

Coast Mountain Students' Union

CONSTITUTION & BYLAWS

LAST AMENDED October 2018

Local 14 – British Columbia Federation of Students

CONSTITUTION

1. Name of the Society

The name of the Society is the Society of Coast Mountain Students' Union, hereafter referred to as the Coast Mountain 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, provide for human needs, 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

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 until such time as said assets may be transferred to a democratically run Coast Mountain College student organisation having purposes similar to those of the Coast Mountain Students' Union. This clause is unalterable.

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 Coast Mountain Students' Union.

3. Definition of "College"

"College" shall mean Coast Mountain College

4. Definition of "Campuses"

"Campuses" shall mean the following campuses of Coast Mountain College:

- i. Hazelton
- ii. Prince Rupert
- iii. Smithers
- iv. Terrace

5. Definition of "Member"

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

6. Definition of "At Large"

"At Large" shall mean those positions not requiring departmental representation.

7. Definition of "Federation"

"Federation" shall mean the British Columbia Federation of Students.

8. Authority of General Meetings and Referenda

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

9. Campus Delegates to the Annual General Meeting (AGM)

Campus Delegates to the AGM shall mean members of the Union that have been elected by members of the campus at which the delegate attends; and together delegates form a campus delegation to represent and vote on motions and special resolutions on behalf of members from that campus at the Annual General Meeting of the Union. Delegates are eligible to stand for election to the Board of Directors and vote in the Board of Directors election in accordance with bylaw VIII.

10. Definition of "Term"

"Term" shall mean a four month period beginning on the first day of the month in which a course/program begins.

BYLAW II - MEMBERSHIP

1. Members

The members of the Union shall be all individuals who have registered in at least one course for the current Coast Mountain College 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 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 4 months after 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 by special resolution in a general meeting.

BYLAW III - MEMBERSHIP FEES

1. Setting of Membership Fees

Subject to Bylaw III, articles 2 to 5, 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

A union membership fee shall be set at a rate of not less than \$5.00 per week for a maximum of six weeks per term.

3. Amount of Federation Membership Fee

As a member local of the Federation, a membership fee for the Federation of not less than \$1.40 per week to a maximum of six weeks per term shall be collected and remitted to the Federation.

4. Nursing Students' Club

An additional fee of \$5.00 per term shall be collected from members in the Bachelors of Science in Nursing program to support the Nursing Students' Club.

5. Fee Adjustment

The membership fee described in Articles 2, 3 and 4 of this Bylaw shall be adjusted each August 1 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 Meeting

The Annual General Meeting of the Union shall be held between October 10 and October 25 of each year as set by a majority vote of a Board of Directors meeting.

3. Special General Meetings

Special General Meetings may be called at any time by:

- a) a majority vote of a Board 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 each general meeting 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 Board of Directors 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. Voting at General Meetings

- a) Voting on Special Resolutions
 - i. Voting members are known as delegates to the Annual General Meeting and shall be elected by members at their respective campus, as outlined in Bylaw VIII.
 - ii. Each campus delegation, made up of elected delegates from a campus, while voting on motions and Special Resolutions at General Meetings shall have one (1) vote.
- b) Voting for the Board of Directors
 - i. The nomination period shall be open for no less than 4 hours during the Annual General Meeting; and
 - ii. voting shall be conducted by secret ballot during the Annual General Meeting after the close of the nomination period; and
 - iii. each Delegate can vote once in the Board of Directors Election; and
 - iv. only a Delegate from a campus can vote for the campus representative of that campus; and
 - v. an electoral committee with three (3) members will be struck by delegates at the start of the Annual General Meeting to oversee the Board of Directors election at the Annual General Meeting.

6. 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.

7. 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 twenty-five (25) notices on or about the Coast Mountain College, including a minimum of three (3) posters per campus, 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; and

8. Quorum for General Meetings and Referenda

- a) The quorum required for a general meeting of the Union shall be voting delegates from at least two (2) campuses, but shall never be fewer than three (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 Society Act of British Columbia, the meeting shall proceed, though business will be limited to the following:
 - i. Acceptance of the annual financial statements;
 - ii. Appointment of auditor; and
 - iii. Acceptance of the annual report of the executive.

- b) The quorum required for a general referendum of the Union shall be 5% of the general members, or 50 members, whichever is less, but shall never be fewer than 3 members.

9. 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.

BYLAW V - GENERAL MEETINGS OF THE FEDERATION

1. General Meeting Delegation

The Union will have a maximum of five (5) delegates at all general meetings of the Federation.

