

# Constitution

## Emily Carr Students' Union Society

### **1. Name of the Society**

The name of the Society is the Emily Carr Students' Union Society, 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 organize 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 organizing 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 fulfil 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 recognizes the legitimacy of student representation and the validity of students' rights; and whose role in society is clearly recognized 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 given or transferred to such Canadian students' organizations promoting objectives similar to those set out in Paragraph 2 herein, as may be decided by the members of the Union at the time of winding up or dissolution. This clause is unalterable.

## 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 Emily Carr Students’ Union.
3. **Definition of “Federation”**  
“Federation” shall mean the British Columbia Federation of Students.
4. **Definition of “Member”**  
“Member” shall mean those persons who satisfy the requirements of Bylaw II.
5. **Definition of “University”**  
“University” shall mean the Emily Carr University.
6. **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 have registered in at least one (1) course at the Emily Carr University for the current academic semester and paid membership fees to the Union during the previous eight (8) months; or
  - b) All individuals who are not registered in the current academic semester, but who have paid membership fees to the Union for the previous University semester.
2. **Honourary Members**
  - a) Honourary members of the Union shall be any individual upon whom honourary membership may be conferred by the Union for meritorious service to the Union.
  - b) Honourary members shall not be required to pay membership fees to the Union.
  - c) Honourary members shall not vote in Union elections or propose motions at general or Board of Directors 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 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. Union Membership Fees**

In any single academic term for which a member is registered the Emily Carr Students' Union membership fee shall be \$3.00 per credit to a maximum of 15 credits for that term. The Students' Union membership fee shall increase on August 1 each year by the rate of increase in the national Consumer Price Index during the previous calendar year.
- 3. British Columbia Federation of Students Membership Fee**

In any single academic term for which a member is registered the British Columbia Federation of Students membership fee shall be \$0.51 per credit to a maximum of 15 credits for that term. The British Columbia Federation of Students membership fee shall increase on August 1 each year by the rate of increase in the national Consumer Price Index during the previous calendar year beginning August 1, 1996.
- 4. Student Newspaper Fees**

The Union will allocate \$4.75 per full-time member and \$1.25 per part-time member per semester from its operating budget for independent student newspaper projects.
- 5. Exemption for Payment of Fees**

Members not registering for courses in a particular academic semester shall be exempt from paying all membership fees for that semester.

## Bylaw IV – General Meetings and Referenda

- 1. Types of General Meetings**

There shall be two types of general meetings:
  - a) Annual General Meetings
  - b) Special General Meetings
- 2. Annual General Meetings**

The Annual General Meeting of the Union shall be held between November 15 and December 15 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 quorate Board of Directors meeting; or
  - b) as otherwise required by the Society Act of British Columbia.
- 4. General Meeting Agenda**
  - a) Except as hereinafter provided, the agenda for each general meeting shall be prepared by the Board of Directors of the Union for presentation to the general meeting.
  - b) The Board of Directors shall include on the agenda any Special Resolutions that are:
    - i. referred by a two-thirds majority vote of a 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. Referenda**

- a) In addition to Annual and Special 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 Board of Directors of the Union shall give not less than fourteen (14) calendar days notice of a general meeting or referenda. Sufficient notice shall be deemed to have been given by the posting of not less than fifty (50) notices on or about the campuses of Emily Carr University of not less than 8" x 10" 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 members, or thirty (30) members, whichever is greater. In the event that the annual general meeting does not achieve a quorum, the meeting shall proceed, provided that not less than three (3) members are present, though business will be limited to the following:

- a) Acceptance of the externally examined financial statements
- b) Appointment of the external accountant

**8. Rules of Order**

Subject to any special resolution 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 – Board of Directors of the Association**

**1. The Board of Directors**

The Board of Directors of the Union shall be known as the Board of Directors.

**2. Term of Office of Members of the Board of Directors**

- a) Members of the Board of Directors shall take office upon ratification of the report of the electoral committee at the first Board of Directors meeting following their election, as per Bylaw VI.
- b) Members of the Board of Directors, elected in a regular election of the Union, shall hold office for a term of one (1) year. Their terms will expire upon acceptance of the electoral committee report for the subsequent year's election for their positions.
- c) Members of the Board of Directors, elected in a by-election of the Union, shall hold office for up to one (1) year. Their terms will expire upon acceptance of the electoral committee report for the next regular elections for their positions.
- d) The members of the Board of Directors must be members of the Union during their term of office.

