If you send it to me tomorrow, I guarantee a response by Saturday.

Graduate students at the University of Toronto are circulating petitions so that we can have a vote at the end of March on whether or not we should continue our membership in the Canadian Federation of Students. We need 20% of our 15,000 members to sign by Friday, September 13th in order for us to have this debate and hold a binding vote.

Some background: The CFS is an organization that lobbies on our behalf to both the federal and provincial government (on matters including tuition, research funding, etc.). This petition is requesting a vote on whether we want them to represent us to those bodies and whether we want to pay them \$15.62 individually and over \$234,000 collectively for that representation. Since 1981, we have not had a single vote on whether we want to have them represent us. This is despite the fact that both executives and departmental representatives of the Graduate Students' Union have expressed consistent concern that CFS is not doing a good job in representing our interests. Signing the petition just means you support opening the debate and having a fair vote on whether to stay in CFS and does not signify whether you believe

that they should or should not represent us. There would be a campaigning period where CFS would argue their "yes" side and students on campus would argue the "no" side.

For frequently asked questions about petition-signing procedure and this process in general, please see the GSU website here: [www.utgsu.ca/petition](http://www.utgsu.ca/petition)

If you wish to sign the petitions, there will be copies available at the **Harvest Noon Café**, above the GSU pub (16 Bancroft Ave.), Monday - Friday between 10am and 2pm and Monday night from 5pm-9pm. You need to sign both petitions: one is for CFS-National and one is for CFS-Ontario but they are both about this issue of having a vote. We have only a very short period of time to do this, so please sign the petition within the week! Someone will be available to collect your signed petitions at the **Harvest Noon Café** on Thursday, September 12th from 10am - 2pm (or contact Ashleigh at the email below for another pick-up time). However, absolutely all signatures must be collected by Friday, September 13th! If you have more questions or want to help out, please contact Ashleigh Ingle at [REDACTED]. There is also a facebook group where you can ask questions, download the petitions and get any updates on the process. You can find that here: <https://www.facebook.com/groups/UofTgrads>

Thanks so much.

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----  
Ashleigh Ingle [REDACTED]  
[REDACTED]

**We, the undersigned, petition the National Executive of the Canadian Federation of Students to conduct a referendum on the issue of continued membership in the Canadian Federation of Students.**

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**We the undersigned petition the Executive Committee of the Canadian Federation of Students–Ontario to conduct a vote on decertification from the Canadian Federation of Students–Ontario. The vote shall be conducted on March 24 to 28, 2014, with polls open between the hours of 9:00 a.m. and 5:00 p.m. on each day.**

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----- Forwarded message -----

From: Ashleigh Ingle [REDACTED]  
Date: Sat, Sep 14, 2013 at 2:05 PM  
Subject: CFS defed petition: we're so close !!!  
To:

Hi everyone,

So at this point we are only 800 signatures below where we need to be. So that means ... if everyone on this list would commit to getting 10 more signatures then we would be able to reach our goal!

The timeline: we would need these signatures by Tuesday afternoon/early evening.

So just 10 more signatures from you would get us there! If you could dedicate a bit of your time Monday or Tuesday to doing this, we would be at our goal and we can finally have this debate.

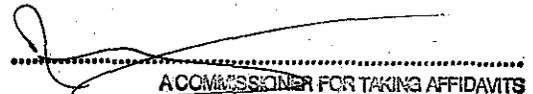
Thanks so much for all your hard work. Please respond to this email letting me know that you're willing to go for 10 more signatures! The PDFs of the petition are attached, in case you need them. Remember, people must sign both petitions.

We can do this!

All the best,  
Ashleigh

--  
-----  
Ashleigh Ingle, [REDACTED]  
[REDACTED]

This is Exhibit....."D".....referred to in the  
affidavit of...ASHLEIGH INGLE.....  
sworn before me, this...5<sup>th</sup>.....  
day of...MAY.....2014.....

  
.....  
A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner for Taking Affidavits,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

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----- Forwarded message -----

From: Ashleigh Ingle [REDACTED]  
Date: Sun, Sep 15, 2013 at 4:58 PM  
Subject: petition update - only 500 signatures needed !  
To: [asirhrstudents@utoronto.ca](mailto:asirhrstudents@utoronto.ca)

Hey everyone!

Thanks so much for all your hard work. We now only have ! 500 ! signatures to get and about two days to do it. This is totally doable if we have all hands on deck for the next two days. We've already collected over 2500 so we can't stop now.

I think it makes sense for people to do class talks, if they know any medium-large classes in their departments that are happening on these days. If you're not comfortable doing this, but know of a large class, please just let me know the location/time and I'll make sure someone is there. Or even if you can just send me an email with the locations of your departments' offices, if you aren't able to do it yourself... that'd be a big help in finding people that you don't think have signed.

Sorry to keep hassling everyone. I look forward to being able to stop hassling you, as much as you look forward to not receiving these emails anymore (probably more, actually).

But any help on Monday and Tuesday is essential to us reaching over the 20% threshold for signatures.. and we're soo close!! Please email me back or send me a text: [REDACTED], if you still have petitions to be collected or if you can collect any more over the next couple days.

All the best,  
Ashleigh

-----  
Ashleigh Ingle, [REDACTED]  
[REDACTED]

This is Exhibit... "E" .....referred to in the  
affidavit of... ASHLEIGH INGLE  
sworn before me, this... 5<sup>th</sup> .....  
day of... MAY ..... 20... 14

  
.....  
A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law,  
Expires May 10, 2015

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**Students Across Canada Petition to Leave Canadian Federation of Students**

September 4, 2013 - College and University students across the country are beginning the process to end their membership with national lobby group, the Canadian Federation of Students. This initiative to "defederate" includes petitions among students at the largest schools remaining in the Federation (the University of Toronto, York University, and Ryerson University), as well as the only schools left in a few different provinces. Over 15 student associations are currently taking part and this number may grow throughout the fall. Their aim is to end the Canadian Federation of Students' control over local campus affairs, but also to begin discussions about alternatives for provincial and national organizing that keep decision-making power in the hands of students.

"Many of us are longtime student organizers and have seen students attempt to reform the CFS from within for decades, but to no avail. We are taking these steps to defederate because of our dedication to students and to the student movement," said Ashleigh Ingle, a graduate student at the University of Toronto. "Students are realizing that their interests are not served by the Canadian Federation of Students. We are not walking away from organizing at the national and provincial level; we are creating the space for that to happen effectively."

The Federation has recently lost traction in a number of provinces, with its control loosening on many campuses nationwide. This latest mass defection from the CFS could leave them without representation in British Columbia, Manitoba and Québec. Combined with their lack of representation in Alberta and much of the Maritimes, this significantly challenges the idea that the CFS represents Canadian students.

"Every student - from every part of the political spectrum - has a reason to want to leave the Canadian Federation of Students. For us, we have come to this decision because of what we feel are ineffective organizing practices and lobbying efforts, a bloated bureaucracy, questionable financial decisions, and low standards of democratic processes. We believe students deserve better," says Brendan Lehman a student from Laurentian University.

Some students plan to create new organizing bodies directed by principles of free association and direct membership control, the founding congress of which is planned for 2014. The organizers tell us that, "the proper approach to student organizing involves limiting dependence on members' money while maximizing student decision-making in the fight for free public, high quality education. But even if students have no desire to join a new organizing body, they should still consider terminating their membership in the CFS. It's time to take a stand. If you want to start a petition on your campus or help out with an existing one, email [timetomobilize@gmail.com](mailto:timetomobilize@gmail.com). It is time to defend the interests of students; it is time to say no to CFS."

