

**College of New Caledonia Students' Union
Local 4 British Columbia Federation of Students**

CONSTITUTION AND BYLAWS

Last Amended November 28, 2019

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 Bylaws 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 cooperatively 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.

BYLAWS

BYLAW 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 Committee"

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

5. Definition of "Federation"

"Federation" shall mean the British Columbia Federation of Students

6. Definition of "Member"

"Member" shall mean those persons who satisfy the requirements of Bylaw II.

7. Authority of General Meetings and Referenda

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

BYLAW II - MEMBERSHIP

1. Members

The members of the Union shall be:

- a) All individuals who are registered students taking a credit course at the Prince George and Quesnel campuses of the College of New Caledonia
- b) All individuals who are not registered in the current College semester, but who have paid membership fees to the Association for the previous College semester.

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 Bylaw 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.

BYLAW 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 Bylaw IV, article 6.

2. Amount of Union Membership Fee

The Union membership fee shall consist of a basic fee of not less than \$11.42 per month, or \$45.68 per semester. . This fee will be adjusted every year by the rate of change in the national Consumer Price Index (CPI)

3. Provincial and National Organization Membership

Where the Union is a member of a provincial and/or national organizations, the Union shall collect in trust and remit the membership fee set by that organization.

4. 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.

5. 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.

6. Amount of Student Newspaper Fee

The Union shall collect on behalf of the designated student newspaper a Student Newspaper Fee of \$3.81 per semester per member, or \$3.81 per term for members enrolled in vocational and other programmes. This fee will be adjusted every year by the rate of change in the national Consumer Price Index (CPI).

7. Amount of U-pass Fee

The Union shall collect on behalf of the City of Prince George an amount of \$65 per semester per member or \$16.25 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.

The Union shall collect on behalf of the City of Quesnel an amount of \$35 per semester per member or \$8.75 per month per student for members enrolled in vocational and other programs and shall be applied to members attending the Quesnel campus of the College only.

8. Amount of Recreation Fee

The Union shall collect on behalf of the College of New Caledonia an amount of \$2.50 per semester per member and shall be applied to members attending the Prince George campus of the College only.

9. Amount of Health and Dental Plan Fee

The Union shall collect \$260 per year for members enrolled in vocational and other programs and shall be applied to members attending the Prince George campus of the College only.

10. Membership Fee Adjusted For Inflation

The membership fees, described in Articles 2,3, and 6 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.

BYLAW 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 percent (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 Robert's' Rules of Order shall govern the conduct of all general meetings of the Union.

BYLAW V - POLICY OF THE UNION

1. Establishment of Policy

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

- a) a two-thirds (2/3) majority vote of the Executive Committee of the Union; or
- b) a two-thirds (2/3) 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 supersede any policy adopted by a general meeting or referendum.
- f) No policy adopted by a general meeting or referendum shall contradict or supersede any Bylaw of the Union.

BYLAW VI – EXECUTIVE COMMITTEE OF THE UNION

1. Composition of the Executive Committee

The Executive Committee shall be comprised of the following positions:

- a) Indigenous Students' Representative
- b) Program Representative–Business and Management
- c) Program Representative–Community and Continuing Education
- d) Program Representative–Health Sciences
- e) Program Representative–Human Services
- f) Program Representative–Trades, Industry, and Technologies
- g) Program Representative–University Studies
- h) Program Representative–Upgrading and Access
- i) Quesnel Campus Representative
- j) Women Students' Representative

2. Term of Office of Members of the Executive Committee

- a) Executive Committee members elected in the regularly scheduled election shall take office on May 1 and shall remain in office until April 30 of the following year.
- b) Executive Committee members elected in a by-election shall take office upon ratification of the electoral report and shall remain in office until April 30 of the following year.

3. Meetings of the Executive Committee

- a) The Executive Committee shall meet at least once per month.
- b) The agenda for each Executive Committee meeting will be sent to members of the Executive Committee via e-mail no later than twenty-four (24) hours prior to the 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 Robert's' Rules of Order shall govern the conduct of all meetings of the Executive.
- e) Meetings of the Executive Committee shall be open to all members of the Union, provided that the Executive Committee be permitted to move "in-camera" from time to time when necessary.
- 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 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 the will 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 one semester during their term on the Executive Committee. During this time they shall retain their status but ~~de~~ will not count towards quorum nor collected a stipend.

BYLAW 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 bylaws 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 bylaws.

- 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 by the Executive Committee; or the Electoral Committee in the event that the number of Executive Committee members falls below three (3);
 - iii. 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. 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);
 - iii. 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 Indigenous members of the Union shall be eligible to run for the Indigenous Students' Representative position.
- e) Only members of the Union enrolled in courses in the Business and Management program shall be eligible to run for the position of Program Representative–Business and Management.
- f) Only members of the Union enrolled in courses in the Community and Continuing Education program shall be eligible to run for the position of Program Representative–Community and Continuing Education.
- g) Only members of the Union enrolled in courses in the Health Sciences program shall be eligible to run for the position of Program Representative–Health Sciences.
- h) Only members of the Union enrolled in courses in the Human Services program shall be eligible to run for the position of Program Representative–Human Services.