BYLAW VI- 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 Regional Board 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

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 Board 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 Board may be rescinded at any time by a three-quarter majority vote of the Board.
- b) Policy adopted by a general meeting or referendum may be rescinded at any time by a three-quarter majority vote of a general meeting or referendum, provided sufficient notice has been provided as per Bylaw IV.6
- c) Policy adopted by the Board 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 Board of the Union.
- e) No policy adopted by the Board 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.

BYLAW VII - BOARD OF DIRECTORS OF THE UNION

1. Composition of the Board of Directors

The Board of Directors shall be comprised of:

- a) The following a-large representatives
 - i. Federation Executive Committee Representative
 - ii. Chairperson
 - iii. BCFS Chairperson (or designate - non-voting)
 - iv. Treasurer
- b) One representative from each of the four member campuses.

2. Election of the Board of Directors

The Board of Directors shall be elected by:

- a) Twenty-four (24) delegates elected from the membership of their respective campuses:
 - i. Four (4) from the Hazelton campus
 - ii. Four (4) from the Smithers campus
 - iii. Seven (7) from the Prince Rupert campus
 - iv. Nine (9) from the Terrace campus
- b) The delegates shall:
 - i. be delegates to the Annual General Meeting; and
 - ii. be eligible to stand for election to the Board of Directors; and
 - iii. vote in the Board of Directors election held at the Annual General Meeting [see Bylaw IV article 5.b)].

3. Term of Office of Members of the Board of Directors

Members of the Board of Directors:

- a) shall take office upon the ratification of the report of the electoral committee at the first executive meeting following their election, as per Bylaw VIII; and
- b) may remain in office until the conclusion of the first board meeting following the regularly scheduled election held closest to one (1) year after their election; and
- c) must be members of the Union during their term of office; and
- d) must be a member in good standing.

4. Meetings of the Board of Directors

- a) The Board of Directors shall meet at least twice per month between September 1 and April 30, and once per month between May 1 and August 31.
- b) The agenda for each Board of Directors meeting will be posted in the Students' Union Office and faxed to all campuses no later than twenty-four (24) hours prior to the Board of Directors meeting.
- c) The quorum required for the transaction of business at a Board of Directors 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 Board of Directors.
- e) Meetings of the Board of Directors shall be open to all members of the Union, provided that the Board of Directors be permitted to move "in-camera" in extraordinary circumstances.
- f) Meetings of the Board of Directors shall be scheduled by:
 - i) resolution of the Board of Directors; or
 - ii) the Chairperson upon request of three or more members of the Board of Directors.
- g) In order to exercise a vote, members of the Board of Directors must be present at the time the vote is put. Votes by proxy shall not be allowed.
- h) The minutes of Board of Directors meetings shall be posted in the Students' Union office and sent to all Board members and campus representatives.

4. Board of Directors Remuneration

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

5. Leave-of-absence for Board of Directors Members

Subject to the will of the Board of Directors, individual members of the Board of Directors may be granted leaves-of-absence from the Board of Directors for a period of up to one semester during their term on the Board of Directors and retain their status.

BYLAW VIII - ELECTION OF CAMPUS DELEGATES TO THE GENERAL MEETING

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 Board of Directors positions.

- a) The electoral committee shall be comprised of:
 - i. two (2) members of the Union, at least one of whom is a member of the Board of Directors.
 - ii. One (1) representative of the Canadian Federation of Students provincial executive committee or staff, as selected by the provincial executive committee.
- b) The electoral committee shall ensure that all elections occur in the manner prescribed by this By-law and the policy 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 Board of Directors for ratification.

2. Schedule of Elections

- a) The Union shall hold:
 - i. campus representative elections for vacant positions during the first five (5) weeks of each College semester, and
 - ii. by-elections at such times as deemed necessary
 - a) by the Board of Directors; or
 - b) the electoral committee in the event that the number of Board of Directors 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 one (1) week period for the submission of nomination forms to the electoral committee;
 - ii. a minimum one (1) week period 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 to be held at the Terrace and Prince Rupert campuses and not less than eight (8) hours over a period of one (1) day to be held at the Kitimat, Hazelton, Smithers and Houston campuses.
- c) The schedule of elections for the Board of Directors shall be set by:
 - i. the Board of Directors; or
 - ii. the electoral committee in the event that the number of Board of Directors members falls below three(3); provided that the entire election falls within the periods set out in By-law VII, Article 2. a).

3. Notice of Elections

Sufficient notice shall be deemed to have been given by:

- a) the posting, on or about the Coast Mountain College Community, 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 Coast Mountain College Campus, not more than three (3) days after the closing of the nomination period, of not less than twenty-five (25) notices, including a minimum of three (3) per campus, not less than 8.5"x 11" in size, stating:
 - i. the members nominated for vacant positions on the Board of Directors;
 - ii. the date, time and location of polling stations.

