



CAPE BRETON UNIVERSITY STUDENTS' UNION BYLAWS Amended April 2023

Bylaws of the Cape Breton University Students' Union

Preamble

Whereas it is recognized that having an official organization of the students of Cape Breton University is in the best interest of the students;

Whereas the Legislature of Nova Scotia has enacted the *University College of Cape Breton Students' Union Act*, Province of Nova Scotia 1st Session, 58th General Assembly, Nova Scotia, 49 Elizabeth 11, 2000 establishing the body corporate of the Cape Breton University Students' Union, hereinafter referred to as "Students' Union".

Whereas any reference to the *Cape Breton University Students' Union Act* refers to the *University College of Cape Breton Students' Union Act*, Province of Nova Scotia 1st Session, 58th General Assembly, Nova Scotia, 49 Elizabeth 11, 2000.

Whereas the objective of the Cape Breton University Students' Union is to serve the membership, promote and advocate students' rights, and to provide services for the betterment of the quality of life on campus on a non-for profit basis;

Whereas the Students' Union is a non-partisan advocacy group with the sole interest of its student members, and will work with all political groups to achieve its goals

Whereas the Students' Union has decided to amend its bylaws pursuant to the Cape Breton University Students' Union Act, this 25th day of April 2023.

Membership

1.01 Any student who is registered at Cape Breton University as a full-time, part-time, or distance education student in any given academic year, including spring and summer sessions, in a course which pays fees to the Students' Union is automatically a member of the Students' Union.

1.02 Membership in the Students' Union shall cease upon:

- a) The death of the member;
- b) Dismissal of the member;
- c) Withdrawal from the University; and/or
- d) Suspension of the member, for the length of the suspension
 - a. A member may be deemed dismissed or suspended by the Cape Breton University Student Judicial Board pursuant to the Cape Breton University Student Code of Conduct

1.03 Any member wishing to resign their membership shall be entitled to do so upon notifying the President in writing of such intention.

- a) The resignation shall be deemed effective on a per semester basis.
- b) The fee for membership in the Students' Union shall be non-refundable.

1.04 Any student enrolled in a master's program at Cape Breton University shall have the option to join the Students' Union by paying a membership fee on each of their registered courses as determined by the SRC.

Board of Directors

2.01 There shall be a Board of Directors to be known as the "Students' Representative Council" (hereinafter referred to as the "SRC") which shall be elected and/or appointed in accordance with these bylaws or the Elections Act where appropriate.

2.02 The SRC shall be comprised of **twenty-seven (27) members**, each of whom has one vote, except for the Chairperson.

2.03 All SRC members shall have the right to move and second a motion, except for the Chairperson.

a) The Chairperson shall vote only in the event of a tie and/or in the case of a vote by secret ballot.

2.04 The members of the SRC are:

1. One (1) representative from the **Indigenous Community**, as appointed by Unama'ki College;
2. One (1) representative from **Athletics (Varsity and Club Sports)**
3. One (1) representative living **Off Campus**;
4. One (1) representative from **Residence**;
5. One (1) representative from the **Senior Class of undergraduate students**;
6. One (1) representative from the **Freshman Class**, as *appointed* by the President pending approval of Executive Committee and ratification of the SRC;
7. One (1) representative who is a **Non-Traditional Student**, as defined by the Academic Regulations of CBU as *appointed* by the President pending ratification of the SRC;
8. One (1) representative for students with **Permanent Disabilities**, as *appointed* by the Jennifer Keeping Accessibility Centre;
9. One (1) representative from the **African Nova Scotian community**, appointed by the CBU Student Development Office of African NS Students.
10. One (1) representative categorized as an **International Student**;
11. One (1) representative categorized as a **Domestic Student**;
12. One (1) representative from the **2SLGBTQAI+ community**;
13. Two (2) representatives from the **School of Arts and Social Sciences**;
14. Two (2) representatives from the **School of Education and Health**;
15. Two (2) representatives from the **School of Science & Technology**;
16. Two (2) representatives from the **Shannon School of Business** (one undergrad and one post-baccalaureate)
17. Two (2) representatives from the **School of Nursing**;
18. **President**;
19. **Executive Vice President**;
20. **Vice President Finance and Operations**;
21. **Vice President Promotions**; and,
22. **Vice President Student Services**.

