

  
KERRY TAYLOR



| Student  
Association

*enhancing student life*

**CONSTITUTION AND BYLAWS OF THE STUDENT  
ASSOCIATION OF THE BRITISH COLUMBIA  
INSTITUTE OF TECHNOLOGY**

**Incorporated - October 3rd, 1968**

**[www.bcitsa.ca](http://www.bcitsa.ca)**

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## CONSTITUTION

1. The legal name of the society shall be the Student Association of the British Columbia Institute of Technology; hereinafter, it shall be referred to as the British Columbia Institute of Technology Student Association ("**BCITSA**" or the "**Association**").
2. The purpose of the Association is as follows:
  - (a) to promote, establish, and manage a balanced program of extracurricular and co- curricular activities and services, and to enhance student life at British Columbia Institute of Technology ("**BCIT**");
  - (b) to represent student interests before BCIT and any other stakeholder;
  - (c) to promote a vibrant and collaborative community within BCIT; and
  - (d) to promote student representation at all levels of decision making at BCIT, and on all other entities that affect the student body.

## 1. INTERPRETATION AND DEFINITIONS

1.1. In these Bylaws, unless the context otherwise requires:

- (a) "**Accessibility Services**" means the BCIT entity responsible for providing support to students with disabilities;
- (b) "**AIC**" shall mean the BCIT Annacis Island Campus, located at 1608 Cliveden Avenue, Delta, British Columbia;
- (c) "**Advocacy Staff**" means the members of BCITSA staff responsible for supporting students with academic and non-academic issues at BCIT;
- (d) "**Annual General Meeting**" means the meeting of Members held once a year in accordance with the *Societies Act*;
- (e) "**ATC**" shall mean the BCIT Aerospace Technology Campus, located at 3800 Cessna Drive, Richmond, British Columbia;
- (f) "**BCIT**" shall mean the British Columbia Institute of Technology;
- (g) "**BCIT Board of Governors**" means the BCIT governing entity established by the *College and Institute Act*.
- (h) "**BCIT Education Council**" means the body of BCIT responsible for setting educational policy, programs, and priorities at BCIT;
- (i) "**BCIT Housing**" means the BCIT entity responsible for the management of on-campus student housing and facilitating access to off-campus student housing;
- (j) "**BCIT Recreation Services**" means the BCIT entity responsible for the health and well-being of BCIT students, faculty and staff;
- (k) "**BCITSA**" or "**Association**" shall mean the Student Association of the British Columbia Institute of Technology;
- (l) "**BCITSA Strategic Vision**" means the document located on the BCITSA website outlining the strategic vision of BCITSA, as may be amended, replaced or removed from time to time;
- (m) "**BMC**" shall mean the BCIT Marine Campus, located at 265 W Esplanade, North Vancouver, British Columbia;

- (n) "**Burnaby Campus**" shall mean the BCIT campus located at 3700 Willingdon Avenue, Burnaby, British Columbia;
- (o) "**Business Day**" means a day other than a Saturday, Sunday, or statutory holiday in the province of British Columbia;
- (p) "**Chair**" shall refer to each Executive that is a representative of a particular School or campus, as follows:
  - (i) Chair of the Specialized Transport Campuses;
  - (ii) Chair of the School of Business + Media;
  - (iii) Chair of the School of Energy;
  - (iv) Chair of the School of Transportation, Construction and the Environment;
  - (v) Chair of the School of Health Sciences;
  - (vi) Chair of the School of Computing and Academic Studies;
  - (vii) Chair of the Downtown Campus; and
  - (viii) any other Chairs that may be determined from time to time.
- (q) "**Clubs**" shall refer to student organizations that have been sanctioned by the Council, pursuant to the procedures set out in Bylaw 19;
- (r) "**Club Program Coordinator**" means the member of BCITSA staff responsible for supporting BCITSA-sanctioned clubs;
- (s) "**Councillor**" means the appointed Student constituent of each School that sits on the Council and includes those councillors appointed by the Executive Committee;
- (t) "**Council**" means the BCITSA student representatives, being the governing body of BCITSA as further described in Bylaw 6;
- (u) "**CRO**" means the Chief Returning Officer who shall be appointed in accordance with Bylaw 5.2 and shall chair the Election Committee and be responsible for the administration and conduct of all elections;

- (v) "**Decision Review Board**" means the committee formed in accordance with the written procedures of BCIT for the purposes of reassessing grades or making decisions with respect to academic misconduct;
- (w) "**Director of Finance**" means the member of BCITSA staff holding that title and responsible for the finances of the Association;
- (x) "**DTC**" shall refer to the BCIT Downtown Campus, located at 555 Seymour Street, Vancouver, British Columbia;
- (y) "**EDCO Executive Committee**" means the Executive standing committee of the BCIT Education Council;
- (z) "**Executive**" shall refer to a director of the Association, elected by the Members in accordance with Bylaw 5;
- (aa) "**Executive Board**" means the BCITSA board of directors consisting of all of the Executives of the Association;
- (bb) "**Executive Director**" means the senior paid staff member responsible for the day-to-day operations of the Association;
- (cc) "**Ex Officio Member**" means an individual with the right to attend and speak but does not include the ability to move, second, or vote on motions;
- (dd) "**Indigenous Initiatives**" means the BCIT entity tasked with providing support and resources to First Nations, Inuit, Metis and other self-identifying Indigenous students;
- (ee) "**International Student Services**" means the BCIT entity responsible for providing support and assistance to current and prospective BCIT students who are neither permanent residents nor citizens of Canada;
- (ff) "**Member**" means a member of the BCITSA who meets the criteria set out at Bylaw 2.1;
- (gg) "**Nominee**" shall have the meaning ascribed to it in Bylaw 5.5;
- (hh) "**Ordinary Resolution**" shall mean any of the following:
  - (i) a resolution passed at a general meeting by a simple majority of the votes cast by the Members;