-30-

For more information, please email: [timetomobilize@gmail.com](mailto:timetomobilize@gmail.com) or contact:

Ashleigh Ingle: Ontario, Central and Eastern Canada Spokesperson -

Nicholas Di Penna: Francophone Spokesperson -

: West coast Spokesperson -

"P"  
referred to in the  
affidavit of ASHLEIGH H. INGLE  
sworn before me, this 5<sup>th</sup>  
day of MAY 2014  
Alexander Kitz, a Commissioner, etc.,  
Province of Ontario  
A COMMISSIONER FOR TAKING AFFIDAVITS  
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Expires May 10, 2015

# Toronto Media Co-op

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Posted by on December 1, 2012

NEWSRELEASE

Reviewed by Toronto Media Co-op editors. [copyedited](#) [fact checked](#) [?](#)

## Solidarity or else: the state of democracy in the CFS

by [ASHLEIGH INGLE](#)



Photo of Quebec students CFS meeting from twitter by @MorganCrockett "Québec component meeting. Oh, wait they all decertified."



Ashleigh at the Ontario Student strike training camp (photo: The Indignants)

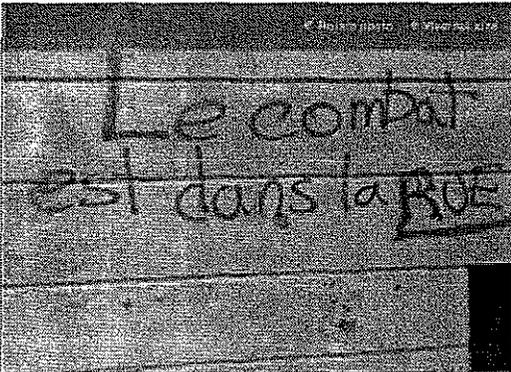


Photo of graffiti outside the CLASSE office during the student strike, text reads "The fight is on the streets" (Megan Kinch)

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I'm Ashleigh Ingle and I'm from the UofT Graduate Students' Union. I'm here to speak to you a bit about the current state of CFS and possible directions for our collective future. When we come together like this, with student organizers from across the country, what I really hope we can do is talk about strategy.

We have access to campuses across the country and if we decide to, can have a significant effect on the strategies employed by the Canadian student movement as a whole. But we need to have frank discussions, not just about specific campaigns or the production of materials, but the over-arching tactical and political orientation of the CFS.

The first thing I would like to address is the issue of democracy. Contrary to what I've heard many times throughout this and other AGMs,

democracy is not just a buzz word. The nature of our organizational democracy is a political debate that needs to be had. Partially because of the Quebec student strike, the issue of student association structures and decision-making processes has become a recent topic of conversation – but this is not the first time this conversation has happened. The perceived top-down, undemocratic nature of CFS has been a long-standing concern of local executives and members for years, and has been raised at multiple AGMs. These conversations have historically been met with hostility, aggression and ad-hominem attacks. If you are interested in learning more about these interactions, I would recommend that you look for documents, which are available online, such as “Solidarity for their own good” and “The CFS is broken and can’t be fixed”. The CFS runs in a representative democratic structure, where power exists in the hands of executives, increasingly at the provincial and national levels, and decisions are significantly influenced by the opinions of long-term staff. There is also a deeply embedded paranoia of being public about our internal practices, often justified by the specter of a right-wing attack of our organization. Even in this AGM, myself and others who have put forward critiques of the status quo have been called right-wingers and have been accused of trying to break down the student movement. The truth is that CFS is its own worst enemy in this regard. It is through this tendency towards secrecy and consolidating power that we alienate our members – especially those in the left-wing – and we provide fuel to the arguments of those few people who actually wish to undermine the student movement. This is self-defeating and self-perpetuating. This secrecy and consolidation of power leads to legitimate criticisms, in the face of these criticisms CFS moves towards greater secrecy and a greater consolidation of power in order to protect itself from these supposed attacks.

This is exactly what played out with our sister student unions from McGill and Concordia, who held defederation votes in 2010 in response to what they perceived to be the undemocratic practices of CFS, and to the hostility and dismissal that they received at the 2009 AGM when they tried to put forward reforms as member locals of CFS. These 3 defederation votes all had record high turnouts for those institutions – higher than any vote or referendum they had ever had on any topic, including joining CFS – and the students overwhelmingly voted to defederate. The Concordia undergrads voted 72% to leave CFS, The Concordia grads voted 75%, and the McGill grads voted 86% to defederate – based on the treatment that those locals received when they tried to reform their student federation at the national level and based on what they saw as systemic undemocratic processes. The CFS’ response to that was to deny the democratic will of those members to the point that their local names are still being read out during roll call till this day, the CFS is still trying to collect dues from these students, even though none of those student associations consider themselves members. They have been mobilizing quite successfully on those campuses. These defederation votes came from critical leftists, not right-wingers. They all had substantial student strike actions on their respective campuses only two years later. This is the first time that this has occurred in the history of these Universities and it happened without CFS.

This is no way to maintain our membership. In fact, the CFS is currently hemorrhaging members and this type of behaviour will only make this worse. As the McGill graduate student union said in the statement that they asked for me to read at this AGM, “Perhaps, as the CFS ponders why student unions might wish to defederate from it, in lieu of searching for some potential flaw or fault within the member union, the CFS would do well to reflect on its own internal practices”. I would like to put forward that we need to move towards participatory democracy and a strategic not legalistic orientation to local autonomy.

We need to be working on the development of the decision-making structures required for us to have membership determined actions, where the job of the executive is to facilitate member education, and ensure that the decisions of the membership are followed through on and made effective. As we’ve seen in the Quebec student strike, it is collectively-determined sustained actions that exert the financial pressure that will lead to results in our struggles. We can participate in the dissemination of information to our fellow members through our organizing networks about the power of direct democracy and the need for organizing that involves workplace actions, student strikes and other efforts that will assert financial pressure on our educational institutions, businesses and government. Then they will take our demands seriously because they will be actual demands – where we have leverage behind them to ensure they are carried out.

We need to decide whether we want to continue towards being the largest consumer products company to ever masquerade as a social movement or whether we want to be a real combative union of students who will run based on member mandates and use collective direct action to achieve our demands.

We don’t just have strength in numbers; it’s about what we do with those numbers and I hope that we can make the time now to have a fruitful discussion about what the most effective use of our numbers really is. I would say that it’s using directly-democratic structures to ensure that we fully empower our members and make our best pitch for the types of actions that have proven themselves to be effective: those that exert real pressure.

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## About the poster

()

Member since December 1969

About:

Trusted by 0 other users.

Has posted 44 times.

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Your Toronto / Schools

## Student activists want to cut ties with Canadian Federation of Students

U of T student Ashleigh Ingle says a "loose network" at 15 schools see the federation as ineffective and undemocratic.

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COURTESY OF ASHLEIGH INGLE

Ashleigh Ingle, right, collects signatures at the University of Toronto. The 28-year-old grad student is pushing for her student union to withdraw from the Canadian Federation of Students, alleging the national student body is "undemocratic" and "ineffective."

