

CAPE BRETON UNIVERSITY STUDENTS' UNION BYLAWS

April 2008

Amended: February 26, 2014

Proposed Amendment: December 1, 2015

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 any reference in this document to one particular gender does not imply the exclusion of any other;

Whereas the Students' Union has decided to amend its bylaws pursuant to the Cape Breton University Students' Union Act, this 1st Day of December 2015.

Membership

1.01 Any student who is registered at Cape Breton University as a full-time, part-time, distance education, or correspondence 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 his or her 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 Master of Business Administration (MBA) students of 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-two (22) members, each of whom has one vote, with the exception of the Chairperson, and one (1) ex-officio member.
- 2.03 All SRC members shall have the right to move and second a motion, with the exception of 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 **Aboriginal Community**;
 2. One (1) representative for **Athletics**;
 3. One (1) representative living **Off Campus**;
 4. One (1) representative from **Residence**;
 5. One (1) representative from the **Senior Class**;

 6. One (1) representative from the **Freshman Class**, as *appointed* by the President pending 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. Two (2) representatives categorized as an **International Student**;
 10. Two (2) representatives from the **School of Arts and Social Sciences**;
 11. Two (2) representatives from the **School of Professional Studies**;
 12. Two (2) representatives from the **School of Science & Technology**;
 13. Two (2) representatives from the **Shannon School of Business**;

 14. President;
 15. Executive Vice President;
 16. Vice President Finance and Operations;
 17. Vice President Promotions; and

 18. *General Manager (ex-officio)*.
- 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 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 ratification of the SRC, which are in addition to the appointment of the Freshman Class, and Non-Traditional Student seats.
- 2.06 A 'full meeting' shall be referred to as an SRC meeting after all the SRC representatives are duly elected and/or appointed 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) Members in good standing pursuant to bylaw 1.02; and
 - c) Registered for classes by September 30th of the academic year.
- 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.
- 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 Chair 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 General Manager shall have the responsibilities of the Secretary until a Secretary is elected at the first meeting following the by-election.
 - c) The President, Executive Vice President, Vice President Finance and Operations and Vice President Promotions are ineligible for the Chairperson, Deputy Chairperson, Secretary, and Pro Tem Chair 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) and the month of December, attendance regulations will be at the discretion of the Chairperson, or Pro Tem Chair.
- 2.12 SRC members shall not hold Coordinator, 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 Students' Union shall make their position known to SRC and abstain from any motion relating to their employment within the University/Students' Union.

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 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) Chairperson of the SRC
 - i) The Chairperson of the SRC shall report solely to SRC.
 - ii) The Chairperson shall act as Secretary for the Executive Committee.
 - iii) The Pro Tem Chair will serve in place of the Chairperson until a Chairperson of the SRC is duly elected.
 - vi) *General Manager (ex-officio)*
- 3.04 The Executive Committee shall meet on a regular basis (at least twice monthly) during their term of office.

- 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.
- 3.05 The Executive Committee shall meet prior to every SRC meeting and shall prepare the agenda for the SRC meeting.
- 3.06 Fifty percent plus one (50%+1) of the voting members of the Executive Committee shall constitute a quorum.
- 3.07 The meetings of the Executive Committee shall be convened and presided over by the President.
- a) In the absence of the President the Executive Vice President shall convene and preside over Executive Committee meetings.
- 3.08 The Executive Committee of the SRC shall be responsible to the SRC, and each member, with the exception of the Chairperson and General Manager, shall submit a written summary of his/her activities at each regularly scheduled SRC meeting and a yearly report of their activities at the final SRC meeting in April.
- a) Executive Committee members shall submit a written report of summer activities at the first full SRC meeting in the fall term.
- 3.09 The Executive Committee may appoint such deputies and assistants to Executive members as are reasonably required from time to time, subject to the approved budget.
- 3.10 No member of the Executive Committee, with the exception of the Chairperson, shall hold casual or part-time employment with the Students' Union directly or indirectly during the course of the regular academic year, unless the employment is directly related to the duties for which they have been elected or appointed.
- 3.11 Members of the Executive Committee, with the exception of 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.
- 3.12 All members of the Executive Committee (with the exception of the Chairperson and General Manager) shall prepare a final written report to be presented to the Chairperson prior to April 15.
- 3.13 Final remuneration will be withheld until the report is received and satisfactory to the Chairperson.
- 3.14 All Executive Committee members must be registered students by September 30th of the academic year and registered in a minimum of three (3), three (3)-credit courses per semester.
- 3.15 If an Executive Committee member withdraws from, or fails to register in, the minimum number of courses required in bylaw 3.13, it will be deemed an effective resignation of office.
- a) The member shall have fourteen (14) days to register in additional courses to re-achieve the three (3) course minimum as outlined in bylaw 3.13.
 - b) If the three (3) course minimum is not met, or maintained, the Executive Committee member is deemed to have resigned the position and notice of such will be given to them in writing by the General Manager and the President.
 - i) In the event that the President withdraws from, or fails to register in, the minimum number of courses required in bylaw 3.13, notice in writing shall be from the General Manager and the Chairperson.

Nominations, 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 11:59pm 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 employee or elected official of the Students' Union may be a candidate or participate in an election campaign of the Students' Union.
- a) If an employee or elected official wishes to run in a Students' Union election, or work on an election campaign, they must take a leave of absence for the entirety of the election period.
- 4.10 In the event that a 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) President
 - b) Executive Vice President;
 - c) Vice President Finance and Operations;
 - d) Vice President Promotions;
 - e) Chairperson of SRC;
 - f) Deputy Chairperson of SRC;
 - g) Secretary of SRC; and then
 - h) 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.
 - c) If the President resigns or is terminated after the Students' Union general election in the winter term, then the President Elect will take office, subject to the ratification of the SRC.
 - i) If the President Elect opts to not take office at this time, then the procedure outlined in bylaw 4.12(b) shall be followed.