- (ii) a resolution consented to in writing, after being sent to all of the Members, by at least 2/3 of the Members; or
  - (iii) a resolution passed by a simple majority of the votes cast on the resolution in accordance with these Bylaws;
- (ii) "**Petition**" shall have the meaning ascribed to it in Bylaw 11.1(b);
  - (jj) "**Specialty Campus**" shall refer to any BCIT campus that is not located at the Burnaby Campus, including, without limitation, the Aerospace Technology Campus, the Marine Campus, the Annacis Island Campus and the Downtown Campus;
  - (kk) "**Specialty Campus Councillor**" shall refer to students appointed by the Chair of the Specialized Transport Campuses as representatives of their respective Specialty Campuses;
  - (ll) "**School**" shall refer to any of BCIT's academic divisions, including the School of Business + Media, the School of Computing and Academic Studies, the School of Construction and the Environment, the School of Energy, the School of Health Sciences, the School of Transportation, or any other School that BCIT may establish from time to time;
  - (mm) "**Semi-Annual General Meeting**" means the General Meeting held in the spring in accordance with Bylaws 11.7 to 11.9 for the sole purpose of considering amendments to the Bylaws;
  - (nn) "**Set Representatives**" means the set representatives elected by the Students in accordance with Bylaw 8.1;
  - (oo) "**Societies Act**" shall mean the *Societies Act* (British Columbia), as the same may be amended from time to time;
  - (pp) "**Special General Meeting**" means any meeting of Members held in accordance with these Bylaws other than an Annual General Meeting or a Semi-Annual General Meeting;
  - (qq) "**Special Resolution**" means any of the following:
    - (i) a resolution passed at a general meeting by at least 2/3 of the votes cast by the Members;

- (ii) a resolution consented to in writing by all of the Members;
  - (iii) a resolution passed by at least 2/3 of the votes cast, in accordance with the Bylaws, on the resolution.
- (rr) "**Specialized Transport Campuses**" means any of BCIT's Satellite Campuses with programs predominantly in the School of Transportation, including the Aerospace Technology Campus, the Marine Campus, and the Annacis Island Campus;
  - (ss) "**Student**" shall mean a registered student enrolled at BCIT, whether full time or part time;
  - (tt) "**Summer Months**" means the period from June 1st until the Monday immediately following Labour Day of the same year;
  - (uu) "**Two-Thirds (2/3) Resolution of Council**" shall mean a resolution adopted at a Council meeting where there are at least two (2) votes in favour for every one (1) vote opposed; and
  - (vv) "**Three-Quarters (3/4) Resolution of Council**" shall mean a resolution adopted at a Council meeting where there are at least three (3) votes in favour for every one (1) vote opposed.
  - (ww) "**UN Sustainable Development Goals**" shall refer to the 17 goals outlined in the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly in September 2015, as amended from time to time.
- 1.2. In these Bylaws, the plural shall be interpreted as the singular, and vice versa, as the context requires. All use of gendered terms shall also be interpreted to include the pronouns of those who identify with non-binary pronouns.
  - 1.3. These Bylaws shall be the primary governing document of the BCITSA, and shall set forth the foundation for the structure, operation, and maintenance of the BCITSA.
  - 1.4. In the event there is a conflict between these Bylaws and any policy, procedure or resolution duly passed by the BCITSA, or between these Bylaws and the bylaws of any other organization of which the BCITSA is a member, the terms of these Bylaws shall prevail. No decision of the BCITSA, including the decision to join any alliance,

lobbying organization, or other external group, shall constitute an implied repeal of any Bylaw of the BCITSA.

- 1.5. Should any of the provisions of these Bylaws conflict with the Societies Act or its regulations, the provisions of the Act or the Bylaws shall prevail to the extent required by law only.

## 2. MEMBERSHIP

- 2.1. Members of BCITSA shall be those persons who meet the following criteria:
- (a) are current Students.
- 2.2. Every Member shall uphold the Constitution of the Society and shall comply with these Bylaws.
- 2.3. A Member's membership in the Association shall terminate upon:
- (a) the Member ceasing to meet the requirements outlined in Bylaw 2.1;
  - (b) the Member's membership being terminated or expelled in accordance with these Bylaws or the Societies Act;
  - (c) the Member's death; or
  - (d) the Member providing notification in writing to the Association of its resignation as a Member, subject to Bylaw 2.4.
- 2.4. Any Member that is terminated, expelled, or resigns from the Association in accordance with Bylaw 2.3(d) but remains a Student shall be responsible for paying all student activity fees associated with its registration as a Student at BCIT, including, without limitation, any fees relating to BCITSA.
- 2.5. All Members shall be considered to be in good standing unless:
- (a) the Member has not paid the required student activity fees for the current period;
  - (b) a Two-Thirds (2/3) Resolution of Council is passed stating the Member is no longer in good standing with the Association;
  - (c) a Special Resolution is passed stating the Member is no longer in good standing with the BCITSA, provided that:
    - (i) notice of the proposed Special Resolution is delivered to Council not less than thirteen (13) days prior to the meeting of Members at which the Special Resolution will be voted upon, such notice which shall include the reasons for such Member being placed in bad standing; and

- (ii) such Member is provided an opportunity to make a statement to the Members present at a general meeting prior to any vote in respect of the proposed Special Resolution.
- 2.6. A Member in bad standing may be placed in good standing by Ordinary Resolution.
- 2.7. Each Member in good standing shall have:
  - (a) the right to vote in elections and referenda;
  - (b) the right to run for and hold office in the Association; and
  - (c) in relation to any School or Specialty Campus for which the Member is enrolled in a program or course, the following rights:
    - (i) the right to vote in elections for that School or Specialty Campus;
    - (ii) the right to run for and hold office as Chair for that School or Specialty Campus; and
    - (iii) the right to serve as an appointed Councillor for that School or Specialty Campus.
- 2.8. A Member may be expelled from the BCITSA by way of Special Resolution provided that:
  - (a) Written notice of the proposed Special Resolution, including reasons, is delivered to all Members not less than twenty-one (21) days prior to the meeting of Members at which the Special Resolution will be voted upon, such notice which shall include the reasons for such Member being expelled; and
  - (b) such Member is provided a reasonable opportunity to make a statement to the Members present at a general meeting prior to any vote in respect of the proposed Special Resolution.
- 2.9. A member of the Executive Board shall remain a member in good standing, notwithstanding the following enrollment statuses:
  - (i) the Executive is not enrolled in courses during the Summer Months; or

(b) with less than six (6) months remaining in their elected term, the Executive is not enrolled in courses after successfully completing all requirements of their program.

2.10. Honorary Members shall be all persons who have been designated as such by a Two-Thirds (2/3) Resolution of Council. The only membership right that an Honorary Member has is the right to speak at meetings of the Members.