2.05 Following the Students' Union general election if there are:

- a) Less than seven (7) vacant seats, the President may appoint up to four (4) of the vacant seats, pending approval of the Executive Committee and ratification of the SRC, **in addition** to the appointment of the Freshman Class, and Non- Traditional Student seats.
- b) Seven (7) or more vacant seats, a by-election shall be held.

c) Vacant seats following a by-election, the President may appoint up to, but not more than, four (4) of the vacant seats, pending approval of the Executive Committee and ratification of the SRC, which are in addition to the appointment of the Freshman Class, and Non-Traditional Student seats.

2.06, -The May meeting will be considered the first full meeting of SRC unless a by-election is required due to vacant seats. If a by-election is required, then the first full meeting will not occur until after the by-election, and pursuant to Bylaw 2.05-

2.07 All members of the SRC must be:

- a) Members of the Students' Union in good standing pursuant to bylaw 1.01;
- b) Registered for fall classes by the CBU registration deadline in September and winter classes by the CBU registration deadline in January of the academic year.
- c) Members of the SRC who maintain their student status and continue to remain a member in good standing pursuant to Bylaw 1.01, until the end of April of the Academic year for which they were a member of the SRC.
- d) Elected to a specific constituency and remain in the constituency they were elected to in order to hold their seat.

2.08 The position of Chairperson, Deputy Chairperson and Secretary shall be elected from the SRC members at the first full meeting of the SRC. and in accordance with Bylaw 2.05.

- a) If a by-election is required, the Chairperson, Deputy Chairperson and Secretary shall be elected at the first meeting following the by-election.
- b) In the event a by-election is required, the SRC shall elect a Pro Tem Chairperson, Pro Tem Deputy Chairperson, and Pro Tem Secretary at the first meeting of the year.
 - i) The Pro Tem Chair shall have the responsibilities of the Chairperson, and Deputy Chairperson until those positions are elected at the first meeting following the by-election.
 - ii) The Pro Tem Secretary will be responsible for maintaining meeting minutes during the summer, and will ensure all new members receive copies following the by-election.
 - iii) If no by-election is required the Chairperson, Deputy Chairperson, and Secretary will be elected at the May meeting of the SRC.
 - iv) In the absence of a Secretary, the Chairperson will appoint a note-taker for the meeting.
- c) The President, Executive Vice President, Vice President Finance and Operations, Vice President Promotions and Vice President Student Services are ineligible for the Chairperson, Deputy Chairperson, Secretary, Pro Tem Chair, Pro Tem Deputy Chairperson and Pro Tem Secretary positions.

2.09 Subject to the *Cape Breton University Students' Union Act*, all powers of the Students' Union are vested in the SRC.

2.10 The SRC shall be enacted from May 1st of a given year to April 30th of the following year.

2.11 During the spring/summer session (May 1st through August 31st) the Chairperson will accommodate those requesting hybrid (virtual and in-person) meetings in recognition that the members of the SRC may not be physically present in Cape Breton during the spring and summer semester.

2.12 SRC members shall not hold coordinator, ancillary services, or administration support positions within the Students' Union.

2.13 SRC members who hold full time, part time or honoraria positions within Cape Breton University shall make their position known to SRC and abstain from any motion relating to their employment within the University.

Executive Committee of the Students' Union

3.01 There shall be an administrative authority of the SRC (hereinafter referred to as the "Executive Committee").

3.02 The Executive Committee shall be vested with full authority and responsibility for the day-to-day governing and administration of the Students' Union and carry out the policy directives of the SRC.

3.03 The following are members of, and report to, the Executive Committee:

- i) President
- ii) Executive Vice President
- iii) Vice President Finance and Operations
- iv) Vice President Promotions
- v) Vice President Student Services
- vi) Chairperson of the SRC
 - a) The Chairperson of the SRC shall report solely to SRC.
 - b) The Chairperson shall act as Secretary for the Executive Committee.
 - c) The Pro Tem Chair will serve in place of the Chairperson until a Chairperson of the SRC is duly elected.

3.04 The Executive Committee shall meet on a regular basis (at least twice monthly) during their term of office. Senior full-time staff will attend all Executive Committee meetings and be non-voting members.

3.05 Each meeting shall be minuted and is at the call of either:

- a) The President; or
- b) A majority of the members of the Executive Committee.

