



College of New Caledonia Students' Union
Local 13 – Canadian Federation of Students

CONSTITUTION
and BYLAWS

Last Amended March 20, 2009

CONSTITUTION

1. Name of the Society

The name of the Society is the College of New Caledonia Students' Union, and hereafter in this Constitution and these By-laws shall be referred to as the Union.

2. Purposes of the Union

The purposes of the Union are:

- a) to organise students on a democratic, co-operative basis for advancing students' interests, and advancing the interests of the students' community;
- b) to provide a common framework within which students can communicate, exchange information, and share experience, skills, and ideas;
- c) to bring students together to discuss and co-operatively achieve necessary educational, administrative, and legislative change wherever decision-making affects students;
- d) to facilitate co-operation among students in organising services which supplement the learning experience and are not provided by the College and which develop a sense of community with our peers and with other members of society;
- e) to articulate the desire of students to fulfill the duties and be accorded the rights of citizens in British Columbia, in Canada, and in the international community;
- f) to achieve the goal of a system of post-secondary education which is accessible to all, which is of high quality, and which is rationally planned; which recognises the legitimacy of student representation and the validity of students' rights; and whose role in society is clearly recognised and appreciated.

3. Dissolution of the Union

In the event of the dissolution of the Society any excess funds available after the payment of the Society's debts shall be given to such organization as the directors may decide upon and as the Department of National Revenue shall confirm as being registered for income tax purposes. This clause is unalterable.

BYLAWS

BY-LAW I - INTERPRETATION

1. Number

All references to the plural shall include the singular, and all references to the singular shall include the plural.

2. Definition of "Union"

"Union" shall mean the College of New Caledonia Students' Union.

3. Definition of "College"

"College" shall mean the College of New Caledonia.

4. Definition of "Executive"

"Executive" shall mean the Executive Committee of the Union.

5. Definition of "Federation"

"Federation" shall mean the Canadian Federation of Students.

6. Definition of "Member"

"Member" shall mean those persons who satisfy the requirements of By-law II.

7. Authority of General Meetings and Referenda

General Meetings and Referenda shall be considered the highest authority within the Union.

BY-LAW II - MEMBERSHIP

1. Members

The members of the Union shall be all individuals who have registered in at least one (1) credit course for the current College of New Caledonia term and who have paid membership fees to the Union.

2. Honorary Members

- a) Honorary members of the Union shall be any individual upon whom honorary membership may be conferred by a General Meeting of the Union.
- b) Honorary members shall not be required to pay membership fees to the Union.
- c) Honorary members shall not vote in Union elections or propose motions at general or executive meetings or hold an office in the Union.

3. Cessation of Membership

- a) Individuals shall cease to be members when they cease to meet the requirements of By-law II, Article 1.
- b) Individuals may be expelled from the Union by special resolution in a general meeting.

4. Membership in Bad-standing

Individuals may be deemed members in bad-standing, as defined in policy, by special resolution in a general meeting.

BY-LAW III - MEMBERSHIP FEES

1. Setting of Membership Fees

Except as hereinafter provided, membership fees may be set by the members of the Union voting in a general meeting or referendum provided sufficient notice has been served as per By-law IV, article 6.

2. Amount of Union Membership Fee

The Union membership fee shall consist of a basic fee of not less than \$7.50 per course per semester to a maximum of \$30.00 per member per semester, or \$6.25 a month for members enrolled in vocational and other programmes.

3. Amount of Provincial Federation Membership Fee

The Union shall collect on behalf of the Canadian Federation of Students - British Columbia Component a fee of not less than \$0.75 per month per member, prorated for members in part-time and short-term courses.

4. Amount of National Federation Membership Fee

The Union shall collect on behalf of the Canadian Federation of Students a fee of not less than \$0.75 per month per member, prorated for members in part-time and short-term courses.

5. Amount of Students' Union Building Fee

The Students' Union Building Fee shall be \$6.60 per semester, per member; or \$6.60 per term, per member, for members enrolled in vocational and other programs and shall be applied to members attending the Prince George campus of the College only.