### 3. GENERAL

- 3.1. The operations of BCITSA are to be carried on primarily at BCIT's main campus, located in Burnaby, British Columbia, as well as at other BCIT campuses.
- 3.2. The Association shall have the power to make such regulations as it may deem necessary or advisable concerning the activities of the Council, Clubs, and Members, and to repeal, vary, alter or amend the same in such a manner as it may seem fit. Such regulations and any repeals, variants, alterations or amendments shall be made by Two-Thirds (2/3) Resolution of Council.
- 3.3. All meetings of the Association, including meetings of the Members, Executive Board, Executive Committee, Council, and Standing or Ad Hoc Committees, shall be conducted using the most current version of Robert's Rules of Order.
- 3.4. Any amendments to the BCITSA Constitution or Bylaws must be approved by the members of the Association at a General Meeting in accordance with Bylaws 10 or 11.
- 3.5. Electronic participation shall be an available option of all official meetings of Council, the Executive Board, and all Committees established under the provisions of Bylaw 12, and any General Meeting held under Bylaws 10 and 11, subject to the following:
  - (a) Council may, by a Two-Thirds (2/3) Resolution, vary the terms of this Bylaw with respect to meetings of Council;
  - (b) the Executive Board may, by a Two-Thirds (2/3) Resolution, vary the terms of this Bylaw with respect to meetings of the Executive Board or the Executive Committee;
  - (c) notwithstanding (a) and (b), in any of the following circumstances, electronic participation shall not be restricted:
    - (i) where provincial or federal public health orders restrict or discourage in-person gatherings;
    - (ii) where a natural disaster, extreme weather, transportation shutdown, or labour disruption materially prevents members from reasonably attending in person;

- (iii) where a General Meeting is held and any Member requests remote access as accommodation under applicable human rights or accessibility legislation.
- (d) the terms of this section of the Bylaws have no bearing whatsoever on meetings of Set Representatives, which are organized according to the preferences of the applicable Chair; and
- (e) if any other provisions of the Bylaws conflict with Bylaw 3.5, it is intended that Bylaw 3.5 prevails.

#### 4. EXECUTIVES AND THE EXECUTIVE BOARD

- 4.1. The Executive Board of BCITSA shall consist of twelve Executives, elected by the Members in accordance with Bylaw 5, who shall occupy the following positions:
- (a) President;
  - (b) Vice President Finance and Administration;
  - (c) Vice President Student Experience;
  - (d) Vice President External;
  - (e) Vice President Equity and Sustainability;
  - (f) Chair of the School of Business + Media;
  - (g) Chair of the School of Health Sciences;
  - (h) Chair of the School of Energy;
  - (i) Chair of the School of Transportation, Construction and the Environment;
  - (j) Chair of the School of Computing and Academic Studies;
  - (k) Chair of the Specialized Transport Campuses (STC); and
  - (l) Chair of the Downtown Campus (DTC).
- 4.2. One or more Executives may be 16 or 17 years of age provided that the majority of Executives are 18 years of age or older. No Executive may be under the age of 16, and at least one Executive must be ordinarily resident in British Columbia.
- 4.3. At no time shall a majority of the Executives receive or be entitled to receive remuneration from BCITSA under employment or services contracts, other than remuneration for being a director.
- 4.4. Subject to Bylaws 14.5 and 14.6, the term of each Executive shall begin on June 1st following election until May 31st of the following year. Any Executive elected pursuant to a by-election shall assume office upon the declaration of such by-election results, and shall hold office until May 31st. For greater certainty, any newly elected Executive assuming their position prior to June 1 pursuant to Bylaw

14.6(a)(i) shall have their term of office extended by the period to fill the vacancy of any outgoing Executive.

4.5. Pursuant to Bylaw 3.2, the Association may adopt a Code of Conduct for members of the Executive Board that governs their conduct in office, defines the use of impeachment under Bylaw 14, and that provides for additional sanctions, including but not limited to censure and suspension. Subject to Bylaw 12.11(f), no motion related to the adoption, amendment, or rescission of such a Code of Conduct shall be in order unless it is included in a report of the Bylaw Committee.

4.6. Executives shall:

- (a) meet at any time at the request of the President;
- (b) set a good example for Council; for example, Executives shall be in full attendance at all regularly scheduled Executive Board and Council meetings;
  - (i) if an Executive misses more than two consecutive Council and/or Executive meetings without having been excused by the meeting chair, the President may, at their sole discretion, deduct fifty percent (50%) of such Executive's honorarium for the month after the absences occurred.
- (c) have a working knowledge of the Constitution and Bylaws;
- (d) meet during the week that is one week prior to the commencement of classes for the fall term pursuant to the BCIT calendar;
- (e) meet at least once per month during the Summer Months;
- (f) attend all orientations as scheduled by the Executive Director;
- (g) be responsible, except during the Summer Months, for submitting progress reports every other week;
- (h) curtail any extracurricular activities that interfere with Executive duties or cause the Executive to fail to be in full attendance at all scheduled Executive Board and Council meetings;
- (i) maintain a minimum of:

- (i) for full-time students, 12 credit hours or equivalent per semester, with the exception of the summer semester, for the duration of their term on the Executive Board; or
- (ii) for part-time students, be registered in a minimum of three courses per semester, with the exception of the summer semester, for the duration of their term on the Executive Board;
  - A. notwithstanding (ii) above, where the Election Committee grants a waiver from the course load requirement for part-time students under Bylaw 5.6(c), the terms of such waiver shall constitute the minimum course load requirement for the purposes of Bylaw 4.6(i)(ii);
- (j) attend all Annual General Meetings and Special General Meetings that may take place;
- (k) provide notice to the President when they are unable to attend a meeting of Council or the Executive Board, and be proactive in advising of any anticipated absences by Councillors whom they have appointed;
- (l) at the end of their term on the Executive Board, take all reasonable efforts to ensure an efficient and smooth transition to the incoming Executives, which shall include having a transition session with the applicable successor Executive and shall be facilitated by the following:
  - (i) maintaining, on an ongoing basis, an up to date transition document;
  - (ii) no later than April 30th, submitting to the Executive Board their transition document; and
  - (iii) submitting to the final Council meeting in May a copy of the transition document and a summary of changes made during their term; and
- (m) The Executive Board shall be responsible for the supervision and management of the Executive Director.

