



Date: 2025-11-12

Reference: 2025 ACUOSU 3

UNIVERSITY OF OTTAWA STUDENT UNION'S APPEALS COMMITTEE

BETWEEN

EMPOWER ORPHANS CLUB

The Appellant

AND

UOSU CLUB COMMITTEE

The Respondent

Indexed as

Empower Orphans Club v UOSU Club Committee

In a matter concerning an appeal of a final Club Committee's decision under the University of Ottawa Student Union's Constitution

Before: a panel of the UOSU Appeals Committee composed of:

Philippe Giguère, Chair of Appeals Committee

Élodie Proulx, Student member at the Faculty of Law

For the Appellant: Yousef Bondok, Appellant's Representative

For the Respondent: Emilia Bah, Student Life Commissioner

REASONS FOR DECISION

I. Overview of the Appeals Committee's decision

1. Club recognition matters. Recognition enables students to run events, book space, access funding, and participate meaningfully in campus life. Because of its importance, the process must be fair, equitable and transparent to those affected. These requirements are reflected in Article 8.12.4 of the UOSU Constitution, which requires decision-makers to act in furtherance of fairness, accountability, transparency, consultation, and equity.
2. Empower Orphans application met all eligibility requirements under POL-GEN-03 (Student Groups Policy). The only explanation provided by the Club Committee for the refusal was that the 300-club cap had been reached. At the same time, 17 other new clubs were approved. The record or decision does not explain how those clubs were selected among eligible applicants or why Empower Orphans was not included. There are no scoring, ranking, or sufficiently documented criteria to explain how eligible applicants were distinguished.
3. While the cap itself is valid, a decision that simply cites the cap, without explaining the selection process, does not allow an applicant to understand the reasoning behind the outcome or how discretion was exercised. Without a transparent and consistently applied method, outcomes risk appearing arbitrary, prevent applicants from improving future submissions, and prevent oversight bodies from meaningfully reviewing the decision. Because no such reasoning or method is documented in this case, the decision is inconsistent with Article 8.12.4 and the principles of fair and lawful decision-making. The appeal is therefore allowed, and Empower Orphans is granted recognition for 2025–2026.

II. Background:

4. Empower Orphans is a student-led charitable and community-engagement club focused on supporting children experiencing hardship. Before applying for recognition, the club organized campus engagement activities, coordinated volunteer participation, and established a clear governance structure with executive roles and documented responsibilities.
5. Clubs at the University of Ottawa operate within the framework of POL-GEN-03 (Policy on Student Groups), which sets out eligibility requirements for recognition, including but not limited to executive structure, a valid bilingual logo and constitution, and alignment with UOSU policies, positions and constitution. Recognition is the gateway to accessing funding, space booking, and promotion channels. Without recognition, clubs face significant barriers to participating in campus life.

6. The Club Committee is the decision-making body responsible for reviewing applications under the Policy. The Club Committee is empowered to determine whether applicants meet the eligibility standards and, when necessary, to allocate limited recognition spaces in accordance with this Policy and the Constitution.
7. More specifically, Article 8.12.4 of the UOSU Constitution provides that the Club Committee, the Club Administration Service, and all other committees and staff involved with the management and support of clubs must always act in a way which furthers the following principles: fairness, accountability, transparency, consultation, and equity.
8. The Policy also establishes a general cap of 300 recognized clubs. The cap is intended as a resource-management measure to ensure that funding, staff capacity, room bookings, and event supports remain sustainable. However, the Policy does not specify how clubs should be selected when there are more eligible applicants than available recognition spots in a given intake period.
9. In this case, Empower Orphans submitted a complete and compliant application during the authorized registration period. The rejection email dated October 22, 2025, indicated only that the cap had been reached.
10. The meeting minutes record approval of 17 new clubs during the same intake, but they do not clearly document any criteria, scoring, prioritization, or selection method used to allocate the limited recognition spaces among eligible applicants.

III. Submissions of the parties

11. The Appellant submits that Empower Orphans met all eligibility requirements under POL-GEN-03, including submitting a complete constitution, maintaining an active executive team, and demonstrating sustained campus engagement and fundraising activities.
12. The Appellant also submits that the rejection email provided no explanation beyond referencing the 300-club cap. The Appellant argues that this was procedurally unfair and no criteria or method for selection among eligible applicants was communicated or documented.
13. The Appellant argues that when multiple applicants meet the eligibility criteria, the decision-maker must provide a clear and understandable explanation of how approvals were determined and why certain eligible clubs were selected over others.
14. The Respondent acknowledges that the Appellant met the eligibility criteria and demonstrated student engagement. However, the Respondent submits that the application was refused solely due to the capacity limit of 300 recognized clubs, as set out in Section 3.7 of POL-GEN-03, and that the Club Committee did not have discretion to exceed this limit.

15. In reply, the Appellant submits that the issue is not the existence of the cap, but the lack of a transparent and consistently applied method for determining which eligible clubs were approved within the remaining available spaces. The Appellant argues that without such a method, the decision cannot be understood or meaningfully reviewed.