By: Alex Ballingall News, Published on Wed Sep 18 2013

Student activists in the GTA and elsewhere in Canada are calling on their campus governments to withdraw from the Canadian Federation of Students, the largest collective of student unions in the country.

Ashleigh Ingle, a University of Toronto grad student, described a "loose network" of disaffected students at 15 schools — including the University of Toronto, Ryerson and York — who are pushing to "defederate" their unions from the national body.

She would only name seven of the schools, citing the wishes of some activists not to "experience the onslaught" of a Canadian Federation of Students (CFS) counter movement.

"Initially, our issue was really just that we see it as an ineffective organization," said Ingle, 28, identified as a spokesperson for the initiative in a Sept. 4 press release.

"Then we saw that it was also completely undemocratic. They had no interest in transparency, or having students be the ones behind campaigns or the direction of the organization," she claimed.

CFS internal co-ordinator Brent Farrington dismissed the agitation as the actions of a "handful" of activists at "a couple" campuses.

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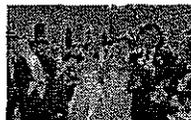
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"It's becoming very clear to us that the 'movement' that is being cited for media purposes is certainly not the reality," said Farrington. "We're not seeing it. They won't even say what the schools are where they're alleging this is happening."

Farrington also took issue with the charge that the CFS is "undemocratic," describing how any member can issue motions to the annual general meeting, all of which are discussed and voted upon.

"For an organization of our size, we actually have one of the most open, democratic processes of any group in Canada," he said.

Presidents of student unions at York and Ryerson, meanwhile, said they'd heard of the petitions at their schools, but hadn't seen them.

"I know that there's one student that talked about collecting petitions, but I haven't actually seen anything happen," said Ryerson Students' Union president Melissa Palermo.

Jessica Thyriar, president of the York Federation of Students, added: "I think the people behind this are making it bigger than it is."

"Whether or not the CFS believes it is happening is not much of a concern to us. Time will tell," Ingle said in response to this skepticism. "Students across the country want to leave the CFS and organize in better ways, and if they find this so hard to believe, it just shows how out of touch they are."

According to CFS bylaws, students can force a referendum on affiliation if they gather a petition signed by 20 per cent of members at their school. Ingle said Monday that she had gathered about 3,000 signatures since Sept. 3, representing about a fifth of the U of T graduate union membership.

She said Ryerson students will need about 8,000 signatures, and are hoping for a referendum next year, while York students are in the early stages of circulating their petition.

Brendan Lehman, a student pushing the petition at Sudbury's Laurentian University, took issue with a perceived lack of activism on the part of the CFS, and praised the Quebec student movement during the so-called "printemps érable" of 2011, when thousands poured into the streets to protest hikes to tuition fees. He said the CFS should encourage similar action in the rest of Canada.

"The current system (of student organization) in the rest of the country doesn't really show results," he said. "We felt it was time to make some changes and challenge some bureaucracy and actually get some things happening for students."

If they succeed in separating from the CFS, Lehman and Ingle said they will convene a conference of newly independent student unions in 2014, where they hope to create a new national organization that will allow more direct student involvement.

The CFS was created in 1981, and represents more than half a million students at 82 campuses across Canada.



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**Fact**

The CFS made the EXACT same denials in 2009 when it was announced that 13 schools were circulating petitions to leave the CFS. Well, 13 schools did submit petitions from universities and colleges across Canada.

Following the delivery of those 13 petitions, at some schools, well known CFS partisans running the student unions actively prevented a referendum from taking place, effectively countermanding an order from hundreds (or in the case of the larger schools like Carleton University,... » more

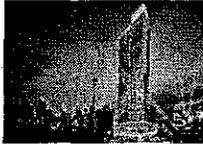
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## 15 student associations look to leave the Canadian Federation of Students

Group hopes to create a third national students' union

Kalina Laframboise — CUP Quebec Bureau Chief and Jane Lytvynenko — CUP Ottawa Bureau Chief  
 Wednesday, September 4, 2013 at 1:49 pm · [Leave a Comment](#)



More than a dozen post-secondary institutions across Canada have begun a move to leave the Canadian Federation of Students (CFS) according to a press release sent out Wednesday, Sept. 4. The CFS has 83 members across the country; Ontario has the most members.

The press release sights “lost traction in a number of provinces” as the reason for the movement. With 15 schools involved this marks the largest exodus from the organization since 2009, when 13 schools wanted to leave the CFS. This time Kwantlen Polytechnic University and Capilano University from B.C.; the University of Toronto Graduate Student Union, Ryerson University, York University and Laurentian University from Ontario and Dawson College from Quebec have confirmed they will apply to host a referendum.

With the intent to mobilize against the CFS, Dawson College is the last member of the province of Quebec to attempt to leave the federation.

Currently, Concordia University’s Concordia Student Union and Graduate Students’ Association, as well as McGill University’s Post Graduate Students’ Society are undergoing long legal battles with the CFS to recognize the results of their referendums and leave.

“You can’t be Canada without the province of Quebec,” said Nicholas DiPenna, the francophone spokesperson for the campaign and former director of external affairs for the Dawson Student Union. “They wouldn’t really be able to call themselves the CFS without the major province of Quebec.”

Ashleigh Ingle, the spokesperson for Ontario, Central, and Eastern Canada, said other universities looking to defederate do not want to be revealed because they’re in the early stages of petitioning.

*More to come.*

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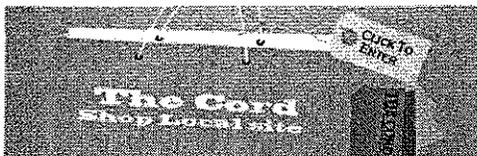
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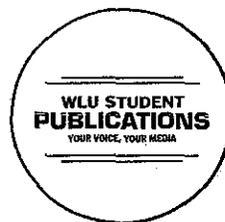
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## Students look to say 'see ya' to CFS

Aaron Zaltzman September 12, 2013 No Comments »

The Canadian Federation of Students' general assembly may not need as many nametags next year, as a group of students is attempting to lead a mass exodus from the lobby group.

According to a press release from the student leaders spearheading the campaign, their goal is to "end the Canadian Federation of Students' control over local campus affairs, [and] to begin discussions about alternatives for provincial and national organizing that keep decision-making power in the hands of students."

"Initially we identified that CFS is a largely ineffective organization," Ashleigh Ingle, a student from the University of Toronto and one of the leaders of the initiative, said. "Whether it is lobbying efforts or mobilizing students, they were not doing a very good job."

"What was more distressing to us was that when we tried to get more involved in order to positively affect the rest of the organization, we found a lack of financial transparency and democratic procedures that were questionable and highly controlled by long term staff," Ingle said. "That is what made us decide that the best course of action was to leave."

Brent Farrington, internal coordinator for CFS, argued against this characterization, arguing the students simply disagreed with the majority opinion in the organization.

"The membership voted a number of times on proposals from these individuals, and did not give them majority support," Farrington said. "If that's not a democratic process I don't know what is. There is a difference between democracy and getting your way."

Leaving the federation would require each school attempting to leave to complete a lengthy process, which begins with a petition signed by 20 per cent of the student body and a subsequent successful vote on the issue.

"My hope is that through this process of 'defederation' people begin to think about the alternatives they want to see [and] we can begin a conversation on those alternatives," Ingle explained.

This would not be the first instance of a large exodus from CFS. In 1995, five student unions, including Western's University Students' Council, left the CFS and set up the Canadian Alliance of Student Associations.