3.06 The Executive Committee shall meet prior to every SRC meeting and shall prepare the agenda for the SRC meeting.

3.07 Fifty percent plus one (50%+1) of the voting members of the Executive Committee shall constitute a quorum.

3.08 The meetings of the Executive Committee shall be convened and presided over by the President who has voting rights. All motions in Executive Committee must pass by a majority vote of those present entitled to vote.

- a) In the absence of the President the Executive Vice President shall convene and preside over Executive Committee meetings.

3.09 The Executive Committee of the SRC shall be responsible to the SRC, and each member, except for the Chairperson, shall submit a written summary of their activities at each regularly scheduled SRC meeting and a yearly report of their activities at the final SRC meeting in April.

- a) In the event of a by-election, Executive Committee members shall submit a written report of summer activities at the first full SRC meeting in the fall term.

3.10 The Executive Committee will hire support staff annually which may include coordinators and/or assistants, subject to the approved budget.

3.11 No member of the Executive Committee, including the Chairperson, shall hold casual or part-time employment with the Students' Union throughout their term in office.

3.12 Members of the Executive Committee, including the Chairperson, may not be employed casual, full or part time, by the University.

- a) Executive Committee members may not hold honorarium or stipend positions within the University campus.

3.13 All members of the Executive Committee (with the exception of the Chairperson) shall prepare a final written report to be presented to the Chairperson at the last meeting of SRC in April of each Academic year.

3.14 Final remuneration will be withheld until the report is received and satisfactory to the Chairperson.

3.15 All Executive Committee members must be registered students by the last days to register for the fall semester and the last day to register for the winter semester, and registered full-time, except for the Chairperson. The definition of full-time is any student registered in 9-credits or more in both the fall and winter semesters.

b) Executive Committee members, excluding the Chairperson, are not permitted to take classes during the Spring/Summer semester where it may interfere with regular working hours.

3.16 If an Executive Committee member withdraws from, or fails to register in, the minimum number of courses required in Bylaw 3.15, by the last day to register in each of the fall or winter semester, it will be deemed an **effective resignation of office**.

Nomination, Elections, and Terms of Office

4.01 The terms of office for the Executive Committee and SRC shall be from 12:00am midnight on May 1st until 11:59 pm on April 30th of any given year.

4.02 All elections, referenda, and plebiscites are governed by the Elections Act of the Students' Union.

4.03 Referenda shall only be held, when duly authorized pursuant to these bylaws, and only during weekdays.

4.04 The administrative responsibility for conducting the elections is the responsibility of the Chief Returning Officer of the Students' Union.

4.05 Pursuant to the power given by Cape Breton University Students' Union Act, the SRC may revise, update, or repeal the Elections Act, pursuant to section 16.04 of these bylaws.

4.06 In the event that an election result is called into question, and the SRC refuses by a two-thirds (2/3) majority vote to not accept the CRO's report, then the President shall appoint the Students' Union legal counsel as arbitrator; legal counsel shall gather all of the facts and shall do one of the following:

- a) Confirm or deny the CRO's report; and/or
- b) Call re-election.

4.07 The external arbitrator shall have all the authority under the *Public Inquiries Act*, RSNS 1989 c 372.

4.08 The decision of the external arbitrator must be given within seven days of the appointment, and the decision of the external arbitrator is final and binding on the Students' Union, and not subject to appeal.

4.09 No SRC member, including Executive Committee, may participate in an election campaign of the Students' Union., unless taking a leave of absence to run for a Students' Union/SRC position.

- a) If an wishes to run in a Students' Union election, or work on an election campaign, they must take an **unpaid leave** of absence during the campaign period.

4.10 In the event that the President is a candidate in a Students' Union election, takes a leave of absence, resigns, is removed, or any other situation that may warrant the replacement, permanently or on an interim basis, the interim line of succession is as follows:

- a) Executive Vice President;
- b) Vice President Finance and Operations;
- c) Vice President Promotions;
- d) Vice President Student Services;
- e) Chairperson of SRC;
- f) Deputy Chairperson of SRC;
- g) Secretary of SRC; and then
- h) SRC-SRC shall vote for an Interim from the remaining members of the SRC, until someone in the line of succession can fulfill the vacant role;

4.11 In the event that the President resigns or is removed from office, the line of succession may be followed on an interim basis until a replacement is found.

4.12 The procedure for the replacement of a President shall be as follows:

- a) If the President resigns or is terminated on or before the first Friday in November, a by-election shall be called.
- b) If the President resigns or is terminated after the first Friday in November the line of succession, as outlined in bylaw 4.10, shall be followed, and subject to the ratification of the SRC.