6. Amount of Daycare Subsidy Fee

The Daycare Subsidy Fee shall be \$2.50 per semester per member, and shall be applied to members attending the Prince George Campus of the College only.

7. Amount of Student Newspaper Fee

The Union shall collect on behalf of the designated student newspaper a Student Newspaper Fee of \$2.50 per semester per member, or \$2.50 per term for members enrolled in vocational and other programmes.

8. Amount of U-pass Fee

The Union shall collect on behalf of the City of Prince George an amount of \$48 per semester per member or \$12 per month per student for members enrolled in vocational and other programs and shall be applied to members attending the Prince George campus of the College only.

9. Membership Fee Adjusted For Inflation

The membership fees, described in Articles 3 and 4 shall be adjusted (increased or decreased) each College of New Caledonia academic year by the percentage change in the Canadian Consumer Price Index during the previous calendar year, starting with the 1996-1997 academic year.

The membership fees, described in Articles 2 and 7 shall be adjusted (increased or decreased) each College of New Caledonia academic year by the percentage change in the Canadian Consumer Price Index during the previous calendar year, with the 1996-1997 academic year as the base year. Adjustments shall start with the 2005-2006 academic year.

BY-LAW IV - GENERAL MEETINGS AND REFERENDA

1. Types of General Meetings

There shall be two types of general meetings:

- a) Annual General Meetings; and
- b) Special General Meetings

2. Annual General Meetings

The Annual General Meeting of the Union shall be held between September 15 and November 30 each year as set by a majority vote of an Executive meeting.

3. Special General Meetings

Special General Meetings may be called at any time by:

- a) a majority vote of an Executive meeting; or
- b) as otherwise required by the Societies Act of British Columbia.

4. General Meeting Agenda

- a) Except as hereinafter provided, the agenda for all general meetings shall be prepared by the Executive of the Union for presentation to the general meeting.
- b) The Executive shall include on the agenda any Special Resolutions that are:
 - i) referred by a two-thirds (2/3) majority vote of an executive meeting; or
 - ii) presented to it accompanied by a petition duly signed by no less than ten per cent (10%) of the members of the Union.

5. Referenda

- a) In addition to Annual and Special General Meetings, the members may vote on resolutions concerning the business of the Union by means of a referendum.

b) Referenda are called in the same manner as Special General Meetings.

6. Notice for General Meetings or Referenda

The Executive of the Union shall give not less than fourteen (14) calendar days notice of a general meeting or referendum. Sufficient notice shall be deemed to have been given by the posting of not less than fifteen (15) notices on or about the College of New Caledonia not less than 8.5"x 11" in size, which shall include the following:

- a) the time, date, and location of the meeting or referendum;
- b) the proposed agenda for the meeting or resolution(s) for the referendum; and
- c) any special resolutions to be considered by the meeting or referendum.

7. Quorum for General Meetings and Referenda

The quorum required for a general meeting or referendum of the Union shall be five per cent (5%) of the general members, or fifty (50) members, whichever is less, but shall never be less than 3 members. In the event that the annual meeting does not achieve a quorum, but does satisfy the minimum quorum requirements set out in the Societies Act of British Columbia, the meeting shall proceed, though business will be limited to the following:

- a) Acceptance of the annual financial statements;
- b) Appointment of auditors; and
- c) Acceptance of the annual report of the executive.

8. Rules of Order

Subject to any special resolutions of the Union the most recent edition of Roberts' Rules of Order shall govern the conduct of all general meetings of the Union.

BY-LAW V - POLICY OF THE UNION

1. Establishment of Policy

Policy for the Union may be established from time to time by:

- a) a three-quarter (3/4) majority vote of the Executive Committee of the Union; or
- b) a three-quarter (3/4) majority vote of those voting in a general meeting or referendum of the Union.

2. Notice of Policy Amendments

Notice for all policy motions to be voted on in a general meeting or referendum of the Union shall be that required for a special resolution.