"A lot of us don't see CASA as an alternative, which is why we decided to create a new organization," Ingle said. "Many students have asked us about alternatives, and I think that will have to be a longer conversation."

Farrington said the organization is trying to focus on its lobbying efforts and not the "defederation" initiative.

"As a membership-based organization we stand by the actions that our members have adopted as priorities," he said. "We're building an affordable and accessible system for post-secondary education and that is our priority and will continue to be our focus."

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About the author: Aaron Zaltzman

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Aaron is an Associate Editor for Volume 107. He was previously a News Editor for Volume 106 and 105, and a staff writer for Volume 104. Aaron is also in his fifth year of Political Science and Psychology. To contact him, email [aaron@westerngazette.ca](mailto:aaron@westerngazette.ca) or

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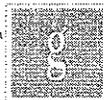
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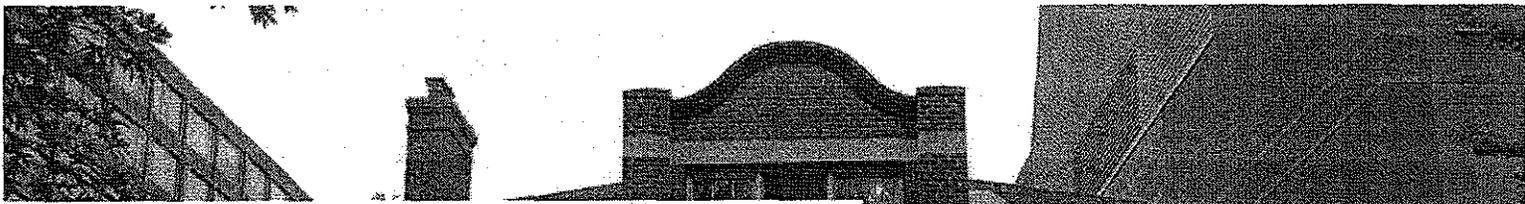
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# Petition launched to decertify GSU from CFS

Signature drive part of national movement involving some 15 student groups

By Murad Hemmadi and Zane Schwartz  
Published: 10:41 pm, 4 September 2013  
Modified: 12 am, 5 September 2013  
under News



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The GSU building on Bancroft Avenue houses the Harvest Noon Cafe Co-op, where the GSU petition was available to be signed. FILE PHOTO: CAROLYN LEVETT/THE VARSITY

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The University of Toronto's Graduate Student Union (GSU) is one of some 15 student unions or associations for whom petitions have been initiated to decertify from the Canadian Federation of Students (CFS).

The petition went into circulation Tuesday at the Harvest Noon Café Co-op, which is located in the same building as the GSU. The GSU petition is being spearheaded by Ashleigh Ingle, who served as civics and environment commissioner of the union for 2012–2013.

The CFS is a federation of over 80 student unions across Canada. The GSU was a founding member of the CFS in 1981, with the University of Toronto Students' Union (UTSU) joining in 2002.

A press release sent to *The Varsity* late on Tuesday night stated that "over 15 student associations are currently taking part" in decertification petitions, and named York, Ryerson, and U of T as large schools with CFS-certified unions that would see such efforts. It remains unclear whether petitions are being circulated to decertify the University of Toronto Students' Union (UTSU) and Association of Part-Time Undergraduate Students (APUS), the two other major cross-U of T student unions, from the CFS. Under the CFS' national bylaws, a petition to decertify a member union from the Federation requires the signatures of 20 per cent of that union's membership.

"CFS petitions have to be run by what they refer to as 'individual members,'" Ingle said in an interview with *The Varsity*. The GSU has played no part in the petition process to this point, and are scheduled to make a statement on decertification on Thursday. Ingle confirmed that the GSU was not notified in advance of petition campaigning beginning.

Alastair Woods, chairperson for the CFS-Ontario (CFS-O), said he was not aware of the decertification movement until the press release this morning, and described his reaction as "surprised and bewildered."

Ingle says the GSU petition resulted in part from the defeat of several GSU-sponsored motions at last November's CFS general meeting, where she also unsuccessfully contested the election for CFS national chair. The reforms were "things that we thought were pretty simple and straightforward," she says, "like putting minutes online, recording how student unions voted, [and] getting more clear budgets so that we could actually see what our money was being spent on, getting salary breakdowns for different staff in different parts of the CFS."

Ingle also cited the federation's "top-down structure," with some of the reforms being intended to "find ways that, for instance, instead of just having a standard day of action every year, the students could get involved on campus in making decisions about how they wanted to mobilize that year."

Woods emphasized that the CFS and CFS-O are democratic institutions, and that those who were dissatisfied with the federation's policies had opportunities to air their grievances.

Ingle admitted that the decision to coordinate the organization of the petitions such that most were being run around the same time

## Contributors



**Murad Hemmadi**

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**Zane Schwartz**

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was partly out of the fear that the CFS would be able to successfully defeat any one attempt. "Generally the tactic is to send CFS staffers from across the country to your local, bombard people with their presence and shut down your campaign that way," she claimed. "So certainly part of the reason is strategic."

Woods, who was reached at Nipissing University, emphasized that he intended to continue informing students of the strength of the student movement and the benefits of strength in numbers. He declined to address whether the CFS would campaign during the petition period.

CFS general meetings may have contributed to the coordination of the petition efforts in other ways too. "One of the reasons we're doing it together is that when student unions are together in these CFS spaces and when they're all seeing the same deficiencies and facing the same treatment, it's a natural thing that we start talking to each other about what a more productive way forward is."

The coordination could, however, end up harming some efforts to decertify. The CFS's national bylaws governing decertification allow for no more than two decertification votes in any three month period, meaning that if multiple petitions were to be successful, the resultant votes could be delayed for some time. Ingle hopes to have reached the 20 per cent threshold by September 13, to allow any resulting vote to be initiated this academic year.

"All that we can do right now is follow the CFS bylaws as strictly as possible, submit our petitions, and then we'll do whatever we have to do to get a referendum vote, legitimately and legally after that point," Ingle says.

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miggs • 8 months ago

De-certify my nuts! I would like to see Zane grow a pair and have a resolution about writing. Perhaps in the near future we can have a kangaroo court on bullshit in the press at U of T. Keep up the crap Zane! Soon you'll need wings buddy

1 ^ | ▾ • Reply • Share &gt;



Anonymous • 8 months ago

Can't wait to sign this petition!

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Guest • 8 months ago

"surprised and bewildered"

These guys must really be out of touch with students.

It's really good that these unions are making these petitions happen simultaneously. And, as a plus, with the UTSU busy campaigning to save the CFS in 15 schools across the country, the undergraduate fight to get out of the UTSU and CFS will be that much easier.

4 ^ | ▾ • Reply • Share &gt;



Rishi Maharaj • 8 months ago

Sweet, sweet democracy.

7 ^ | ▾ • Reply • Share &gt;



grad student • 8 months ago

I think it's a little more complicated than that, Mathew. My issue with the CFS is that their an undemocratic intuition that doesn't let you contribute and effect things or to leave. They misuse our money (what's this I hear about theft happening across the country to buy houses? That's straight up corruption. Or that the CFS-Saskatchewan chairperson stole money by writing cheques to herself. They don't mobilize students. They don't encourage on campus decision making. In fact, all they do is give us an example of how to be unethical, corrupt and limit participation and debate.