**3. Composition of the Board of Directors** [As amended at a General Meeting Dec. 13, 2012, November 29, 2017, December 15, 2021]

The Board of Directors shall be comprised of:

- a) Representatives:
  - i) Faculty of Visual Arts and Material Practice Representative – Two
  - ii) Faculty of Design and Dynamic Media Representative – Two
  - iii) Faculty of Culture and Community Representative
  - iv) Faculty of Graduate Studies Representative
  - v) Member at Large Representative - Five
  - vi) Student Representatives on the Board of Governors – Two
  - vii) Student Representatives on Senate – Four

**4. Meetings of the Board of Directors**

- a) The Board of Directors shall meet at least twice per month.
- b) The agenda for each Board of Directors meeting will be posted on the door of the Students' Union office no later than twenty-four (24) hours prior to the Board of Directors meeting.
- c) The quorum required for the transaction of business at an 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 Robert's 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 have closed meetings when deemed necessary.
- 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 the Board of Directors meetings shall be posted at the Students' Union Office.

**5. Leave-of-absence for Summer Period [Amended December 15, 2010]**

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 four (4) months.

**Bylaw VI – Election of Board of Directors Members**

**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 three (3) members of the Union, at least one of whom is a member of the Board of Directors.
- b) The electoral committee shall ensure that all elections occur in the manner prescribed by this Bylaw 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 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 Board of Directors for ratification.

**2. Schedule of Elections** [as amended at the Annual General Meeting of December 13, 2012 and November, 29, 2017]

- a) General elections shall be held between February 15 and April 15 of each year;
- b) By-elections for vacant at-large and course representative positions may be held at anytime, subject to the notice provisions of this Bylaw.
- 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 members of the Board of Directors falls below three.
- d) 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. a candidates' forum not less than two (2) days prior to the start of polling; and
  - iv. not less than sixteen (16) hours of polling over a period of not less than two (2) days.

**3. Notice of Elections**

Sufficient notice shall be deemed to have been given by:

- a) the posting, on or about the campuses of Emily Carr University not less than three (3) days prior to the opening of the nomination period, of not less than twenty-five (25) notice, not less than 8" x 10" 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 campuses of the Emily Carr University, not more than three (3) days after the closing of the nomination period, of not less than twenty-five (25) notice, not less than 8" x 10" in size, stating:
  - i. the members nominated for vacant positions on the Board of Directors;
  - ii. the date, time and location of polling stations; and
  - iii. the date, time and location of the 'All Candidates forum'.

**4. Eligibility** [as amended at the Annual General Meeting on December 10, 2013]

- a) Nominees for any position on the Board of Directors must be members of the Union.
- b) Nominees for faculty representative positions must be members of the faculty they seek to represent.
- c) In order to seek election to the Board of Directors, members must be nominated by not less than three (3) other members of the Union.
- d) Members of the Union shall not hold or seek election to more than one (1) position on the Board of Directors at any time.

**5. Conduct of Nominees**

[as amended at the Annual General Meeting on December 10, 2013]

- a) Nominees for all positions shall limit their campaigning to the period between the close of nominations and the close of polling.
- b) Nominees' campaign expenses shall not exceed the limit established by the electoral committee.
- c) Nominees shall abide by all other regulations established by the electoral committee.

**6. Voting** [as amended at the Annual General Meeting of October 1998]

- a) Members of the Union may vote only once during each election.
- b) Only members enrolled in a given University department may vote in the election for the corresponding departmental representative position.
- c) Only members enrolled in the Foundation programme may vote in the election for the Foundation Representative positions.
- d) If only one nomination is received for a particular office, there shall be a yes or no ballot for the election of the position.
- 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 majority of the votes cast shall be declared duly elected.
- f) Each nominee may appoint a scrutineer to oversee the counting of the 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 general meeting of the Union.

**Bylaw VII – Duties and Responsibilities of the Board of Directors**

**1. Familiarity with the Societies Act of British Columbia**

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

**2. Administration of Union Resources** [as amended by referendum of Oct 1997]

The Board of Directors shall receive, budget, administer, and have externally examined, 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. Presentation of Annual Budget**

The Board of Directors shall prepare and present an annual budget to the membership of the Union for ratification at a general meeting of the Union.

**4. Medium of Communication**

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

- a) The board and administration of Emily Carr University;
- b) Other constituent groups within Emily Carr University;

- c) The general public; and
- d) Other students' unions with which the Union is federated.

**5. Directing Union Staff**

The Board of Directors shall be responsible for the hiring and direction of all staff of the Union.

**6. Presentation of Union Report**

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.

**7. Maintenance of Policy Manual**

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

**8. Conflict of Interest**

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

**9. Delegation of Duties and Responsibilities**

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

## Bylaw VIII – Remuneration of Executive Members

Executive Member Remuneration shall be as outlined in the Policy Manual of the organization.

## Bylaw IX – Board of Directors Portfolios

**1. Executive Portfolio Positions** [as amended at the Annual General Meeting on December 15, 2021]

The Executive will include the following portfolio positions:

- a) Chairperson;
- b) External Representative;
- c) Internal Affairs Coordinator;
- d) Financial Affairs Coordinator;
- e) University Relations Coordinator;
- f) Communications Coordinator
- g) Community Engagement Coordinator
- h) Racialized Community Coordinator

**2. Assignment of Portfolios**

The Board of Directors shall assign portfolio positions:

- a) at its first meeting following the annual elections of the Union;
- b) at such other times as required;
- c) such that no Board of Directors member may hold more than one at a time; and
- d) such that no two Executive members share a portfolio position.