4.13 For security and confidentiality purposes, all election data, excluding external electronic voting platforms, should be deleted from work computers following the ratification of the election results.

General Meetings-Students' Union

5.01 A General Meeting may be called:

- a) By the President;
- b) The majority of the Executive Committee;
- c) The Chairperson of the SRC on receipt of a petition signed by the majority of the SRC,
- d) The Chairperson of the SRC on receipt of a petition signed by 10 percent (10%) of the members of the Students' Union setting forth the reason for the proposed meeting.
 - i) The signatures shall be verified by the CRO using the updated list of students from CBU.

5.02 A General Meeting cannot be convened from May 1st of any given year through to August 31st unless there is unanimous consent by the SRC to do so.

5.03 In the event that a general meeting is called, at least five (5) business days of notice must be given for such a meeting and the meeting shall be held within fifteen (15) days of receipt of such a request.

5.04 A quorum for a general meeting of the Students' Union shall be six percent (6%) of the members of the Students' Union.

5.05 A general meeting of the Students' Union shall have all powers inherent in the Students' Union including the power to revoke any decision of the SRC or the Executive Committee, other than the matters outlined in sections 4.06, 4.07, and/or 4.08, which shall be the exclusive jurisdiction of the external arbitrator.

5.06 A general meeting of the Students' Union shall be convened and presided over by the Chairperson of SRC.

5.07 The SRC is bound by any and all votes of the duly constituted general meeting of the Students' Union.

5.08 Notice of all motions to be considered at the general meeting of the Students' Union shall be presented to the Chairperson at least three (3) days before the date of the general meeting and shall be signed by the mover and seconded by ten (10) other members of the Students' Union.

5.09 All General Meetings shall follow the spirit of Roberts Rules of Order.

Students' Representative Council (SRC)

6.01 It is the duty of each SRC member to represent both their constituents and the students at large.

- a) SRC members may participate on CBU committees.
- b) Certain exceptions may apply and are at the discretion of the Chairperson.

6.02 All meetings of the SRC are open to any members of the Students' Union and the general public, unless closed by a fifty percent plus one (50%+1) vote of the members of the SRC for in-camera discussion.

- 6.03 Any person may request speaking rights upon:
- a) Giving twenty-four (24) hours written notice to the chair.
 - b) Speaking rights for the requesting person(s) shall be approved with a fifty percent plus one (50%+1) majority vote at the meeting in question.
- 6.04 Quorum of the SRC shall consist of fifty percent plus one (50%+1) of the eligible voting members.
- a) Vacant seats shall not be counted toward quorum.
 - b) Quorum is counted at the beginning of each meeting
 - c) If members have to leave after the meeting has started, they may assign their votes to a proxy on the record which will be reflected in the minutes, but quorum will not be lost.
 - i) An SRC member may not hold more than one (1) proxy.
- 6.05 Meetings of the SRC shall be convened and chaired by the Chairperson.
- a) A two-thirds (2/3) majority vote of SRC may remove the Chairperson, or whomever is chairing the meeting, from the meeting at which time the Deputy Chairperson, or the suitable replacement will preside over the remainder of the meeting.
 - b) In the absence of the Chairperson, the Deputy Chairperson will be responsible for convening and chairing the meeting.
 - c) In the absence of the Deputy Chairperson, the Secretary will be responsible for convening and chairing the meeting.
 - d) In the absence of the Secretary, the SRC shall elect from the regular SRC members in attendance at the meeting a representative to convene and chair the meeting.
- 6.06 At least one (1) regular meeting of the SRC shall be held during each calendar month of the year.
- a) If quorum for a monthly meeting is not established, any SRC members who are not present will be marked absent for the purposes of section 10.
 - b) If a regular meeting does not take place during one of the months outlined in section 6.06:
 - i) The Chairperson will reschedule any missed meetings within a reasonable timeframe.
 - ii) The Chairperson of the SRC may schedule a make-up meeting; however, the meeting will be considered a separate meeting for the purposes of section 10.
 - iii) The Chairperson of the SRC may carry forward the requirements of the missed regular meeting to the next regular meeting.
- 6.07 Supplementary meetings of the SRC shall be held at the request of the President, Chairperson, a majority of the Executive Committee, a majority vote of the SRC, or upon written request presented to the Chairperson and signed by at least ten (10) members of the SRC.
- a) The request shall contain the reason for the supplementary meeting and the meeting shall only deal with that one item.
 - b) Attendance at supplementary meetings will be taken for the purposes of section 10.
 - c) If the supplementary meeting is for the purposes of hearing and passing the annual budget, but not amendments to the current budget, then a proxy vote will be counted toward quorum.
- 6.08 The conduct of the SRC and its committees shall be respectful of others and their opinions.
- 6.09 All meetings, including ad hoc committees, shall be governed by Robert's Rules of Order.
- 6.10 Motions passed by SRC requiring action must be followed through by the appropriate Executive member and/or SRC member.
- 6.11 The order of business for regular meetings of the SRC *may* be as follows:
- a) call to order
 - b) roll call
 - c) approval of minutes of previous meeting
 - d) business arising from the minutes
 - e) correspondence