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Guest • 8 months ago

CFS is nothing more than a socialist organization that expropriates tuition money from university students to fund their ridiculous anti-capitalist campaigns.

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Hardy Weinberg → Guest • 8 months ago

And here i thought it was run by an alliance of LGBTQ activists, Muslim brotherhood members and "indians". Right matt?

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Jason • 8 months ago

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19 September 2013

**Andrew Monkhouse, J.D.**  
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**Hand Delivered**

Alastair Woods  
Head Office, Canadian Federation of Students-Ontario  
180 Bloor Street West, Suite 900  
Toronto, Ontario  
M5S 2V6

Dear Alastair Woods,

**Re: Defederation Petition for Graduate Students' Union (GSU) of University of Toronto**

I wish to confirm that I have been retained as legal counsel on behalf of Ashleigh Ingle.

Ashleigh is a member in good standing of the Graduate Students' Union (GSU) of University of Toronto and of the Canadian Federation of Students-Ontario ("CFS-O").

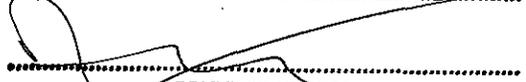
Ashleigh has sent by registered mail a petition containing signatures comprising over 20% of the membership of her member local to the CFS-O head office as required by the bylaws of same. I understand that it has already been received at your offices. Please take any additional action(s) necessary on your end to receive, open, and verify the petition as soon as possible.

If it is the CFS-O's position that Ashleigh has not completed any step, procedure, or otherwise, which is required to trigger a referendum to take place the week of March 24, 2014 I would request that you advise me immediately as time is of the essence in this matter.

Sincerely,

Andrew Monkhouse,  
Barrister & Solicitor

This is Exhibit..... "h" .....referred to in the  
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sworn before me, this..... 5<sup>th</sup> .....  
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.....  
Alexander Kitz, a Commissioner,  
Province of Ontario,  
While 1651288 at-Law.  
Expires May 10, 2015

330 Bay Street, Suite 820, Toronto, Ontario M5H 2S8

Andrew Monkhouse  
Barrister and Solicitor  
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**MONKHOUSE LAW**

330 Bay Street - Suite 820, Toronto, M5H 2S8

9 October 2013

**Andrew Monkhouse, J.D.**  
andrew@monkouselaw.com

**Via Courier and Email:** chair@cfsonario.ca

Alastair Woods  
Head Office, Canadian Federation of Students-Ontario  
180 Bloor Street West, Suite 900  
Toronto, Ontario  
M5S 2V6

Dear Mr. Woods,

**Re: Defederation Petition for Graduate Students' Union (GSU) of University of Toronto  
Requiring a vote the week of March 24, 2014**

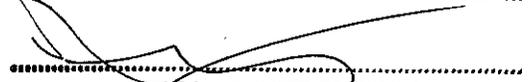
We wrote to you on September 19, 2013.

Ms. Ingle has received confirmation from Canada Post that her petition was successfully delivered to the CFS-O on September 19, 2013. We have not heard back from you regarding the delivery, reception, or any other issue with respect to the petition delivered to the CFS-O by our client, Ashleigh Ingle, on September 19, 2013.

Based on your failure to respond to our previous letter, we are proceeding on the basis that the CFS-O has no objection with respect to the delivery and receipt of the petition submitted by Ms. Ingle.

As you know, it is our position that there are no further steps that our client must perform in order for a referendum to be held the week of March 24, 2014. If, for any reason, the CFS-O is planning not to agree to a referendum during the week of March 24, 2014 regarding the GSU's continued membership in the CFS-O, we require that you immediate advise us so that we may seek a remedy from the courts as time is of the essence in this matter.

This is Exhibit.....<sup>"H"</sup>.....referred to in the  
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.....  
Alexander Kitz, a Commissioner for Taking Affidavits  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

330 Bay Street, Suite 820, Toronto, Ontario

We would ask that you inform us immediately if it is your position that there are any steps that my client must perform or has failed to perform in order for a referendum to be held the week of March 24, 2014, per the dates set out in the petition she delivered to you.

Sincerely,



Andrew Monkhouse,  
Barrister & Solicitor

cc: Ashleigh Ingle

(Via email: [REDACTED])

cc: Davis LLP attn.: Tudor Carsten

(Via email: tcarsen@davis.ca)

Andrew Monkhouse  
Barrister and Solicitor  
andrew@monkouselaw.com



office 416-907-9249  
fax 888-501-7235  
monkouselaw.com

**MONKHOUSE LAW**

330 Bay Street - Suite 820, Toronto, M5H 2S8

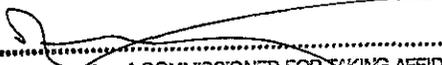
9 October 2013

**Andrew Monkhouse, J.D.**  
andrew@monkouselaw.com

**Via Courier and Email:** web@cfs-fcee.ca

Jessica McCormick  
Canadian Federation of Students  
338C Somerset Street West  
Ottawa, Ontario K2P 0J9

This is Exhibit <sup>"I"</sup>.....referred to in the  
affidavit of... **ASHLEIGH INGLE**  
sworn before me, this... <sup>5<sup>th</sup></sup>.....  
day of... **MAY**.....20...**14**..

  
.....  
**Alexander Koc, Commissioner for Taking Affidavits**  
**Province of Ontario,**  
**while a Student-at-Law.**  
**Expires May 10, 2015**

Dear Ms. McCormick,

**Re: Defederation Petition for Graduate Students' Union (GSU) of University of Toronto**

We confirm that we have been retained as legal counsel on behalf of Ashleigh Ingle in connection with the above captioned matter.

Ms. Ingle is a member in good standing of the Graduate Students' Union (GSU) of University of Toronto and of the Canadian Federation of Students ("CFS").

Ms. Ingle delivered a petition containing signatures comprising over 20% of the membership of the GSU to the CFS head office in order to trigger a referendum on termination of the GSU's membership in the CFS in accordance with the CFS's bylaws. We understand that the petition was received at your offices on October 7, 2013. Proof of delivery was provided to our client by Canada Post.

Please be advised that Ms. Ingle has also delivered a separate petition to the CFS's provincial component organization, the Canadian Federation of Students-Ontario ("CFS-O") advising that a vote on decertification from the CFS-O is to be held on March 24 to 28, 2014 with polls open from 9:00 a.m. to 5:00 p.m. on each day. We expect that the referendums will be held concurrently as the processes under the bylaws of the CFS and CFS-O appear to require a concurrent referendum and past practice of the two organizations has always been to hold referendums of the national and provincial components concurrently.

330 Bay Street, Suite 820, Toronto, ON M5H 2S8

It is our position that there are no further steps that our client must perform in order for a referendum to be held the week of March 24, 2014. If, for any reason, the CFS is planning not to agree to a referendum during the week of March 24, 2014 regarding the GSU's continued membership in the CFS, we require that you immediately advise us so that we may seek a remedy from the courts as time is of the essence in this matter.

We would ask that you inform us immediately if it is your position that there are any steps that my client must perform or has failed to perform in order for a referendum to be held the week of March 24, 2014, per the dates set out in the petition she delivered to you.