IV. Analysis

16. The Appeals Committee recognizes that the Clubs Committee has discretion under POL-GEN-03 to approve or refuse applications.
17. Likewise, under the UOSU's governance structure, the Board of Directors has the authority to adopt and amend POL-GEN-03, including the establishment or modification of the 300-club cap as a resource-management measure.
18. The validity of the cap itself is not in dispute, UOSU is entitled to design and adjust the club recognition system in ways that support the effective delivery of student services. A numerical cap is a practical and legitimate tool.
19. However, where the number of eligible applicants exceeds available recognition spaces, the exercise of discretion must align with Article 8.12.4 of the UOSU Constitution, which requires that decisions relating to the management and support of clubs be made in furtherance of fairness, accountability, transparency, consultation, and equity.
20. These are not symbolic values; they are binding governance standards that guide how discretionary power must be exercised. This requirement is also consistent with general principles of administrative law, which hold that discretionary decisions must be made in a manner that is intelligible, transparent, and reviewable, so that affected individuals can understand what was decided and why.
21. The need for clear, fair and reasoned decision-making is particularly important in this case, where decisions materially affect students' ability to participate in campus life. Club recognition is not symbolic. It determines whether students can access funding, hold events, and meaningfully contribute to student life.
22. In this case, it is uncontested that Empower Orphans met all eligibility requirements under POL-GEN-03. The written decision communicated to the Appellant consisted only of a brief reference to the 300-club cap, without any explanation of how the Appellant's application compared to others or why it was not selected.
23. The Annex A spreadsheet identifies the 17 new clubs that were approved during the intake but does not appear to contain any scoring, ranking, sufficient weighting of criteria, or comparative assessment of applications.
24. Similarly, the meeting minutes document the approval of clubs but do not describe any criteria or method used to select among competing eligible applicants. They contain no

recorded discussion of comparative assessment, prioritization, or weighting of relevant considerations.

25. The record therefore allows us to determine *which* clubs were selected, but not *why they were selected*, nor why Empower Orphans was not. The selection rationale is not fair, equitable, accountable, and transparent.
26. In administrative and student governance contexts, discretion is never absolute. Its discretion must be always exercised in a manner that is fair, intelligible, transparent. It must be exercised through reasoning that can be followed and understood. A decision is transparent when a person affected can determine what was decided and why. A decision is intelligible when the rationale logically connects the evidence and principles to the result. By contrast, a decision becomes arbitrary when similarly situated applicants are treated differently without explanation.
27. A decision that merely cites a maximum-capacity limit, without more, does not permit the affected party to understand the reasoning behind the outcome or how the Committee exercised its discretion.
28. Moreover, without documented criteria or a neutral selection method (such as scoring, ranking, or a random draw), the outcome here appears arbitrary, even if no unfair intent existed. It also prevents applicants from knowing how to improve future submissions and prevents oversight appeal bodies from reviewing the decision meaningfully.
29. When multiple applicants meet all eligibility requirements, the Club Committee must apply a transparent and consistently applied method to determine which organizations are approved. Without such a method, outcomes risk becoming arbitrary, even where the underlying capacity limit is valid.
30. A simple and transparent framework would have mitigated these concerns. For example, where a ranking or scoring system is not feasible, a randomized selection process (lottery) among eligible applicants is a recognized and procedurally fair allocation method in resource-limited environments.
31. Because the Committee did not provide reasons, did not properly and sufficiently document a fair and equitable selection methodology, nor explain why Empower Orphans was excluded while 17 other eligible applicants were selected, the decision is not consistent with Article 8.12.4 of the Constitution or legal principles of procedural fairness.
32. The lack of a clear prioritization method or neutral allocation mechanism, and the absence of transparency around how decisions were made, renders the process unreasonable and creates the appearance of unfair or inconsistent treatment, even if the Club Committee acted in good faith. It also prevents applicants from understanding how to participate meaningfully in future recognition cycles, or oversight appeal bodies from reviewing the decision meaningfully.

33. The Appeals Committee therefore concludes that the refusal to recognize Empower Orphans was not made in a manner consistent with Article 8.12.4 and the principles of procedural fairness. The decision must therefore be set aside.

IV. Conclusion & order

34. The appeal is allowed.

35. The decision of the Club Committee is set aside.

36. Empower Orphans is granted recognized club status for the 2025–2026 academic year, effective immediately.

37. The Appeals Committee recommends that, in future intakes, the Club Committee provide brief written decisions that are more transparent and detailed.

38. The Appeals Committee further recommends that, in future intakes where there are more eligible applicants than available recognition spaces, the Club Committee consider adopting a more transparent ranking or scoring system or another neutral and consistently applied selection method (such as a lottery draw).

“Philippe Giguère, Chair of Appeals Committee”

“I agree,
Élodie Proulx, Faculty of Law Member of Appeals Committee’