3. Policy Manual

All policy of the Union shall be compiled in a policy manual.

a) Distribution of the Union's Policy Manual

A copy of the Union's Policy Manual shall be provided to any member of the Union upon written request.

b) Classification of Policy

Each policy in the Union's Policy Manual shall state whether it was adopted by a vote of the Executive or by a vote of the general membership in a general meeting or referendum.

4. Duration of Policy

All policy remains the policy of the Union until changed, or rescinded, subject to the following:

- a) Policy adopted by the Executive may be rescinded at any time by a three-quarter (3/4) majority vote of the Executive.
- b) Policy adopted by a general meeting or referendum may be rescinded at any time by a three-quarter (3/4) majority vote of a general meeting or referendum, provided sufficient notice has been provided as per Bylaw IV.6
- c) Policy adopted by the Executive may be rescinded by a majority vote of a general meeting or referendum.
- d) No policy adopted by a general meeting or referendum may be rescinded by the Executive.
- e) No policy adopted by the Executive may contradict or supercede any policy adopted by a general meeting or referendum.
- f) No policy adopted by a general meeting or referendum shall contradict or supercede any Bylaw of the Union.

BY-LAW VI – EXECUTIVE COMMITTEE OF THE UNION

1. Composition of the Executive Committee

The Executive Committee shall be comprised of the following positions:

- a) Chairperson

- b) College Relations Coordinator
- c) External Affairs Coordinator
- d) Internal Affairs Coordinator
- e) Treasurer
- g) Aboriginal Students' Representative
- h) Women Students' Representative

2. Term of Office of Members of the Executive Committee

- a) the members of the Executive Committee:
 - i. shall take office from May 1 to April 30, dependant upon the ratification of the report of the electoral committee at the first executive meeting held following the election, as per Bylaw VII.
 - ii. must be members of the Union during their term of office.
 - iii. must be a member in good standing.

3. Meetings of the Executive Committee

- a) The Executive Committee shall meet at least once a month between September 1 and May 31.
- b) The agenda for each Executive Committee meeting shall be posted in the Students' Union Office no less than twenty-four (24) hours prior to the Executive Committee meeting.
- c) The quorum required for the transaction of business at an Executive Committee meeting shall be fifty-one percent (51%) of currently elected members, but never less than three members.
- d) Subject to any special resolutions of the Union the most recent edition of Roberts' Rules of Order shall govern the conduct of all meetings of the Executive Committee.
- e) Meetings of the Executive Committee shall be open to all members and staff of the Union, provided that the Executive Committee be permitted to move "in-camera" in extraordinary circumstances.
- f) Meetings of the Executive Committee shall be scheduled by:
 - i) resolution of the Executive Committee; or
 - ii) the Chairperson upon request of three or more members of the Executive Committee.
- g) In order to exercise a vote, members of the Executive Committee must be present at the time the vote is put. Votes by proxy shall not be allowed.
- h) The adopted minutes of Executive Committee meetings shall be posted in the Students' Union office.

4. Executive Committee Remuneration

The remuneration to be paid to the members of the Executive Committee shall be such amounts as set by policy of the Union.

5. Leave-of-absence for Executive Committee Members

Subject to a three-quarter (3/4) majority vote of the Executive Committee, individual members of the Executive Committee may be granted leaves-of-absence from the Executive Committee for a period of up to three (3) months during their term on the Executive Committee and retain their status. Such approval shall not be unreasonably withheld.

BY-LAW VII - ELECTION OF THE EXECUTIVE COMMITTEE

1. Electoral Committee

The Union shall maintain an electoral committee at all times which shall be responsible for the administration of all elections to fill Executive Committee positions.

- a) The electoral committee shall be comprised of:
 - i) three (3) members of the Union, at least one of whom is a member of the Executive Committee not seeking re-election; and
 - ii) one (1) member of the staff of the Union.
- b) The electoral committee shall ensure that all elections occur in the manner prescribed by this By-law and the policies of the Union.
- c) The electoral committee shall determine the eligibility of all nominated candidates.
- d) The electoral committee may disqualify a candidate or rule an election invalid for any violation of these By-laws.
- e) The electoral committee shall decide the form of the ballot provided that the nominees for each office be listed in alphabetical order by surname.
- f) The electoral committee shall make, in the event of a strike, circumstance beyond human control, or other event that may delay the electoral procedure, a decision as to how and when the electoral procedure may best be completed.
- g) The electoral committee shall submit a report on the conduct and results of all elections to the Executive Committee for ratification.