4.7. The duties and responsibilities of the Executive Members of Council are as follows:

- (a) The President of the Association shall:
- (i) preside over Council and Executive Committee meetings;
  - (ii) unless otherwise provided in these Bylaws, act as an ex officio member of any Committee of the Association as they deem appropriate;
  - (iii) present the Interim Report and table the Annual Report at the Annual General Meeting;
  - (iv) make sure that the performance of the Executives of their duties described in these Bylaws is of the highest quality as can reasonably be expected;
  - (v) have the power to recommend to the Executive Board that appropriate action be taken in cases where an Executive is not fulfilling their duties in accordance with these Bylaws;
  - (vi) sit, or be represented, on all committees struck by BCIT administration, BCIT staff, the BCIT Board of Governors, or the BCIT Educational Council where such committee is deemed to be of importance to Students (each, a "Committee"). If an invitation to sit or be represented on a Committee is not offered by the group or entity forming the Committee, it will be the President's duty to negotiate with such group or entity for representation on the Committee;
  - (vii) be available to Executives and Members on a regular basis during accepted or agreed upon working hours;
  - (viii) coordinate and assign all responsibilities to the Executive as they deem necessary, except as defined in these Bylaws;
  - (ix) be the official spokesperson for the Association;
  - (x) act as one of the Student co-signatories on the Association cheques;
  - (xi) automatically, by virtue of the annual BCITSA election, become one of the elected Student representatives to sit on the BCIT Board of Governors;

- (xii) set and hold Executive Board meetings; and
  - (xiii) be responsible for calling special Executive meetings, as appropriate, to deal with business, employees and/or management related issues.
- (b) The Vice President Finance and Administration shall:
- (i) in the absence of the President, assume all of the responsibilities of the President;
  - (ii) be responsible for arranging Council and Executive meetings and notifying the membership of such meetings;
  - (iii) ensure that all Council members receive a meeting agenda and associated materials at least 48 hours in advance of each Council meeting;
  - (iv) be responsible for the review of the minutes of all meetings under the jurisdiction of the Association for the purpose of ensuring that the Constitution and Bylaws of the Association are not violated and are kept up to date;
  - (v) make sure that the performance of the President of their duties described in these Bylaws is of the highest quality as can reasonably be expected;
  - (vi) have the power to recommend to the Executive Board that appropriate action be taken in cases where the President is not fulfilling their duties in accordance with these Bylaws;
  - (vii) preside as chair of the Bylaw Committee (see Bylaw 12);
  - (viii) preside as chair of the Finance Committee (see Bylaw 12);
  - (ix) be responsible for assisting the Chairs in their responsibilities;
  - (x) be responsible for managing the budget process, and ensuring the budget is presented to Council for approval by May 15th of each year;
  - (xi) obtain and evaluate monthly financial reports for the Association;

- (xii) be responsible for the closing of the fiscal year;
  - (xiii) ensure that the annual financial report is read at the Annual General Meeting;
  - (xiv) be responsible for ensuring that appropriate controls are in place for the disbursement of all funds;
  - (xv) be responsible for overseeing the negotiations and contractual agreement with the BCITSA health and dental service provider;
  - (xvi) act as one of the Student co-signatories on Association cheques;
  - (xvii) ensure that Executive progress reports are received from Executives on time; and
  - (xviii) ensure that the Executive transition process described in Bylaw 4.6(I) is carried out, including by ensuring that there are processes in place so that all incoming Executives are provided with copies of the Bylaws, the Constitution, and all applicable policies and procedures of the Association.
- (c) The Vice President External shall:
- (i) promote good public relations between the BCIT community (including Students, faculty and staff), post-secondary institutions and their respective student societies, all levels of government, and external stakeholders;
  - (ii) where appropriate, attend or oversee any BCITSA-related conferences to take place on and off campus;
  - (iii) handle inquiries and promote friendly relations with external student societies;
  - (iv) liaise with provincial and federal ministries and government officials regarding issues that affect Students, including, without limitation, in respect of all aspects of the U-Pass program, its negotiation process, service and inquiries related thereto;
  - (v) represent the BCITSA in the following external organizations:

- A. the BCIT Alumni Association Board of Directors;
  - B. any municipal, provincial or federal government lobbying efforts;
- (vi) be responsible to keep the Executive Board and Council informed of provincial and federal government policies that relate to the Association, its activities, or its members;
  - (vii) preside as chair of the Advocacy and Policy Committee (see Bylaw 12);
  - (viii) be responsible for the Association's External Policy Positions, including through the preparation of any documents or campaigns relating to external advocacy.
- (d) The Vice President Student Experience shall:
- (i) be responsible for handling student issues and concerns;
  - (ii) liaise with BCIT on all matters affecting Student life at BCIT;
  - (iii) liaise with BCIT and with the Selection Committee to ensure that eligible students are appointed to the Decision Review Board;
  - (iv) be one of the elected Student representatives to sit on the BCIT Education Council and the EDCO Executive Committee;
  - (v) subject to Bylaw 5, serve on the Selection Committee as chair;
  - (vi) liaise with BCIT Recreation Services;
  - (vii) liaise with BCIT Housing;
  - (viii) be chair of the Clubs Committee (see Bylaw 12), and oversee and provide assistance to all Clubs and report to the Executive and Council with respect thereto.
- (e) The Vice President Equity and Sustainability shall:
- (i) advocate for increased equity and inclusivity on campus;

- (ii) collaborate with Advocacy staff, as applicable;
  - (iii) champion sustainability initiatives;
  - (iv) promote, to the greatest extent possible, the alignment of BCITSA operations and values with the UN Sustainable Development Goals;
  - (v) liaise with Indigenous Initiatives;
  - (vi) liaise with International Student Services;
  - (vii) liaise with Accessibility Services;
  - (viii) preside as chair of the Equity & Sustainability Committee (see Bylaw 12); and
  - (ix) once during the fall and once during the spring, execute one or more projects or initiatives which promotes at BCIT one or more of the United Nations Sustainable Development Goals.
- (f) The Chairs shall:
- (i) chair applicable Set Representatives Committee meetings as scheduled in accordance with Bylaw 8.5;
  - (ii) liaise with BCIT to ensure that Set Representatives are elected and trained;
  - (iii) act as a liaison between Council and their respective Schools or Specialty Campus, as applicable;
  - (iv) express the viewpoint of their respective Schools or Specialty Campus, as applicable, at Executive or Council meetings;
  - (v) in the case of the Chair of the School of Transportation, Construction and the Environment, preside as chair of the Student Spaces Development Committee (see Bylaw 12);
  - (vi) provide direction to BCITSA members in the following areas:
    - A. issues relating to instructors;