- f) executive reports
- g) reports from committees
- h) old business
- i) new business
- j) notice of motion
- k) date of next meeting
- l) adjournment

6.12 The SRC shall be responsible for electing the Chairperson, Deputy Chairperson, Secretary and, if needed, a Pro Tem Chairperson and Pro Tem Secretary for the summer months.

6.13 The President shall chair the SRC until which time the SRC has had the opportunity to elect a Chairperson, Deputy Chairperson, and/or Pro Tem Chair.

6.14 SRC members may proxy their votes to another member of council.

- a) The proxy vote shall be submitted in writing to the Chairperson 24 hours in advance of the meeting.
- b) The vote shall be used for the entire duration of meeting.
- c) Proxy votes shall not be counted in the declaration of quorum, except as outlined in bylaw 6.07(c).
- d) If an SRC member has to leave the meeting after the meeting has started, they may assign their votes to a proxy on the record which will be reflected in the minutes.
- e) Once a meeting starts and quorum is established, it cannot be lost unless there are less than fifty percent plus one (50%+1) votes and proxy votes at the meeting.
- f) SRC members cannot hold more than one proxy vote.
- g) Proxy votes for all SRC meetings may receive special consideration by the Chairperson.
- h) In order for a member's attendance to be counted, they must remain present for 75% of the scheduled meeting.

Finances

7.01 The Students' Union shall be financed by, and receive as its source of revenue from:

- a) the Students' Union fee collected by the Board of Governors of Cape Breton University to support the activities of the Students' Union; and
- b) all other funds which may accrue to the Students' Union from any other sources pursuant to the *Cape Breton University Students' Union Act*.

7.02 All Students' Union membership fees shall be paid to Cape Breton University and Cape Breton University shall credit the general account of the Students' Union on the first day of each month according to a predetermined payment schedule.

- a) For greater clarity, the Students' Union membership fees paid by the students to Cape Breton University are held in trust for the students until such time that they become payable to the Students' Union.

7.03 All other revenue shall be deposited in such Students' Union accounts as are designated by the Vice President Finance and Operations.

7.04 To ensure fiscal stability within the Students' Union, the SRC may adjust the amount of membership fees payable once annually by a 2/3 majority vote.

7.05 The SRC shall approve, by a two-thirds (2/3) majority vote, the Students' Union budget by April 30th of each year.

7.06 Amendments to the approved budget must be approved by a two-thirds (2/3) majority vote of the SRC.

7.07 All expenditures by a Students' Union organization outside of its budget shall receive prior approval of the Vice President Finance and Operations.

7.08 All budget adjustments for the Students' Union, or a Students' Union organization as defined in bylaw 11.01, under \$10,000 must receive approval of the Executive Committee.

7.09 All budget adjustments for the Students' Union, or a Students' Union organization as defined in bylaw 11.01, equal to, or exceeding \$10,000 must receive approval of the SRC.

7.10 The signing officers of the Students' Union shall be the:

- a) President;
- b) Vice President Finance and Operations;
- c) Director of Finance and Operations

7.11 Tenders for legal services shall be made every three (3) years.

7.12 Tenders for auditing firms shall be made every three (3) years.

- a) The books and accounts of the Students' Union shall be audited each year by the auditing firm on an annual basis.
- b) Audited financial statements shall be approved by the Executive Committee and presented to the SRC for informational purposes.

7.13 Tenders for health and dental benefits shall be made every five (five) years.

7.14 Audited statements of the Students' Union may only be released to:

- a) A Students' Union member upon request;
- b) The Students' Union's legal representatives;
- c) The Students' Union financial and/or accounting representatives; and/or
- d) Any other person or body corporate upon approval of the Executive Committee or SRC.