2. Schedule of Elections

- a) The Union shall hold:

- i) a general election for all positions between February 1 and March 31, and
- ii) by-elections at such times as deemed necessary
 - a) by the Executive Committee; or
 - b) the electoral committee in the event that the number of Executive Committee members falls below three (3);
 notwithstanding that elections may be delayed in the event of a lockout, strike, natural disaster or other such occurrence.
- b) The schedule of elections shall include:
 - i) a minimum two (2) weeks period for the submission of nomination forms to the electoral committee;
 - ii) a minimum one (1) week period for campaigning, between the close of nominations and the commencement of polling;
 - iii) an all candidates' forum held not less than two (2) days prior to the commencement of polling; and
 - iv) not less than sixteen (16) hours of polling over a period of not less than two (2) days.
- c) The schedule of elections for the Executive Committee shall be set by:
 - i) the Executive Committee; or
 - ii) the electoral committee in the event that the number of Executive Committee members falls below three (3);
 provided that the schedule of election is in compliance with Article 2 section b) of this Bylaw.

3. Notice of Elections

Sufficient notice shall be deemed to have been given by:

- a) the posting, on or about the College of New Caledonia, not less than three (3) days prior to the opening of the nomination period, of not less than fifteen (15) notices, not less than 8.5"x 11" in size, stating:
 - i) the positions vacant or expiring;
 - ii) the opening and closing date and time of the period for the submission of nominations;
 - iii) the location at which nomination forms may be obtained;
 - iv) the location to which completed nomination forms are to be submitted;
 - v) the period of time allotted to nominees for campaigning; and
 - vi) the days on which polling will take place.
- b) the posting, on or about the College of New Caledonia, not more than three (3) days after the closing of the nomination period, of not less than twenty-five (25) notices, not less than 8.5"x 11" in size, stating:
 - i) the members nominated for vacant positions on the Executive Committee;
 - ii) the date, time and location of polling stations; and
 - iii) the date, time and location of the all candidates' forum.

4. Eligibility

- a) Nominees for any position on the Executive Committee must be members of the Union in good standing.
- b) In order to seek election to the Executive Committee, members must be nominated by not less than five (5) other members of the Union.
- c) Members of the Union shall not hold or seek election to more than one (1) position on the Executive Committee at any one time.
- d) Only Aboriginal members of the Union shall be eligible to run for the Aboriginal Students' Representative position.
- e) Only women members of the Union shall be eligible to run for the Women Students' Representative position.

5. Conduct of Nominees

- a) Nominees for all positions shall limit their campaigning to the period between the close of nominations and the day prior to the commencement of polling.
- b) Nominees shall ensure that all their campaign information is removed from public display not less than ten (10) hours prior to the commencement of polling.
- c) Nominees' campaign expenses shall not exceed the limit established by the electoral committee.
- d) Nominees shall abide by all other regulations established by the electoral committee.

6. Voting

- a) Members of the Union may vote only once for each position in an election.
- b) Only Aboriginal members of the Union may vote for the position of Aboriginal Students' Representative.
- c) Only women members of the Union may vote for the position of Women Students' Representative.
- d) If only one (1) nomination is received for a particular office, members shall be asked on the ballot to approve or disapprove of the nominee. The nominee must receive the approval of the majority of the ballots cast to be declared duly elected.
- e) Sealed ballot boxes are to be returned to the Union's general office immediately upon completion of voting. The ballots will be counted by the electoral committee. Where positions are contested, the nominees receiving a plurality of votes cast shall be declared duly elected.
- f) Each nominee may appoint a scrutineer to oversee the counting of ballots.

7. Recounts and Appeals

- a) A nominee may request a recount of votes cast, provided such request is made in writing to the electoral committee within seventy-two (72) hours following the committee's announcement of election results.
- b) A nominee may appeal any decision of the electoral committee to a meeting of the Executive Committee or a General Meeting of the Union.