- i) Only members of the Union enrolled in courses in the Trades and Industry or the Technologies programs shall be eligible to run for the position of Program Representative–Trades, Industry, and Technologies.
- j) Only members of the Union enrolled in courses in the University Studies program shall be eligible to run for the position of Program Representative–University Studies.
- k) Only members of the Union enrolled in courses in the Upgrading and Access program shall be eligible to run for the position of Program Representative–Upgrading and Access.
- l) Only members of the Union enrolled in courses on the Quesnel Campus shall be eligible to run for the position of Quesnel Campus Representative.
- m) Only women-identified 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) 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.

BYLAW 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 of the staff and the executive director shall be responsible for the 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.

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.

BYLAW IX - DUTIES & RESPONSIBILITIES OF EXECUTIVE COMMITTEE MEMBERS

1. Indigenous Students' Representative

The Indigenous Students' Representative shall:

- a) be responsible for keeping the Board informed of all issues regarding Indigenous Peoples which pertain to the work of the Union;
- b) be responsible for facilitating meetings and work of the Union's Indigenous Students' Committee;
- c) assist in the development and implementation of campaigns relating to Indigenous issues;
- d) encourage the active participation of Indigenous members in the Union and the Federation;
- e) ensure that the opinions of Indigenous students are represented in decisions of the Union;
- f) ensure regular communication with the Federation's Indigenous Students' Representative; and
- g) perform other such duties as assigned by the Executive Committee and the Indigenous Students' Committee.

2. Program Representatives

The Program Representatives shall:

- a) maintain active communications between members and the Executive Committee;
- b) maintain membership in at least one (1) Committee of the Union; and
- c) perform such other duties as may be assigned by the Executive Committee.

3. Quesnel Campus Representative

The Quesnel Campus Representative shall:

- a) maintain active communications between members at the Quesnel Campus and the Executive Committee;
- b) be responsible for assisting with activities and events at the Quesnel Campus;
- c) maintain membership in at least one (1) Committee of Union; and
- d) perform such other duties as may be assigned by the Executive Committee.

4. 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 facilitating meetings and work of the Union's Women Students' Committee;
- c) assist in the development and implementation of campaigns relating to women's and gender issues;
- d) encourage the active participation of women members in the Union and the Federation;
- e) ensure regular communication with the Federation's Women Students' Representative; and
- f) perform other such duties as assigned by the Executive Committee and the Women Students' Committee.

BYLAW X – PORTFOLIO POSITIONS

1. Standing Portfolio Positions

The Portfolio Positions of the Executive Committee are:

- a) Chairperson
- b) Treasurer
- c) Federation Representative

2. Duties and Responsibilities of Portfolio Positions

- a) The Chairperson shall:
 - i. regularly chair meetings of the Executive Committee;
 - ii. prepare and distribute the agenda to Executive Committee members in advance of each meeting;
 - iii. organise meetings of the Executive Committee meeting;
 - iv. undertake all duties and responsibilities which normally fall to the Chairperson of a Union.
- b) The Treasurer shall:
 - i. ensure that the appropriate records of the Union are filed with the Registrar of Societies;
 - ii. be familiar with the services and programs of the Union;
 - iii. assist in formulating the budget for the Union; and
 - iv. provide regular updates to the Executive Committee on the state of the Union's finances.
- c) The Federation Representative shall:

- i. attend meetings of the Federation's Executive Committee on behalf of the Union;
- ii. assist with the implementation of Federation campaigns and services by the Union; and
- iii. provide a written report of Federation Executive Committee meetings to the Executive Committee meetings immediately following each meeting.

3. Assignment of Portfolio Positions

- a) Executive Committee shall select at its first meeting in May, one (1) member to hold each portfolio position.
- b) In the event of a vacancy in any of the Portfolio Positions, the Executive Committee shall select a replacement for the remainder of the term. Two (2) weeks notice is required to conduct the selection process at an Executive Committee meeting.

BYLAW XI - REMOVAL FROM OFFICE

1. Cessation of Union Membership

Members of the Executive Committee who cease to be members of the Union for less than one semester in the given academic year 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 percent (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.

BYLAW XII - 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 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 percent (20%) of the annual budget of the Union. Any amount exceeding twenty percent (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.

BYLAW XIII - 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.

BYLAW XIV - 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.

BYLAW XV - AMENDMENT TO THE CONSTITUTION AND BYLAWS

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

BYLAW XVI – DISSOLUTION OF THE UNION

Upon the winding up or dissolution of the Union, any assets remaining after the satisfaction of its debts and liabilities shall be held in a trust by the BC Federation of Students after the Department of National Revenue shall confirm as being registered for income tax purposes. until such time as said assets may be transferred to a democratically run College of New Caledonia student organization having purposes similar to those of the College of New Caledonia Students' Union. This provision was previously unalterable.