- B. access to administration; and
  - C. access to Executives;
- (vii) petition and appoint Councillors from the membership of their respective Schools or Specialty Campuses, as applicable, and submit the list of Councillors to the Vice President Finance and Administration by the second Council meeting;
  - (viii) when appointing Councillors, attempt to maintain a balanced representation of students with respect to program and year of study at their respective School or Speciality Campus;
  - (ix) proactively advise the President of the anticipated absence of any Councillor they have appointed; and
  - (x) in the event that an uneven number of Councillors represent a certain School or Specialty Campus, the Chair of that School or Specialty Campus shall decide if the additional Councillor will be from the first, second, third, or fourth year.
- 4.8. The following Executives shall be employed by BCITSA during the months of June, July and August ("**Summer Employment**"):
- (a) President;
  - (b) one other member of the incoming Executive Board, selected by consensus of the outgoing Executive Board from among those who volunteer themselves for Summer Employment, subject to the following:
    - (i) should no consensus be reached pursuant to Bylaw 4.8(b), the Executive shall be selected by majority vote of the outgoing Executive Board, but the President shall only vote in the event of a tie;
    - (ii) the outgoing Executive Board shall deliberate in camera when making its decision;
    - (iii) the outgoing Executive Board shall be assisted in reaching their decision by the Executive Director and their designees, if any; and

- (iv) an incoming Executive shall not be eligible for the position if they are otherwise remunerated by the Student Association for more than half of the eligible period; and
  - (c) if no Executive accepts Summer Employment with BCITSA, the Vice President Equity and Sustainability shall be required to fill the position.
- 4.9. Executives shall be entitled to receive a monthly honorarium in an amount to be determined by Council, subject to the requirement that any motion determining the amount of monthly honorarium shall:
  - (a) be considered separately from any other questions or motions; and
  - (b) be preceded by a recommendation contained in a report from the Finance Committee; and
  - (c) take effect no sooner than June 1st.
- 4.10. No Executive shall serve in any capacity that grants them any voting role in any Association-sanctioned Club.

5. GENERAL ELECTIONS

5.1. The election of members of the Executive Board shall take place annually between March 1st and April 30th. Subject to these Bylaws, the dates of elections and by-elections shall be finalized in accordance with the following requirements:

- (a) The President, in consultation with the Executive Director, shall select the dates for the voting period of any elections or by-elections;
- (b) The dates shall be finalized through consultation with the BCIT Registrar's Office;
- (c) The dates, as much as possible, ought to be finalized before December 31st of the preceding year; and
- (d) If no dates have been finalized prior to December 31st of the preceding year, then the dates shall be finalized by the Executive Director or their designate.

5.2. The CRO shall:

- (a) be appointed by the Selection Committee;
- (b) chair the Election Committee;
- (c) be responsible for the administration and conduct of all elections;
- (d) be an ex officio member of Council during an election period; and
- (e) coordinate with the BCIT Registrar's Office to validate candidate eligibility.

5.3. A notice of election shall be posted at least two (2) weeks in advance of the closing date for nominations for any given election in an official BCITSA publication and on the BCITSA website, such notice which shall include the following:

- (a) the Executive positions for which nominations are being called or requested;
- (b) the date of the election and the hours during which the polls will be open for such election;

- (c) the location(s) and the method(s) of polling;
  - (d) the opening and closing date for nominations for the election;
  - (e) the location or place at which nomination forms for the election may be obtained; and
  - (f) the location and means by which the nomination forms may be submitted to the BCITSA.
- 5.4. Voting stations may be set for the purpose of encouraging students to vote.
- 5.5. Any Member may nominate another Member for an Executive position (each, a "**Nominee**") by submitting a completed nomination package to the CRO within the applicable nomination period, subject to the following:
- (a) No Member may be nominated for more than one position at the same time in any given BCITSA election or by-election; and
  - (b) A Member who has submitted an application to BCIT for any of the student positions on the BCIT Board of Governors or the BCIT Education Council is ineligible to be nominated in any BCITSA election or by-election within the same academic year.
- 5.6. Subject to Bylaw 5.7, the Election Committee shall deem eligible for nomination any person who meets the following eligibility requirements:
- (a) is a member of the Association;
  - (b) is in good standing with the Association;
  - (c) is in a full-time program in accordance with BCIT criteria, or is in a minimum of three (3) part-time courses at BCIT;
  - (d) has a minimum grade point average (GPA) of sixty-five percent (65%) for the BCIT term completed immediately prior to the nomination period, subject to the following:
    - (i) any person who does not have any GPA at all shall not be subject to this requirement in order to become a candidate but shall nonetheless be subject, if elected, to the requirements of Bylaw 14.3(b);

and

- (e) any Nominee that is enrolled at the Aerospace Technology Campus must be a full-time Student in accordance with BCIT criteria with a minimum of ten (10) months left in their consecutive study period as of June 1st, being the first day of the Executive term for which such Nominee would be elected.
- 5.7. The Election Committee may, having regard to all the circumstances and in its sole discretion, deem eligible for nomination a candidate who fails to meet the eligibility requirements in Bylaw 5.6(c), (d), or (e).
- 5.8. For any given candidate, campaigning shall begin after they have attended an "all candidates meeting" and shall end when voting has closed. For any BCITSA election or by-election, the following rules and restrictions shall apply:
- (a) acting in a lewd, indecent, or suggestive manner, or using materials of a lewd, indecent or suggestive nature, irrespective of the form they may take, is prohibited;
  - (b) defamation of another candidate or person, whether orally, via campaign materials or otherwise, is prohibited;
  - (c) every candidate in a BCITSA election or by-election is required to seek election independent from any other candidate or Executive. For greater certainty, all candidates are prohibited from coordinating campaign activities, or being perceived doing so, this includes but is not limited to the following restrictions:
    - (i) campaign materials shall endorse only one candidate;
    - (ii) candidates shall not produce campaign materials similar to those of other candidates in colour, branding, design, or appearance;
    - (iii) campaign materials shall not bear slogans which are the same or similar to those of other candidates;
    - (iv) except for their own candidacy, no candidate shall express a preference, whether explicitly or implied, for one candidate over another to any position on the Executive Board;