BY-LAW VIII - DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE

1. Compliance With Societies Act of British Columbia

The Executive Committee shall be familiar, and comply with the provisions of the Societies Act of British Columbia.

2. Responsibility for Union Finances and Property

The Executive Committee shall receive, budget and administer all monies, properties, and securities of whatever nature that may be placed in the custody of, or that may become the property of the Union.

3. Responsibility for Union Budget

The Executive Committee shall prepare an annual budget for the Union.

4. Responsibility for Communication

The Executive Committee shall be the recognized medium of communication between the Union and:

- a) The board and administration of the College;
- b) Other constituent groups within the College;
- c) The general public; and
- d) Other students' unions with which the Union is allied.

5. Responsibility for Union Staff

The Executive Committee shall be responsible for the hiring and direction of all staff of the Union.

6. Annual Report of the Executive Committee

The Executive Committee shall present to the Annual General Meeting of the Union a report detailing the activities undertaken by the Union during the previous year.

7. Maintenance of Union Policy Manual

The Executive Committee shall maintain an up-to-date policy manual for the Union.

8. Conflict of Interest

Members of the Executive Committee shall not vote on matters where a personal conflict of interest, as defined in policy, exists.

9. Delegation of Responsibility

The Executive Committee may delegate such of its duties and responsibilities as it may deem expedient for the conduct of the affairs of the Union.

10. Compliance With Harassment and Complaints Policies

The Executive Committee shall be familiar, and comply with the provisions of the harassment and complaints policies of the Union.

BY-LAW IX - DUTIES & RESPONSIBILITIES OF EXECUTIVE COMMITTEE MEMBERS

1. Chairperson

The Chairperson shall:

- a) regularly chair meetings of the Executive Committee of the Union;
- b) prepare and distribute the agenda prior to each Executive Committee meeting to all Executive members;
- c) organise meetings of the Executive Committee;
- d) undertake all duties and responsibilities which normally fall to the chairperson of an Union; and
- e) perform such other duties as may be assigned by the Executive Committee.

2. College Relations Coordinator

The College Relations Coordinator shall:

- a) be responsible for keeping the Executive Committee informed of issues arising within the College which pertain to the activities of the Union;
- b) be familiar with the College appeals, complaints and discipline procedures;
- c) coordinate the work of the Union in the area of individual grievances;

- d) co-ordinate Union representation on all College committees; and
- e) perform such other duties as may be assigned by the Executive Committee.

3. External Affairs Coordinator

The External Affairs Coordinator shall:

- a) be responsible for keeping the Executive Committee informed of issues arising off campus which pertain to the activities of the Union;
- b) be familiar with the educational policies of the provincial and federal governments; and
- c) perform such other duties as may be assigned by the Executive Committee.

4. Internal Affairs Coordinator

The Internal Relations Coordinator shall:

- a) coordinate the running of the Union office and the maintenance of Union records;
- b) be familiar with the services and programs of the Union;
- c) be primarily responsible for overseeing and coordinating clubs; and
- d) perform such other duties as may be assigned by the Executive Committee.

5. Treasurer

The Treasurer shall:

- a) assist in formulating a budget for the Union;
- b) ensure that careful account is kept of all monies received and disbursed by the Union;
- c) be responsible for keeping the Executive Committee informed of all issues which pertain to the finances of the Union; and
- d) perform such other duties as may be assigned by the Executive Committee.

6. Aboriginal Students' Representative

The Aboriginal Students' Representative shall:

- a) be responsible for keeping the Executive Committee informed of all Aboriginal issues which pertain to the Union;
- b) be responsible for organising and keeping informed Aboriginal members of the Union;
- c) sit on at least the Aboriginal committee of the Union;
- d) attend the Aboriginal Caucus held at Federation general meetings if selected to attend that general meeting on behalf of the Union; and
- e) perform such other duties as may be decided on by the Aboriginal committee, or assigned by the Executive Committee.