Sincerely,



Andrew Monkhouse,  
Barrister & Solicitor

cc: Ashleigh Ingle  
Gowlings, attn.: Todd Burke

(Via email [REDACTED])  
(Via email: todd.burke@gowlings.com)

Andrew Monkhouse  
Barrister and Solicitor  
andrew@monkhouselaw.com



office 416-907-9249  
fax 888-501-7235  
monkhouselaw.com

**MONKHOUSE LAW**

330 Bay Street - Suite 820, Toronto, M5H 2S8

16 October 2013

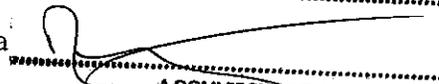
**Andrew Monkhouse, J.D.**  
andrew@monkhouselaw.com

**Personal, Confidential & Without Prejudice**

**Alastair Woods** via Courier and email: chair@cfsonario.ca  
Head Office, Canadian Federation of Students-Ontario  
180 Bloor Street West, Suite 900  
Toronto, Ontario  
M5S 2V6

**Jessica McCormick** via Courier and email: web@cfs-fcee.ca  
Canadian Federation of Students  
338C Somerset Street West  
Ottawa, Ontario  
K2P 0J9

This is Exhibit "J" referred to in the  
affidavit of **ASHLEIGH INGLE**  
sworn before me, this **5<sup>th</sup>**  
day of **MAY** 20**14**

  
A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

**Re: Defederation Referendum for Graduate Students' Union (GSU) of University of Toronto –  
March 24-28, 2013**

We continue to represent Ashleigh Ingle in the above captioned matter.

We have not received any response to our letters dated October 9, 2013 and presume that neither the CFS nor the CFS-O have procedural objections to the recent delivery to you by Ms. Ingle of petitions requiring a vote on continued membership in the CFS and CFS-O at University of Toronto for GSU members the week of March 24 to 28, 2014.

We have reviewed the bylaws of the CFS and CFS-O with respect to next steps and observe that the CFS bylaws require the ratification of a Chief Returning Officer ("CRO") and appointment of Appeals Committee members at a CFS general meeting. We further observe that the CFS-O bylaws incorporate by reference the CFS's process for appointment of the CRO and appointment of Appeals Committee members. Finally, we note that the CFS bylaws only allow for one general meeting prior to the designated March 24, 2014 referendum dates.

In light of the CFS and CFS-O's bylaws:

1. Since the CFS-O incorporates the CFS's process for appointing a CRO and Appeals Committee members, it follows that only one CRO and one Appeals Committee will be

appointed to oversee a single vote on the issue of continued membership in the CFS and CFS-O. That only one vote on the question of continued membership is envisioned by the bylaws of the CFS and CFS-O reflects the long-standing practice of the CFS and CFS-O to hold concurrent certification and decertification votes with joint oversight.

2. Since the dates of the referendum are stipulated in the CFS-O petition, the date for the vote on continued membership in the CFS/CFS-O must be March 24 to March 28, 2014; and
3. Since there is only one general meeting of the membership of the CFS prior to the stipulated March 24 to 28, 2014 referendum dates, the CFS *must* appoint and ratify a CRO and appoint Appeals Committee members for the vote on continued membership in the CFS/CFS-O at the upcoming November 2013 general meeting of the CFS.

We trust that you are in agreement with the above set out conclusions. We further note our client's expectation that any CRO and Appeals Committee members who are appointed by the CFS to oversee the vote on continued membership in the CFS/CFS-O cannot hold or appear to hold a bias as to the outcome of the referendum. In our view, the appointment of individuals who are bias or who appear to be bias would result in a clear breach of the rules of natural justice.

Please advise us immediately if you are not in agreement with us regarding the matters set out above so that we may take appropriate steps to have any disagreements adjudicated by the courts well in advance of the March 2014 referendum dates.

We look forward to hearing from you.

Sincerely,

**Monkhouse Law**

Andrew Monkhouse,  
Barrister & Solicitor

cc: Ashleigh Ingle (Via email: [REDACTED])  
Davis LLP attn.: Tudor Carsten (Via email: tcarsten@davis.ca)  
Gowlings, attn.: Todd Burke (Via email: todd.burke@gowlings.com)

FROM THE OFFICE OF Tudor Carsten  
DIRECT LINE 416.365.3505  
DIRECT FAX 416.777.7409  
E-MAIL tcarsten@davis.ca

FILE NUMBER: 68768-00001

October 17, 2013

**DELIVERED BY E-MAIL**

Andrew Monkhouse  
Monkhouse Law  
330 Bay Street - Suite 820  
Toronto, ON M5H 2S8

**Attention: Andrew Monkhouse**

Dear Mr. Monkhouse:

**Re: Defederation Petition for GSU of University of Toronto**

We have been retained by the Canadian Federation of Students-Ontario ("CFS-O") in relation to this matter.

Please be advised that the Executive Committee of the CFS-O (the "Executive Committee") has initiated a process to verify the validity of the petition delivered by your client, Ms. Ashleigh Ingle (the "Petition") as well as to determine if the Petition is in compliance with the Bylaws of the CFS-O. As an initial step, the Executive Committee must first determine the membership status of the individuals who signed the Petition. To that end, the Executive Committee has written to the Graduate Students' Union to request a copy of their membership list.

Once the Executive Committee has made a determination as to the validity of the Petition and its compliance with the Bylaws of the CFS-O, that determination will be reported at the subsequent meeting of the Executive Committee.

Sincerely,  
DAVIS LLP

Per:

Tudor Carsten

This is Exhibit <sup>"K"</sup>.....referred to in the  
affidavit of...ASHLEIGH INGLE.....  
sworn before me, this <sup>5<sup>th</sup></sup>.....  
day of...MAY.....2014

.....  
A COMMISSIONER FOR TAKING AFFIDAVITS

Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015



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Todd J. Burke  
Direct 613-786-0226  
Direct Fax 613-788-3513  
todd.burke@gowlings.com

October 18, 2013

VIA E-MAIL ANDREW@MONKHOUSELAW.COM

Mr. Andrew Monkhouse  
Monkhouse Law  
330 Bay Street, Suite 820  
Toronto, ON M5H 2S8

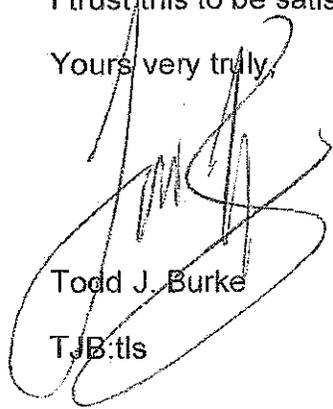
Dear Mr. Monkhouse:

**Re: University of Toronto GSU Defederation Referendum**

We are the solicitors for the Canadian Federation of Students ("CFS"). This is in response to your letters of October 9 and 16, 2013. I am consulting with my client on the issues you raise and will revert shortly.

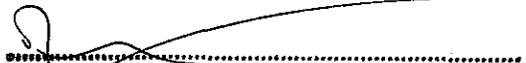
I trust this to be satisfactory.