**3. Duties and Responsibilities of the Portfolio Positions**

a) Chairperson

The Chairperson shall:

- i. regularly chair the meetings of the Executive;
- ii. prepare and distribute the agenda prior to each Executive meeting;
- iii. organize meetings of the Executive; and
- iv. perform such other duties as may be assigned from time to time by the Executive.

b) External Representative [As amended by Special Resolution at a General meeting on December 7, 2007]

The External Representative shall:

- i. sit on the provincial Executive of the British Columbia Federation of Students on behalf of the Union;
- ii. be responsible for keeping the Executive informed on the activities of other student associations belonging to the British Columbia Federation of Students;
- iii. be responsible for keeping the Executive informed on education issues arising at the provincial and national levels; and
- iv. perform such other duties as may be assigned from time to time by the Executive.

c) Internal Affairs Coordinator

The Internal Affairs Coordinator shall:

- i. record the minutes or ensure that the minutes are recorded at all meetings of the Executive and at all general meetings of the Union;
- ii. maintain all minutes of the Union on file in the head office of the Union;
- i. file the Annual Report of the Union with the Registrar of Companies in Victoria within seven (7) days following the annual general meeting;
- ii. file a "Change of Directors" form with the Registrar of Companies within seven (7) days following each change in the membership of the Executive;
- iii. file any amendments to the Constitution and Bylaws of the Union with the Registrar of Companies within seven (7) days following any change to the Constitution and Bylaws;
- iv. file any other documents required for filing from time to time with the Registrar of Companies; and
- v. perform such other duties as may be assigned from time to time by the Executive.

d) Financial Affairs Coordinator

The Financial Affairs Coordinator shall:

- i. ensure that careful account is made of all monies received and disbursed by the Union;
- ii. be responsible for keeping the Executive informed of all issues which pertain to the finances of the Union;
- iii. oversee the preparation of an annual budget;
- iv. produce or ensure production of an annual financial statement for the Union; and
- v. perform such other duties as may be assigned from time to time by the Executive.

- e) University Relations Coordinator  
The University Relations Coordinator shall:
  - i. coordinate Union representatives on all University committees;
  - ii. be responsible for keeping the Board of Directors informed of issues arising within the University which pertain to activities of the Union;
  - iii. perform such other duties as may be assigned from time to time by the Board of Directors.
  
- f) Communications Coordinator  
The Communications Coordinator shall:
  - i. implement the communications strategy of the Union in coordination with Union staff and the Board of Directors;
  - ii. coordinate production of promotional materials of the Union;
  - iii. maintain online and social media communications for the Union;
  - iv. perform such other duties as may be assigned from time to time by the Board of Directors.
  
- g) Community Engagement Coordinator  
The Community Engagement Coordinator shall:
  - i. identify and implement opportunities to increase awareness and connect members to the benefits available to them as members of the Union;
  - ii. maintain active involvement in Welcome activities, the Annual General meeting of the Union, General Elections of the Union and Union profile-building initiatives;
  - iii. develop and implement the volunteer and community engagement strategy of the Union in coordination with Union staff and the Board of Directors;
  - iv. coordinate with the Communications Coordinator and University Relations Coordinator to increase opportunities for engagement in matters of University governance;
  - v. perform such other duties as may be assigned from time to time by the Board of Directors.
  
- h) Racialized Community Coordinator  
[as amended at the Annual General Meeting on December 15, 2021]  
  
The Racialized Community Coordinator shall:
  - i. Identify and facilitate community building initiatives that prioritize the needs of members with embodied knowledge of racial discrimination
  - ii. make continuous commitment to updating their knowledge on racial justice issues
  - iii. initiate alliances with faculty and staff to promote pedagogical and structural changes at the University
  - iv. identify and distribute duties to the Board of Directors as needed

## Bylaw X – Removal From Office

- 1. **Cessation of Membership of the Union**  
Members of the Board of Directors who cease to be members of the Union shall be considered to have delivered their resignations.

**2. Consecutive Absences**

Board of Directors members, other than the two (2) Part-time Studies Representatives, absent from three (3) or more consecutive meetings of the Board of Directors without valid reason, as determined by a two-thirds (2/3) 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 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 XI – External Accountants**

1. The external accountants of the Union shall be appointed by resolution of a general meeting.
2. The Board of Directors may fill a vacancy in the office of the external accountant created by death, resignation, or otherwise.
3. The external accountant 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 external accountant for the performances of their duties.
4. The Board of Directors shall present without material omission the report of the external accountant to the Annual General Meeting of the Union.