7. Women Students' Representative

The Women Students' Representative shall:

- a) be primarily responsible for presenting a feminist viewpoint on all matters of concern to the Union;
- b) be responsible for organising and keeping informed Women members of the Union;
- c) sit on at least the Women's committee of the Union;
- d) attend the Women's Caucus meetings held at Federation general meetings if selected to attend that general meeting on behalf of the Union; and
- e) perform such other duties as may be decided on by the Women's committee, or assigned by the Executive Committee.

BY-LAW X - REMOVAL FROM OFFICE

1. Cessation of Union Membership

Members of the Executive Committee who cease to be members of the Union shall be considered to have delivered their resignations.

2. Abandonment of Office

Executive Committee members absent from three (3) or more regularly scheduled consecutive meetings of the Executive Committee without valid reason, as determined by a two-thirds (2/3) majority vote of the Executive Committee, shall be deemed to have delivered their resignation.

3. Impeachment Proceedings

- a) A member of the Executive Committee may be removed from office by resolution of a general meeting or referendum.
- b) Impeachment proceedings may be initiated by:
 - i) a two-thirds (2/3) majority vote of the Executive Committee; or
 - ii) a petition signed by not less than ten per cent (10%) of the members of the Union presented to the Executive Committee.

- c) Notice of impeachment proceedings shall be that required for a special resolution.
- d) In the event that the general meeting or referendum thus called fails to reach quorum, the proceedings shall cease.

BY-LAW XI - UNION FINANCES

1. Signing Officers

- a) The signing officers for the Union shall be as appointed by the Executive Committee.
- b) The Treasurer shall be one of the signing officers.
- c) The signatures of at least two (2) signing officers shall be required for the execution of any legal documents.
- d) The signatures of at least two (2) signing officers, one of which must be the Treasurer's, shall be required for the disbursement of any funds on behalf of the Union.

2. Annual Financial Review

- a) The auditor(s) of the Union shall be appointed by resolution of a general meeting.
- b) The Executive Committee may fill a vacancy in the office of the auditor(s) created by death, resignation or otherwise.
- c) The auditor(s) of the Union shall have the right to examine all books, records and accounts of the Union and shall be entitled to request from any and all members of the Union, including the Executive Committee, such information and explanations as may be required by the auditor(s) for the due performance of their duties.
- d) The Executive Committee shall present without material omission the report of the auditor(s) to the Annual General Meeting of the Union.

3. Borrowing

- a) In order to carry out the purposes of the Union the Executive Committee may, on behalf of and in the name of the Union, raise and secure the payment or repayment of money in the manner they decide, and, in particular but without limiting the foregoing, by the issue of debentures;
- b) No debenture shall be issued without the sanction of a special resolution;
- c) The members may by special resolution restrict the borrowing powers of the Executive Committee, but a restriction imposed expires at the next Annual General Meeting; and
- d) The Executive Committee shall not borrow at any given time an amount greater than twenty per cent (20%) of the annual budget of the Union. Any amount exceeding twenty per cent (20%) of the annual budget of the Union must be authorized by a General Meeting or Referendum.

4. Fiscal Year

The fiscal year of the Union shall be August 1 to July 31.

BY-LAW XII - UNION RECORDS

1. Location of Records

The minutes of the Executive Committee and general meetings, and other books and records of the Union shall be kept in a central location as designated by the Executive Committee.

2. Inspection by Members

The published books, minutes and records of the Union may be inspected by Union members in the Union office on any working day during normal office hours provided forty-eight (48) hours written notice is given.

3. Custody of Minutes

Custody of the minutes of all general and Executive Committee meetings of the Union shall be as designated by the Executive Committee.

BY-LAW XIII - BRANCH SOCIETIES

The Union, by special resolution, shall have the authority to create branch societies subject to the terms and conditions outlined in the Societies Act of British Columbia.

BY-LAW XIV - AMENDMENT TO THE CONSTITUTION AND BY-LAWS

The Constitution and By-laws of the Union may only be amended by a special resolution passed in a general meeting or referendum of the Union, as per By-law IV.