4. Eligibility

- a) Nominees for any position on the Board of Directors must be members of the Union in good standing.

- b) In order to seek election to the Board of Directors, 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 Board of Directors at any one time.

5. Conduct of Nominees

- a) Nominees for all positions shall limit their campaigning to the period between the close of nominations and the close of polling.
- b) Nominees shall not campaign and shall ensure that no campaign material is posted within 10 meters of a polling station; however, nominees shall be permitted to have posted at the polling station a statement provided to the electoral committee in a manner and form prescribed by the electoral committee.
- 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) 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.
- c) 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.
- d) 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 the first board meeting following the close of polling.

BYLAW IX - DUTIES AND RESPONSIBILITIES OF THE BOARD

1. Compliance With Societies Act of British Columbia

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

2. Responsibility for Union Finances and Property

The Board of Directors 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 Board of Directors shall prepare an annual budget for the Union.

4. Responsibility for Communication

The Board of Directors shall be the recognised medium of communication between the Union and:

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

5. Annual Report of the Board of Directors

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

6. Maintenance of Union Policy Manual

The Board of Directors shall maintain an up-to-date policy manual for the Union.

7. Conflict of Interest

Members of the Board of Directors shall not vote on matters where a personal conflict of interest exists.

8. Delegation of Responsibility

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

BYLAW X - DUTIES & RESPONSIBILITIES OF INDIVIDUAL BOARD MEMBERS

1. At-Large Representatives

a. Chairperson

The Chairperson:

- a) shall regularly chair meetings of the Board of Directors of the Union;
- b) shall undertake all duties and responsibilities which normally fall to the chairperson of a Union;
- c) shall be primarily responsible for the running of the Union office and the maintenance of the records of the Union;
- d) shall be primarily responsible for overseeing the services and programs of the Union;
- e) shall be responsible for maintaining ongoing communications with members attending satellite campuses of Northwest Community College Campus; and
- f) shall perform such other duties as may be assigned by the Board of Directors.

b. Federation Executive Representative

The Provincial Executive Representative:

- a) shall be responsible for keeping the Board of Directors informed of issues arising off-campus which pertain to the activities of the Union;
- b) shall provide a written report to the Board of Directors on each Federation Executive Committee meeting no later than two (2) weeks following each meeting;
- c) shall attend and participate in provincial executive meetings;
- d) shall keep the Board of Directors informed as to provincial services and campaigns of the federation; and
- e) shall perform such other duties as may be assigned by the Board of Directors.

c. Treasurer

The Treasurer:

- a) shall ensure that careful account is kept of all monies received and disbursed by the Union;
- b) shall be responsible for keeping the Board of Directors informed of all issues which pertain to the finances of the Union; and
- c) shall perform such other duties as may be assigned by the Board of Directors.

d. Campus Representatives

The Campus Representatives;

- a) shall maintain active communications between their campus membership and the Board of Directors;
- b) shall facilitate campus committees.
- c) shall sit on at least one (1) committee of the Union;
- d) shall implement the Union's campaigns, programs, services and events at her campus; and
- e) shall perform such other duties as may be assigned by the Board of Directors.

BYLAW XI - REMOVAL FROM OFFICE

1. Cessation of Union Membership

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

2. Abandonment of Office

Board of Directors committee members absent from three (3) or more consecutive meetings of the Board of Directors without valid reason, as determined by a two-thirds majority vote of the Board of Directors, shall be deemed to have delivered their resignation.

3. Impeachment Proceedings

- a) A member of the Board of Directors 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 Board of Directors; or
 - ii. a petition signed by not less than ten per cent (10%) of the members of the Union presented to the Board of Directors.
- 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 Board of Directors.
- b) The signatures of at least two (2) signing officers shall be required for the execution of any legal documents or, subject to the policy of the Union, 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 Board of Directors 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 Board of Directors, such information and explanations as may be required by the auditor(s) for the due performance of their duties.
- d) The Board of Directors 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 Board of Directors 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 Board of Directors, but a restriction imposed expires at the next Annual General Meeting; and
- d) The Board of Directors shall not borrow at any given time an amount greater than twenty per cent (20%) of the annual budget of the Union.

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 Board of Directors and general meetings, and other books and records of the Union shall be kept in the Union office and copies shall be sent to the New Westminster office of the British Columbia Federation of Students.

2. Inspection by Members

The books and records of the Union may be inspected by Union members in the Union office on any working day during normal office hours provided twenty-four hours written notice is given.

3. Custody of Minutes

Custody of the minutes of all general and Board of Directors meetings of the Union shall be as designated by the Board of Directors.

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 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.