- (d) no campaign material, whether in print, electronic, or other format, shall contain any official logo of the BCITSA, BCIT or any likeness thereof;
- (e) members of the Election Committee, the Appeals Committee, and the Selection Committee, as well as all BCITSA employees, shall remain impartial and refrain from expressing support or opposition or preference for any candidates prior to the end of the voting period;
- (f) candidates who are BCITSA employees or volunteers shall not be permitted to campaign during their working hours;
- (g) except in cases of self-endorsement, no BCITSA employee or current or incoming Executive shall endorse any candidate for any office in a BCITSA election or by-election;
- (h) candidates shall not solicit or accept endorsements from any BCITSA Executive, employee, or volunteer, or from any person seeking election to, or serving as a member of, the BCIT Board of Governors or the BCIT Education Council;
- (i) no candidate, nor any person supporting candidate, may exceed the spending limit for a given election or by-election. The spending limit, which includes "gifts in kind," shall be the amount established by Council in the election regulations, provided that the limit shall be at least one hundred (100) dollars for any Chair position and one hundred fifty (150) dollars for any other position;
- (j) no Club shall endorse any candidate in any BCITSA election or by-election;
- (k) the use of Club funds or Association funds for campaigning purposes is prohibited (for greater clarity, any discounts on campaign materials provided by the Association's businesses shall not constitute the use of Association funds provided that such discounts are available to all candidates);
- (l) any and all corrupt practices, including, without limitation, bribery, treating, undue influence, personation, aiding or abetting, shall be prohibited;
- (m) all campaign expenditures are to be accounted for and submitted to the CRO after the date of the elections;

- (i) for the purpose of calculating campaign expenses, any in-kind donations shall be counted at their market value. For greater clarity, any discounts on campaign materials provided by the Association's businesses shall not constitute an in-kind donation provided that such discounts are available to all candidates; and
  - (n) all campaign materials, other than digital campaign materials, must be taken down from all buildings by 5:30pm on the first business day after the end of voting.
- 5.9. All complaints of violations of election rules shall be made no later than 48 hours following the close of voting.
- 5.10. Without restricting the ability of the Election Committee to impose any penalty that they deem reasonable under the circumstances, any candidate determined by the Election Committee to be in breach of Bylaws 5.8(a), (b) or (l) shall be disqualified, provided that:
  - (a) any candidate disqualified for any reason in an election or by-election shall be ineligible to be nominated, elected, or appointed as a Councillor or Executive for a period ending September 1st in the calendar year following the date of disqualification. In the event that a candidate, having been disqualified once before, is disqualified in a subsequent election or by-election, they shall be further ineligible to be nominated, elected, or appointed as a Councillor or Executive for a period of twenty-four (24) months from the date of the subsequent disqualification.
- 5.11. Any candidate determined to be in breach of Bylaw 5.8(n) specifically, or the Poster Policy generally, shall be liable for a monetary penalty, subject to the following:
  - (a) the penalty shall not be greater than one hundred (100) dollars;
  - (b) the penalty may only be applied once;
  - (c) the penalty shall be reduced by 50% if the infraction is rectified within 24 hours and is immediately paid; and
  - (d) reported infractions must be brought to the attention of the Elections Committee or CRO no later than 96 hours following the close of voting.

- 5.12. Polls and voting for purposes of conducting any and all elections, by-elections, referenda and plebiscites shall be conducted and performed in accordance with the following rules:
- (a) all Members shall be eligible to cast a vote;
  - (b) voting by proxy at meetings of the Association shall not be permitted;
  - (c) vote count should occur immediately upon the closing of the voting system;
  - (d) the candidate who receives the largest number of accepted ballots shall be declared elected, subject to ratification by Council;
  - (e) candidates can appeal the results to the Election Committee within 24 hours of the results being announced;
  - (f) the use of electronic devices for voting shall be permitted on an election- by-election basis in accordance with BCIT policies or guidelines, including, without limitation, voting through any student portal administered by BCIT;
  - (g) solicitation or coercion by a candidate shall result in the disqualification of such candidate; and
  - (h) any candidate running uncontested for a position in a general election or by-election must be declared elected by a majority vote in the form of a yes-no vote.
- 5.13. Elected Executives shall attend the Association Executive orientation as scheduled by the Executive Director and attend, if possible, Council meetings, as guests, to familiarize themselves with the affairs of the Association.
- 5.14. The Association shall have the power to make such regulations as it may deem necessary or advisable concerning the conduct of elections, and to repeal, vary, alter or amend the same in such a manner as it may deem fit. Such regulations and any repeals, variants, alterations or amendments shall be made by Two- Thirds (2/3) Resolution of Council, and shall take effect sixty (60) days after adoption of such resolution.

### **Selection Committee**

5.15. The Selection Committee shall be responsible for appointing members of the Election Committee and the Appeals Committee, in addition to nominating eligible BCIT students to serve on the Decision Review Board, and shall be supported by senior staff members of the Association as designated by the Executive Director. The Committee consists of the following individuals who shall act in such capacity for a term beginning October 15th and ending May 31st:

- (a) Vice President Student Experience;
- (b) one Executive, as vice-chair, as appointed by the Executive Committee, such appointment to be reviewable under 6.4(d); and
- (c) one Councillor, to be appointed by Council, subject to the following restrictions and exceptions:
- (d) any Executive running for re-election shall not be permitted to be a member of the Selection Committee or cast a vote to name a member of the Selection Committee;
- (e) no member of the Selection Committee shall be eligible to stand for election as an Executive;
- (f) in the event that the Vice President Student Experience is seeking election to an Executive position named in Bylaw 4.1, and is therefore ineligible to sit on the Selection Committee pursuant to Bylaw 5.13(d), an alternate member of the Selection Committee shall be appointed by the Executives subject to the procedures and restrictions of this Bylaw;
- (g) in the event that there are fewer than three (3) Executives eligible to vote to select members of the Selection Committee, such vote will be carried out by Student Councillors and eligible Executives, if any, provided that no Executive or Councillor running for election as an Executive shall be permitted to vote; and
  - (i) No Councillor voting on an appointment to the Selection Committee under this provision shall be permitted to stand for election as an Executive;
- (h) in the event that no Executive is eligible to be appointed to the Selection Committee as a result of Bylaws 5.13(d) and (e), Councillors may also be appointed to the Executive seats on

the Selection Committee, subject to the procedures and restrictions of this Bylaw.