Yours very truly,



Todd J. Burke  
TJB:tls

This is Exhibit "L" referred to in the  
affidavit of ASHLEIGH INGLE  
sworn before me, this 5<sup>th</sup>  
day of MAY 2014



A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

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montréal · ottawa · toronto · hamilton · waterloo region · calgary · vancouver · moscow · london

Todd J. Burke  
Direct 613-786-0226  
Direct Fax 613-788-3513  
todd.burke@gowlings.com

November 11, 2013

VIA E-MAIL [ANDREW@MONKHOUSELAW.COM](mailto:ANDREW@MONKHOUSELAW.COM)

Mr. Andrew Monkhouse  
Monkhouse Law  
330 Bay Street, Suite 820  
Toronto, ON M5H 2S8

Dear Mr. Monkhouse:

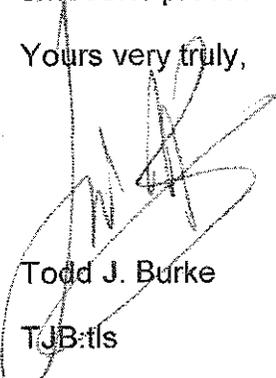
**Re: Petition to National Executive to Conduct Decertification Referendum**

This is in response to your recent correspondence to my client. My client is in the process of reviewing the petition as tendered by your client. As you are aware, the by-laws afford my client some time to carry out that process. If the petition can be verified before the National General Meeting to be held in November, then a CRO will be appointed. You can rest assured that the CFS, in appointing such an individual, seeks to ensure that the referendum process will be carried out in a fair and unbiased fashion.

Your client has suggested a referendum be held during the week of March 24, 2014. My client is not bound by that date as you suggest in your letter of October 16, 2013. As is required by the By-laws of the CFS, my client will work cooperatively with the University of Toronto GSU to determine an alternative date that is mutually agreeable.

I am hopeful that this referendum process will unfold without the ongoing involvement of counsel. In my view, that would promote a less adversarial approach and lead to a smoother process for all involved. I trust that you would agree.

Yours very truly,



Todd J. Burke

TJB:tls

03395966\OTT\_LAW\ 3894558\2

----- Forwarded message -----

**From:** Stephen Littley <littley@blgn.ca>  
**Date:** Mon, Mar 3, 2014 at 1:12 PM  
**Subject:** RE: UofT GSU - CFS referendum  
**To:** Ashleigh Ingle [REDACTED]  
**Cc:** Alastair Woods <chair@cfsontario.ca>, v.hunt@cfs-fcee.ca

This is Exhibit "M" referred to in the  
affidavit of ASHLEIGH INGLE  
sworn before me, this 5<sup>th</sup>  
day of MAY 2014

  
A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

Ms. Ingle,

Thank you for your e-mail.

I have prepared draft rules that will address your questions and expect to release them soon.

A contact person for the GSU executive has not identified herself to me as yet.

Yours truly

Stephen Littley

Chief Returning Officer

---

**From:** Ashleigh Ingle [REDACTED]  
**Sent:** February 28, 2014 6:09 PM  
**To:** Stephen Littley  
**Subject:** UofT GSU - CFS referendum

Dear Mr. Littley

It is my understanding that you will be the CRO for the CFS referendum for the UofT GSU. It is also my understanding that the campaigning period will begin March 10th. However, I, as the person who submitted the petition, haven't been advised on the exact times and location of voting stations, the protocol around campaign materials and any other specific referendum rules.

Please answer the following questions to either myself or the GSU executive by March 3rd.

1. What is the protocol for campaign materials (either rules for their use or their approval)?
2. What are the times and locations of voting stations?

Thank you.

All the best,

Ashleigh Ingle.

--  
----

Ashleigh Ingle, [REDACTED]  
[REDACTED]

----- Forwarded message -----

From: **Stephen Littley** <[littley@blgn.ca](mailto:littley@blgn.ca)>

Date: Thu, Mar 6, 2014 at 2:10 PM

Subject: RE: Registering with the CRO

To: Ashleigh Ingle [REDACTED]

Ms. Ingle,

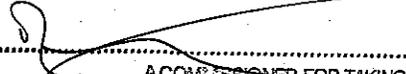
I will quote my e-mail to Mr. Evoy today

Because the verification of the petition has not been completed as of the time I write this, I can only offer the following as interim ADVICE:

1. Draft Rules for the campaign period (beginning March 10, 2014) have been prepared;
2. I will not release the Rules until the verification has been complete and the referendum has been certified to proceed;
3. There is nothing in the Rules that refers specifically to debates;
4. The Rules will require that in order to participate in the referendum, individuals or campaign sides must register with the Chief Returning Officer;
5. The Rules will require that Campaigners shall not disseminate information verbally or otherwise that is defamatory, potentially libellous or factually incorrect. Campaigners shall act reasonably, responsibly and in good faith.
6. I would expect that all campaigns be invited to take part in the debate and to agree on the venue;
7. I would expect that the debate rules provide for equal time to the campaigns, and that all campaigns adhere to items 4, 5 and 6 of this list;
8. In order to deal with any potential complaints I would ask that any debate be video recorded.

I will be available all weekend to approve campaign material should I receive notification that the auditor has verified the petition and that the referendum will proceed.

This is Exhibit... "N1" referred to in the  
affidavit of... **ASHLEIGH INGLE**  
sworn before me, this... 5<sup>th</sup>  
day of... **MAY**... 20**14**

  
A COMMISSIONER FOR TAKING AFFIDAVITS  
**Alexander Kitz**, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

Yours truly,

Stephen Littley

Chief Returning Officer

---

**From:** Ashleigh Ingle [mailto: [REDACTED]]  
**Sent:** March 6, 2014 10:37 AM  
**To:** Stephen Littley  
**Subject:** Registering with the CRO

Hi Stephen,

I would like to register for the "No" side of the campaign.

Please advise on rules for the debate. If possible, please provide examples of things that should not be said, in your opinion, during the debate.

Can I send you text for campaign materials for approval? As our campaigning begins Monday, this is an urgent matter that should be dealt with immediately.

All the best,  
Ashleigh Ingle

--  
-----  
Ashleigh Ingle, [REDACTED]  
[REDACTED]

This is Exhibit "0" referred to in the affidavit of ASHLEIGH INGLE sworn before me, this 5<sup>th</sup> day of MAY 2014.

A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner, etc.,  
Province of Ontario,  
while a Student-at-Law.  
Expires May 10, 2015

----- Forwarded message -----

From: Ashleigh Ingle [REDACTED]  
Date: Fri, Mar 7, 2014 at 6:56 PM  
Subject: Re: Complaints process  
To: Stephen Littley <littley@blgn.ca>

Stephen,

Given that the debate is on Monday, and you have said the debate will be subject to these rules, it seems that either: 1. I need to be informed of the rules that I am expected to follow; or 2. the debate should not be subject to these rules.

Thanks.

All the best,  
Ashleigh

On Fri, Mar 7, 2014 at 6:51 PM, Stephen Littley <littley@blgn.ca> wrote:

Ms. Ingle,

I would ask you to resubmit this question if you feel it is not dealt with in the Rules, once they are published.

Yours truly

Stephen Littley  
Chief Returning Officer

**From:** Ashleigh Ingle [mailto: [REDACTED]]  
**Sent:** March 7, 2014 3:20 PM  
**To:** Stephen Littley  
**Subject:** Complaints process

Hi Stephen,

I need to know what process you will be using when complaints arise about elections material. In particular, how are you going to determine complaints around defamation? How do you intend to receive evidence and what standard will be applied (beyond a reasonable doubt, clearly false, etc.)?

What about the republication of media articles that the CFS has not previously brought proceedings to challenge?

Thank you.