7.15 The financial year of the Students' Union shall be the period from May 1st in any given year until the April 30th in the following year.

7.16 All expenditures to be made by the Students' Union from contingency or miscellaneous accounts are to be approved by the Executive Committee.

7.17 The Students' Union shall adopt a seal, which may be affixed to any document signed on behalf of the Students' Union.

7.18 All salaries and benefits paid to the Executive Committee must be included in the annual Students' Union budget.

Compensation and Honoraria

8.01 Executive Committee members shall be eligible to receive remuneration for their work. At the beginning of the Executive Committee's term in office, all members will be required to sign a contract outlining expectations, compensation, and benefits.

8.02 The Budget Committee, as established in the Administrative Procedures and Policy Manual, shall review remuneration and other benefits yearly as part of its budget proposal to SRC.

8.03 The Budget Committee shall recommend, as part of its budget package, reasonable compensation for members of the Executive Committee.

8.04 Compensation will commence beginning May 1 through to the last pay period in April.

8.05 The following positions in the Students' Union shall be eligible to receive an honorarium/stipend/remuneration and be subject to CRA taxation:

- a) Chairperson;
 - i) The Deputy Chairperson in the event that they are fulfilling the role of the Chairperson.
- b) Secretary; or
- c) Any other individual the Executive Committee may deem appropriate and subject to the approved budget and established policies of the Union.

8.06 Wages for student staff shall be assessed by the Executive Committee, following budget guidelines.

8.07 Members of the Students Representative Council (SRC) may be eligible to receive compensation for SRC meetings.

- a) Stipends for SRC meetings shall be included in the approved budget of the Students' Union.

Appointment of the Students' Union Executive

9.01 Applications for the positions of the Vice President Finance and Operations, the Vice President Promotions, and the Vice President Student Services shall be open for a fourteen (14) day period immediately after the conclusion of the presidential elections.

9.02 If no applications are received by the closing date, applications shall be reopened for a further period of seven (7) days.

9.03 Selection processes for the Vice President Finance and Operations, the Vice President Promotions, and the Vice President Student Services should include an interview and the appointment(s) be based on merit and qualification.

9.04 Applicants for the Vice President Finance and Operations shall be enrolled in the Shannon School of Business for the previous two years, If students are currently enrolled in the Shannon School of Business for less than two years, they must show previous education from a recognized business program. Preference will be given to finance and accounting students.

9.05 A committee composed of the President Elect; Executive Vice President Elect; and a senior full-time staff appointed by the President Elect, shall meet and review applicants for the position of Vice President Finance and Operations, Vice President Promotions, and Vice President Student Services. All decisions of the selection committee are to be made on a majority basis.

- a) The second senior full-time staff member will sit in on the interviews in an advisory capacity only and be a non-voting member.

9.06 Executive Committee, upon receiving a recommendation from the President, shall announce the successor to fill any vacancy of a removed Elected Official within fourteen (14) days of the removal, except as otherwise stated in these by-laws and the CBUSU Administrative Policies and Procedures Manual. Any vacancy of a removal for a Hired Official shall be reposted for seven (7) days.

- a) The elected successor shall be subject to ratification by the SRC.

Termination of Office

10.01 For the purposes of Article 10, there shall exist three categories of officials:

- a) Elected Officials:
 - i) President;
 - ii) Executive Vice President;
 - iii) Chairperson;
 - iv) Deputy Chairperson; and
 - v) Secretary.

- b) Hired Officials:
 - i) Vice President Finance and Operations,
 - ii) Vice President Promotions
 - iii) Vice President Student Services
- c) Regular SRC Members:
 - i) Those remaining members of the SRC other than Elected Officials and Hired Officials.

10.02 A Regular SRC Member shall be deemed removed from the SRC and shall be notified thereof by the Chairperson if:

- a) Any Regular SRC Member misses two (2) meetings of the SRC without giving twenty-four (24) hours prior written notice to the Chairperson (or Deputy Chairperson, as applicable).
- b) Any Regular SRC Member misses a total of four (4) meetings for any reason.
- c) Unless the SRC member can provide evidence, such as a doctor's note, obituary, etc, showing the absence was caused by circumstances beyond their control, then the absence should count towards the four-strike rule. However, should the member be able to provide evidence that the absence was caused by factors beyond their control, then they ought not to be subject to the four-strike rule.
- d) Any Regular SRC Member is no longer in accordance with bylaw 2.07.