### **Election Committee**

- 5.16. The Election Committee shall oversee and facilitate, in conjunction with BCITSA staff, the election of the BCITSA Executive, and shall consist of the following individuals who shall act in such capacity for a term beginning October 31st and ending May 31st:
- (a) one (1) Chief Returning Officer; and
  - (b) two (2) Deputy Returning Officers; subject to the restrictions enumerated in Bylaw 5.17.
- 5.17. Members of the Election Committee shall:
- (a) not be a current Executive or member of Council;
  - (b) not have been an Executive or member of Council in the twelve (12) months prior to their appointment; and
  - (c) not be a candidate for election as an Executive, student Board of Governors member, or student Education Council members.
- 5.18. Members of the Election Committee shall:
- (a) receive an honorarium for their term, and a further stipend for each election or by-election administered by them during their term, such amounts of remuneration to be fixed by the Executive Director or any designee thereof from time to time; and
  - (b) attend a training session organized by the Executive Director or any designee thereof.
- 5.19. The Election Committee shall:
- (a) be responsible for the interpretation and enforcement of Bylaw 5 including any regulation adopted pursuant thereto, and of the electoral process;
  - (b) all findings of fact made by the Election Committee shall be final and shall not be overturned unless such finding is deemed by the Appeals Committee in accordance with Bylaw 5.27 to be patently unreasonable such that no reasonable decision-maker could have made such a finding;

- (c) rule and decide on questions of candidate eligibility;
- (d) hear all election-related complaints filed during the election period;
- (e) be entitled to consult on administrative matters with:
  - (i) the Government Relations Strategist; and/or
  - (ii) the Vice President Student Experience, provided that they are not a candidate for election;
- (f) be advised on matters of due process by a member of the Advocacy Staff, provided that the same member of the Advocacy staff shall not advise both the Election Committee and the Appeals Committee on the same matter;
- (g) provide Council with a written report upon the conclusion of an election, including the results of all rulings and decisions made by either the Election Committee or the Appeals Committee, with the report to be preserved by BCITSA;
- (h) reach decisions by consensus unless, if in the opinion of the appointed Advocacy Staff member, there is no reasonable likelihood of reaching consensus on a matter, in which case the Election Committee members in attendance at an Election Committee meeting shall resolve the issue by majority vote; and
- (i) make all decisions and determinations in accordance with these Bylaws, and taking into account the principles of due process and any analogous decisions of previous Election Committees and Appeal Committees.

5.20. During the time period beginning June 1st and ending October 30th of each year, the duties of the Elections Committee shall be performed, if necessary, by and at the discretion of the following individuals:

- (a) the President;
- (b) the Vice President Student Experience; and
- (c) one other current Executive to be appointed by the Executive Board; and

- (d) the Executive Director or any designee thereof, as an ex officio member;

subject to the requirement that if a vacancy occurs during the Summer Months in either the office of President or of Vice President Student Experience, or both, and the temporary occupant, or occupants, intend to contest the subsequent by- election, the Executive Board shall appoint another Executive or Executives, as applicable, to serve out the role, or roles, contemplated in Bylaw 5.18(a) or (b).

### **Appeals Committee**

- 5.21. A new Appeals Committee shall be formed for each election or by-election held by BCITSA which shall, subject to any limitations set out in these Bylaws, hear appeals of decisions taken by the Election Committee, and which shall consist of three Students-at-large as appointed by the Selection Committee, such appointments to take place within forty-eight (48) hours of the close of nominations for an election or by-election.
- 5.22. In the event the Selection Committee determines that an appointed Appeals Committee member is unable to perform their duties as a member of the Appeals Committee in accordance with these Bylaws, the Selection Committee shall be entitled to remove such Appeals Committee member and appoint a replacement Student-at-large to sit on and perform the duties of a member of the Appeals Committee on a temporary or permanent basis.
- 5.23. The Selection Committee may conduct interviews of potential appointees to the Appeals Committee at any time prior to the close of the applicable nominations, and shall at all times ensure that no appointee is in a perceived or actual conflict as outlined in Bylaw 5.24.
- 5.24. One member of Council shall be entitled to be present at all meetings of the Appeals Committee as an observer only.
- 5.25. Each member appointed to the Appeals Committee shall perform the duties of the Appeals Committee from their date of appointment until Council's ratification of the election or by- election for which they were appointed.
- 5.26. No member of the Appeals Committee shall have any prior or current relationship to any party who is the subject of a dispute before the Appeals Committee that could reasonably result in a perceived or actual conflict of interest. In the event of a reasonable

perceived or actual conflict of interest as determined by the Selection Committee, the Selection Committee shall appoint a replacement Student-at-large who shall take the place and perform the duties of the conflicted individual in respect of the Appeals Committee to the extent necessary to avoid any perceived or actual conflict of interest.

- 5.27. An individual against whom an adverse finding is made by the Election Committee may appeal that decision to the Appeals Committee, which shall have jurisdiction to review decisions of the Election Committee.
- 5.28. An appeal of a decision made by the Election Committee must be received by the Appeals Committee not later than twenty four (24) hours after the decision of the Election Committee is issued.
- 5.29. The Appeals Committee shall not overturn any decision of the Election Committee unless it is deemed by the Appeals Committee following review to be patently unreasonable such that no reasonable decision-maker could have made such a finding.
- 5.30. The Appeals Committee shall:
  - (a) be advised on matters of due process by a member of the Advocacy Staff provided that the same member of the Advocacy staff shall not advise both the Election Committee and the Appeals Committee on the same matter;
  - (b) reach decisions by consensus unless, if in the opinion of the appointed Advocacy Staff member, there is no reasonable likelihood of reaching consensus on a matter, in which case all of the Appeals Committee members shall resolve the issue by majority vote;
  - (c) make all decisions and determinations in accordance with these Bylaws, and taking into account the principles of due process and analogous decisions of previous Appeals Committees; and
  - (d) hear and decide appeals and disputes put before it in accordance with the following process:
    - (i) prior to hearing an appeal, members of the Appeals Committee shall receive a training session from a member of the Advocacy Staff designated by the Executive Director;

- (ii) the Chief Returning Officer shall represent the Elections Committee before the Appeals Committee, and the Complainant may be self- represented or may retain third-party representation or may be represented by the CRO;
- (iii) the Appeals Committee shall meet with both parties to any dispute individually to hear arguments about the validity of the decision of the Election Committee, having regard to Bylaw 5.17(b). Arguments shall be restricted to errors in the interpretation of these Bylaws or the application of prior precedent decisions;
- (iv) after hearing arguments, the Appeals Committee shall meet in camera with the member of the Advocacy Staff to make its decision on the appeal;
- (v) all decisions of the Appeals Committee will be rendered within forty- eight (48) hours of the filing of the appeal with all parties present;
- (vi) if all parties are unable to be present within the forty- eight (48) hour deadline described in Bylaw 5.28(d)(v), the Appeals Committee shall render its decision in writing and notify all parties of the decision by way of letter addressed to each party, email or otherwise; and
- (vii) decisions of the Appeals Committee are final and are not subject to further appeal or review.