All the best,  
Ashleigh

--

-----

Ashleigh Ingle, [REDACTED]  
[REDACTED]  
[REDACTED]

----- Forwarded message -----

From: <[v.hunt@cfs-fcee.ca](mailto:v.hunt@cfs-fcee.ca)>  
Date: Tue, Mar 11, 2014 at 5:39 PM  
Subject: CFS Petition  
To: [REDACTED]  
Cc: [chair@cfsontario.ca](mailto:chair@cfsontario.ca)

Dear Ms. Ingle,

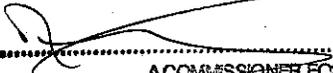
Please see the attached letter regarding the petition requesting a vote on the question of continued membership amongst the Federation's graduate student members at the University of Toronto.

Best,

Vanessa Hunt

National Deputy Chairperson | Vice-présidente Nationale  
Canadian Federation of Students |  
Fédération canadienne des étudiantes et étudiants  
[www.cfs-fcee.ca](http://www.cfs-fcee.ca)  
w. 613.232.7394 x 224  
e. [v.hunt@cfs-fcee.ca](mailto:v.hunt@cfs-fcee.ca)

This is Exhibit.....<sup>"P"</sup>.....referred to in the  
affidavit of.....**ASHLEIGH INGLE**.....  
sworn before me, this.....<sup>5<sup>th</sup></sup>.....  
day of.....**MAY**.....**20.14**.....

  
.....  
A COMMISSIONER FOR TAKING AFFIDAVITS  
Alexander Kitz, a Commissioner for Taking Affidavits,  
Province of Ontario,  
While a Student-  
Expires May 10, 2015

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Ashleigh Ingle, [REDACTED]  
[REDACTED]



CANADIAN FEDERATION OF STUDENTS  
FÉDÉRATION CANADIENNE DES ÉTUDIANT-E-S

Dear Ms. Ingle,

I am writing as a courtesy in regard to the status of the petition you submitted to the National Executive as an individual member of the Canadian Federation of Students requesting a vote on the question of continued membership amongst the graduate student members at the University of Toronto.

As you are aware, Bylaw 1 sets out that, "There are two types of membership in the Federation, individual members and voting members. Students, or individual members, are represented through the local students association to which they belong."

The individual members of the Federation collectively belonging to a member local association have the sole authority to initiate a vote on decertification, by petition signed by not less than twenty (20%) of the individual members, calling for the vote (Bylaw 1, Section 3.a.iii.).

A vote on the question of continuing membership is subject to the following rules and procedures set out in Bylaw 1.6.a:

*As per Bylaw 1, Section 3.a.iii a petition calling for a vote on decertification shall be signed by no less than twenty percent (20%) of the individual members of the member local association and delivered to the National Executive of the Federation.*

*The petition shall be worded as follows: "We, the undersigned, petition the National Executive of the Canadian Federation of Students to conduct a referendum on the issue of continued membership in the Canadian Federation of Students."*

*The original, unaltered petition must be delivered in its entirety to the National Chairperson, National Deputy Chairperson or National Treasurer, by registered mail. Petitions received that are not original copies, have been altered in any manner, or have been received by any means other than registered mail are not valid.*

*The petition may not contain any words or images, with the exception of those required by Bylaw 1.a and those required to indicate which fields a signatory must complete.*

*In order to be considered valid, a name on a petition must be reasonably legible, include the proper full name, be accompanied by a valid and corresponding student identification number, and a unique signature.*

*An individual member may request that her name be removed from a petition. If the National Executive receives such a request in writing, before the conclusion of the verification process of the petition, the name must be struck from the petition. The*

Canadian Federation of Students • Fédération canadienne des étudiantes et étudiants  
338 rue Somerset Street Ouest/West • Ottawa, Ontario • K2P 0J9  
Telephone/Téléphone: (613) 232-7394 • Fax/Télécopieur: (613) 232-0276 • www.cfs-fcee.ca

*name shall not be included in the total number of names on the petition.*

On October 7, 2013 the National Executive received a petition from you. Bylaw 1.6.b.i, sets out that, "The National Executive will have the sole authority to determine whether the petition described in Bylaw 1, Section 6.a is in order. Within 90 days of receipt of the petition, the National Executive will review the petition to determine if it is in order and, if it is, in consultation with the member local, will schedule a vote. The National Executive will endeavour to schedule the referendum between 60 days and 90 days following its determination that the petition is in order." The National Executive assigned responsibility for the review of the petition at the first opportunity, a National Executive meeting held on October 25-27. Following its meeting in October, the National Executive and the Federation's legal counsel was in regular contact with a representative of the Graduate Students' Union and the Graduate Students' Union's legal counsel about a potential vote.

In anticipation of a vote amongst the graduate students members at the University of Toronto, the National Executive, pursuant to Bylaw 1, Section 6 recommended a Chief Returning Officer to the voting member locals at the November 2013 national general meeting. As you are aware, the Chief Returning Officer ratified at that meeting notified the National Executive in December that she was, for personal reasons, unable to assume the role. The National Executive subsequently appointed Stephen Littlely to serve as Chief Returning Officer. This decision was communicated to the voting member local unions on January 20, 2014 and will be ratified by the voting member local unions at the upcoming general meeting in June 2014.

On December 3, the University of Toronto Graduate Students' Union was contacted by the Federation to inquire as to whether the Graduate Students' Union was in possession of or could secure an up to date membership list for the purposes of verifying the names on the petition. You responded that the Students' Union did not have such a list and proposed a meeting with the University administration to discuss the matter.

On January 15, representatives of the Canadian Federation of Students met with representatives of the University of Toronto and a representative of the Graduate Students' Union. After discussing various options that would enable the National Executive to fulfill its responsibility to determine whether the petition was in order, the group agreed that contracting the work to a third party, such as an accounting firm, would satisfy the various concerns (the National Executive's responsibility, the University concerns regarding privacy legislation etc.). As part of this agreement, the University committed to providing the firm, once selected by the Canadian Federation of Students, with the relevant, current membership lists and information and to compensate the Federation for the costs associated with such a third party review.

After considering two firms, the Federation selected Deloitte to undertake the review and communicated this information to the University and the Students' Union on February 7. Following a series of exchanges with the University about related matters, on February 20 Deloitte contacted the University to secure the membership list. It received the list on February 26 and commenced its review. This work included verification/cross-referencing of the names on the petition with University of Toronto student records (student names, numbers and signatures), review of the names on the petition for duplication of student records (student names and numbers), validation that greater than 20% of the members of the University of Toronto Graduate Students' Union signed the petition, and reporting on the specified procedures performed and related results.

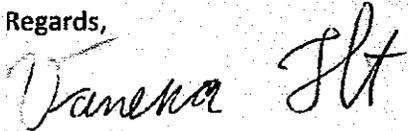
On March 6, Deloitte advised the Federation that it had determined, based on a triple review of the petition, that it would not meet the threshold.

A subsequent update was received on March 7 from Deloitte in which they reported that, even applying a less strict interpretation of the Bylaws, the petition would not meet the threshold and confirmed their preliminary conclusion. Deloitte is in the process of finalizing their report and anticipate it will be completed today or Wednesday.

The National Executive has concluded that the petition you submitted is not in order as a requisite number of individual members did not request such a vote and therefore a referendum cannot be proceed.

Given the delays in obtaining the necessary information to verify the petition the Federation appointed a CRO so that if the petition was found to be in order the referendum process would not be compromised. That has proved not to be the case and it is unfortunate that those obtaining the signatures for the petition did not exercise greater care in determining whether the signatories were indeed eligible to sign the petition.

Regards,



Vanessa Hunt

National Deputy Chairperson