10.03 The procedure for removal of Elected Officials from office is as follows:

- a) A motion for the removal of an Elected Official may be made upon notification in writing from the President, Executive Committee, or three fourths (3/4) of the members of the SRC to the holder of office;
 - i) The Chairperson of SRC may motion for the removal of an Elected Official on the following grounds:
 - 1. Any Elected Official misses two (2) meetings of the SRC without giving twenty-four (24) hours prior written notice to the Chairperson, (or Deputy Chairperson, as applicable)
 - 2. Any Elected Official misses a total of four meetings for any reason.
- b) The Elected Official shall have the right to be heard and to respond to any and all allegations against him/her at a meeting of the SRC;
- c) The incumbent and the authors of the motion to remove the Elected Official shall be entitled to present their respective cases at a meeting of the SRC;
- d) Upon hearing from both the Elected Official and the authors of the motion to remove the Elected Official, the SRC shall vote on the motion for removal;
- e) The SRC shall only remove an Elected Official if there is sufficient and just cause to do so;
- f) The SRC shall only remove an Elected Official from office in the event that three fourths (3/4) of the members of the SRC votes in favor of removal of the Elected Official.

10.04 A Hired Official may be terminated by a consensus of the President, and Chairperson, subject to a two-thirds (2/3) majority vote veto right of the SRC.

- a) A Hired Official may only be terminated after receiving both:
 - i) A written warning outlining the issues of concern; and
 - ii) Receiving a one (1) week suspension without pay and letter outlining the issues of concern.
- b) Before terminating the Hired Official, the President and Chairperson must inform the SRC in writing of the termination, at which time the Chairperson shall either:
 - i) Call a supplementary meeting of the SRC to determine if the termination shall receive a veto; or
 - ii) Add the termination of the Hired Official to the agenda of the next regular SRC meeting to determine if the termination shall receive a veto, if that meeting is within seven (7) days of the written notice being sent.
- c) Once written notice of the termination is sent to the SRC, the Hired Official shall be deemed suspended without pay until such time that the SRC votes to uphold the termination, or vetoes the termination.
- d) The Chairperson of SRC may motion for the removal of a Hired Official on the following grounds:
 - i) Any Hired Official misses two (2) meetings of the SRC without giving twenty-four (24) hours prior written notice to the Chairperson, (or Deputy Chairperson, as applicable)
 - ii) Any Hired Official misses a total of four meetings for any reason.

10.05 If an SRC member, including Executive Committee Members, engage in conduct contrary to the *Criminal Code RSC, 1985, c C-46*, they may be dismissed with a termination letter signed by the President and at least one member of the Executive Committee, bypassing the process outlined in bylaws 10.03, 10.04, 10.05, and 10.06.

10.06 The evidence required to be presented with regard to termination, including bylaw 10.07, need only be proven on a balance of probabilities standard.

10.07 Executive Committee, upon receiving a recommendation from the President, shall announce the successor to fill any vacancy of a removed Elected Official within fourteen (14) days of the removal, except as otherwise stated in these by-laws and the CBUSU Administrative Policies and Procedures Manual. Any vacancy of a removal for a Hired Official shall be reposted for seven (7) days.

a) The elected successor shall be subject to ratification by the SRC.

10.08 Any elected, appointed, or hired Students' Union member who is terminated or impeached from their position, is ineligible to hold any Students' Union position (elected, appointed, or hired) for a period of two years following their removal from said position.

10.09 10.03, 10.04, 10.05, and 10.06 shall require initial legal consultation prior to the removal.

Official Organizations & Ancillary Operations

11.01 The official organizations of the Students' Unions shall be those:

- a) Whose budgets are approved by the SRC,
- b) Who are directly affiliated with the Students' Union,
- c) Who are financially dependent upon the Students' Union; and/or
- d) Who are responsible to the Students' Union.
- e) Regardless of any criteria set forth in these bylaws, the Caper Times is deemed to *not* be an official organization of the Students' Union.
- f) Regardless of any criteria set forth in these bylaws, the ancillary operations are deemed to *not* be official organizations of the Students' Union.