- 4.13 For security purposes, all election results, ballots, voter lists, and any other election materials shall be locked in a designated secured area.
- a) This material is to remain in the custody of the Students' Union for a period of two (2) business days, whereby all materials are to be destroyed after the consent of the SRC.

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 between May 1st of any given year through 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

- 6.01 It is the duty of each SRC member to represent both his/her 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) 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 outlined in bylaw 6.05, 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 members not in attendance pursuant to section 6.06(a) will be marked absent for the purposes of section 10.
 - 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 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.

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.
- 7.05 The SRC shall approve, by a two-thirds (2/3) majority vote, the Students' Union budget on, or before, May 1st 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, over \$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) Finance Officer
 - i) The Finance Officer must be approved by SRC upon the recommendation of the Vice President Finance.
 - ii) The Finance Officer shall exercise signing authority only when either the President, or Vice President Finance and Operations, is unavailable.
- 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 SRC.
- 7.13 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.
- 7.14 The financial year of the Students' Union shall be the period from June 1st in any given year until the May 30th in the following year.
- a) Upon approval from the Canada Revenue Agency, and other persons and/or organizations required, the fiscal year of the Students' Union may be changed to the period from May 1st in any given year until the April 31st in the following year.
- 7.15 All expenditures to be made by the Students' Union from contingency or miscellaneous accounts are to be approved by the Executive Committee.
- 7.16 The Students' Union shall adopt a seal, which may be affixed to any document signed on behalf of the Students' Union.

Compensation and Honoraria

- 8.01 Executive Committee members, with the exception of the Chairperson, shall be eligible to receive remuneration for their work.
- 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:
- a) Chairperson;
 - i) The Deputy Chairperson in the event that he/she is 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.
- 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 position of the Vice President Finance and Operations and the Vice President Promotions 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 and the Vice President Promotions should include an interview and the appointment(s) should 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, or must have documentation showing previous years of experience in business education or practical business experience.
- 9.05 A committee composed of the President Elect; Executive Vice President Elect; and a full-time staff appointed by the President Elect, shall meet and review applicants for the position of Vice President Finance and Operations.
- a) All decisions of the selection committee are to be made on a majority basis.
- 9.06 A committee composed of the President Elect; Executive Vice President Elect; and a full-time staff appointed by the President Elect, shall meet and review applicants for the position of Vice President Promotions.
- a) All decisions of the selection committee are to be made on a majority basis.
- 9.07 Executive Committee, upon receiving a recommendation from the President, shall announce the successor to fill any vacancy of a removed Elected or Hired Official within fourteen (14) days of the removal, except as otherwise stated in these by-laws and the CBUSU Administrative Policies and Procedures Manual.
- a) The 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; and
 - ii) Vice President Promotions.
- 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) As extenuating circumstances warrant, whereby the Chairperson, or Deputy Chairperson (as applicable), brings forth a motion of removal at which time the SRC shall vote by simple majority on the removal of the Regular SRC Member.
- 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) 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 SRC votes in favor of removal of the Elected Official.

- 10.04 A Hired Official may be terminated by a consensus of the President, Chairperson and General Manager, 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, Chairperson and General Manager 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 Members of the Executive Committee may be removed from office without going through the impeachment process outlined in bylaw 10.03 or 10.04 by the following procedures:
- a) A warning letter outlining one, or more of, the issue(s) listed within bylaw 10.06 is presented to the member signed by both the General Manager and one, or more, member(s) of the Executive Committee.
 - b) If the behavior is not corrected, a one-week suspension without pay shall be assessed with written documentation outlining the issues presented in the original letter per bylaw 10.05(a) and the failures to correct behavior.
 - c) If the behavior is still not corrected after serving a one-week suspension, the Executive Committee member may be terminated without impeachment with termination letter signed by the General Manager and Executive Committee Member.
 - d) For clarity, the warning letter, suspension letter, and termination letter can be signed by multiple Executive Committee members, but at least one signature must remain consistent on all three letters in addition to the General Manager.
- 10.06 The process outlined in bylaw 10.05 may be triggered if an Executive Committee Member, who is required but fails to attend two (2) of the same type meetings of:
- a) The Cape Breton University Board of Governors;
 - b) The Cape Breton University Executive Board of Governors;
 - c) The Cape Breton University Academic Senate;
 - d) The Cape Breton University Executive Senate; or
 - e) Board Meetings of any External Student Lobbying Group
- without giving reasonable regrets to the applicable body.
- 10.07 If an Executive Committee Member engages in conduct contrary to the *Criminal Code* RSC, 1985, c C-46, they may be dismissed with a termination letter signed by the General Manager and at least one member of the Executive Committee, bypassing the process outlined in bylaws 10.03, 10.04, 10.05, and 10.06.
- 10.08 The evidence required to be presented with regard to termination, including bylaw 10.07, need only be proven on a balance of probabilities standard.

- 10.09 Executive Committee, upon receiving a recommendation from the President, shall announce the successor to fill any vacancy of a removed Elected or Hired Official within fourteen (14) days of the removal, except as otherwise stated in these by-laws and the CBUSU Administrative Policies and Procedures Manual.
- a) The successor shall be subject to ratification by the SRC.

Official Organizations & Ancillary Operations

- 11.01 The official organizations of the Students' Unions shall be organizations:
- 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) International Students' Centre.
- 11.03 The ancillary operations of the Students' Union are:
- a) Caper Convenience;
 - b) The Pit Lounge; and
 - c) The Pit Grille.
- 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 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 the meeting which they are ratified. 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 *Societies Act*, RSNS, 1989, c 435, applies.