11.02 Without limiting the generality to the foregoing, the official organizations of the Students' Union are:

- a) Pride and Ally Centre;
- b) Women's Centre; and
- c) Multicultural Hub
- d) Ekkian Indigenous Student Centre
- e) Food Bank

11.03 The ancillary operations of the Students' Union are:

- a) Caper Convenience;

11.04 The ancillary operations of the Students' Union are to be run independently of the Students' Union, to ensure efficient operation and profitability.

11.05 The SRC shall have the right to change, alter, or amend the bylaws or policies of the official organizations.

11.06 Official organizations & ancillary operations of the Students' Union shall submit budgets to the Vice President Finance and Operations for the purposes of constructing the Students' Union budget.

11.07 Official organizations & ancillary operations are responsible for keeping a complete and accurate accounting of all transactions that shall be submitted to the Vice President Finance and Operations and/or the Budget Committee upon their request.

11.08 Official organizations & ancillary operations budgets are subject to scrutiny by the Vice President Finance and Operations.

Ad Hoc Committees of the SRC

12.01 The SRC shall, when necessary, appoint members of the Students' Union to special ad hoc committees of the SRC.

12.02 Ad hoc committee members shall be appointed at a regular meeting of the SRC.

12.03 The Students' Union members appointed to these committees shall perform the duties outlined in the committee's description to the best of their abilities and subject to these bylaws.

12.04 The ad hoc committee shall be accountable to the SRC.

12.05 Funding for all ad hoc committees shall be approved by a two-thirds (2/3) majority vote of the SRC and within the approved budget guidelines.

12.06 All ad hoc committees of SRC shall be chaired by a member of the SRC.

12.07 Membership of the ad hoc committees may include senior full-time staff of the Students' Union as advisors and shall not have a vote.

Records Management

13.01 Records of correspondence, email, faxes, etc., received or sent by any member of the Students' Union, including but not limited to the Executive Committee, Full or Part-Time Staff, SRC Members, regular Members, is property of the Union.

13.02 Records of correspondence, email, faxes, etc., must be properly tracked and stored either filed by hard copy or stored electronically.

13.03 Information, files, or records deemed confidential, must be filed with appropriate staff in order to ensure security.

Amendments - Cape Breton University Students' Union Act

14.01 Amendments to the *Cape Breton University Students' Union Act* must be made through the House of Assembly, in the Province of Nova Scotia.

Amendments - Bylaws of the Students' Union

15.01 The bylaws of the Cape Breton University Students' Union may be amended pursuant with the *Cape Breton University Students' Union Act*.

15.02 With the exception of the passing of these bylaws, subsequent amendments shall be as follows:

- a) Notice of motion for approval of the amendment can be presented in writing to the SRC at least twenty-one (21) days in advance of the expected vote at a SRC meeting.
- b) The exact terms of the proposed amendment shall be given to the SRC at a regular meeting.
- c) At the SRC meeting where the bylaw amendment(s) are to be voted upon, they must be approved by a two-thirds (2/3) majority vote.

d) Amendments to the bylaws may also be obtained through referendum where notice and intent are given, and supersedes any decision of the SRC.

Acts and Manuals

16.01 All policy of the Students' Union shall be contained in the Administrative Policies and Procedures manual of the Students' Union. The SRC shall have the authority to create and amend the Administrative Policies and Procedures manual.

16.02 Administrative Policies and Procedures manual shall be approved by the Students' Representative Council.

16.03 Administrative Policies and Procedures manual shall be reviewed every two (2) years.

16.04 The Elections Act is an act of the SRC and shall be reviewed every two (2) years.

Interpretation

17.01 Any ambiguity in these by-laws is to be construed in the best interest of the members of the Cape Breton University Students' Union.

Oath of Office

18.01 The Executive Committee shall be required to take an oath of office shortly after taking office. An appropriate person such as legal counsel shall administer the oath. The oath is as follows:

“I, -----, solemnly swear (or affirm), that I will uphold my fiduciary duty to the organization and faithfully execute the duties of office for which I have been elected (or hired) and will do so in accordance to the Constitution of the Cape Breton University Students' Union”.

18.02 Members of the SRC shall be required to take an oath of office at their first meeting of the year. The oath is as follows:

“I, -----, solemnly swear (or affirm), that I will uphold my fiduciary duty to the organization and faithfully execute the duties of office for which I have been elected (or appointed) and will do so in accordance to the Constitution of the Cape Breton University Students' Union”.

Dissolution

19.01 In the event of the dissolution of the Cape Breton University Students' Union, the provisions of the *Students' Union Act* applies.