5.31. Members of the Appeals Committee shall receive an honorarium for their term, with the amount of remuneration provided to be fixed by the Executive Director or any designee thereof.

6. COUNCIL

6.1. Council shall be comprised of the following members:

- (a) all of the Executives of BCITSA elected in accordance with Bylaw 5; and
- (b) all Councillors appointed in accordance with Bylaw 7.1, which shall include:
  - (i) Councillors from the School of Business + Media (Burnaby Campus);
  - (ii) Councillors from the School of Health Sciences;
  - (iii) Councillors from the School of Energy;
  - (iv) Councillors from the School of Transportation, Construction and the Environment;
  - (v) Councillors from the School of Computing and Academic Studies (Burnaby Campus);
  - (vi) Councillors from ATC and DTC;
  - (vii) one Specialty Campus Councillor from each of the Specialized Transport Campuses, other than the campus at which the STC Chair is enrolled;
  - (viii) two International Student Councillors;
  - (ix) one Housing Student Councillor;
  - (x) two Indigenous Student Councillors; and
- (c) all officers of BCITSA who are not also Executives, as ex officio members.

6.2. The Council shall:

- (a) act as the governing body of the Association;
- (b) subject to the provisions of the Constitution and these Bylaws have full control of all such activities under the Association as provided for by these Bylaws;

- (c) receive, administer, and have audited all monies that may be placed in the custody of or may become the property of the Association;
  - (d) oversee all services offered by the Association to its Members;
  - (e) be able to alter, modify, overrule or set aside any action of officers, committees of Council, or Clubs to whom powers may have been conferred by the Constitution or these Bylaws;
  - (f) to review the student activity fees on an annual basis and, if changes are recommended, to follow the procedural guidelines as stated in the College and Institute Act (British Columbia);
  - (g) ensure that members of the Executive Board are performing their duties; and
  - (h) be entitled to review on a regular basis the Executive Director's reports on the operations of the Association.
- 6.3. Each Member of Council shall be entitled to one vote on any motion coming before Council.
- 6.4. During the Summer Months, the Executive Committee shall take the place of Council such that it shall have and perform all of the powers, duties and obligations of Council as described in these Bylaws and in accordance with 6.6(a), provided that with respect to any policy, procedure, or resolution passed pursuant to this section:
- (a) any motion ordinarily requiring a simple majority for passage will require a two-thirds (2/3) majority to pass;
  - (b) any motion ordinarily requiring a two-thirds (2/3) majority for passage will require a three-quarters (3/4) majority to pass;
  - (c) any motion ordinarily requiring a majority of three-quarters (3/4) or more to pass will require unanimous consent to pass; and
  - (d) Council shall, within its first four meetings of the academic year, review all decisions adopted under 6.4 and shall have the power to rescind or alter the same by a Two-Thirds (2/3) Resolution of Council.
- 6.5. The Executive Committee shall be formed as a standing committee to facilitate the operations of the Association, particularly during the

Summer Months in lieu of Council and its standing committees, and shall consist of the following individuals:

- (a) the Executives, as voting members; and
- (b) the Specialty Campus Councillors, as non-voting members.

6.6. The Executive Committee shall:

- (a) during the Summer Months, have and perform all of the powers, duties and obligations vested in Council and its standing committees pursuant to these Bylaws;
- (b) meet at least once per month during the Summer Months for purposes of exercising the powers of Council and its standing committees;
- (c) create, implement, amend or replace, or cause the creation, implementation, amendment or replacement of, the BCITSA Strategic Vision, from time to time; and
- (d) meet at least once per month in respect of all months that are not Summer Months for purposes of discussing progress made with respect to the BCITSA Strategic Vision.

6.7. Each voting member of the Executive Committee shall be entitled to one vote on any motion coming before it.

6.8. At the first meeting of Council following the Summer Months, a report of all business conducted by the Executive Committee during the Summer Months shall be presented to Council for information purposes only.

## 7. COUNCILLORS

### 7.1. Councillors shall be appointed as follows:

- (a) the students of the five (5) Schools and the ATC and DTC shall be represented on the Council on a basis of one (1) Councillor (not including Specialty Campus Councillors) for every three-hundred (300) full-time Students, calculated based on enrolment figures as of September 15th of the relevant academic year, subject to the following:
  - (i) the final allocation shall be approved by the Executive Board, subject to any minimum requirements in these Bylaws;
  - (ii) prior to the approval by the Executive Board of the final allocation, Chairs may refer to the previous year's allocation when recruiting applicants;
  - (iii) any member of the Executive Board may, prior to the approval of the final allocation, propose that one or more allocations be adjusted based on rounding up to the nearest three-hundred (300) full-time Students, if it is reasonable to do so and if approved by the Executive Board;
- (b) each School shall be represented by at least one Councillor from that School;
- (c) the ATC and DTC shall each be represented by at least one Councillor;
- (d) each Councillor representing a School or Specialty Campus shall be selected by their respective Chair and is accountable to them;
- (e) the Housing Student Councillor, Indigenous Student Councillors, and International Student Councillors shall be selected by the Vice President Student Experience and the Vice President Equity and Sustainability;
- (f) it is intended that the selection of Councillors, if possible, reflect the make-up of students within the School or Specialty Campus from which they are chosen;

- (g) all Councillors must be Members in good standing of the Association and must meet the applicable criteria for their position:
  - (i) a Councillor appointed to represent a School shall be enrolled in at least one course from that School;
  - (ii) a Councillor appointed to represent a Specialty Campus shall be enrolled in at least one course delivered at that Campus;
  - (iii) a Councillor appointed by the Chair of the School of Computing and Academic Studies or by the Chair of the School of Business + Media shall be enrolled in at least one course delivered either at the Burnaby campus or online;
  - (iv) the Housing Councillor shall live in on-campus housing at BCIT;
  - (v) the Indigenous Student Councillors shall be students registered with BCIT as Indigenous students;
  - (vi) the International Student Councillors shall be students registered at BCIT as international students; and
  - (vii) if any Councillor appointed to represent a School or Specialty Campus is enrolled in co-op during their term, their eligibility shall be assessed on a case-by-case basis by the Chair responsible for appointing them;
- (h) those responsible for appointing Councillors shall, no later than the second meeting of Council after the Summer Months, submit to Council a written report outlining the following:
  - (i) the outcome of liaising with applicable BCIT points of contact;
  - (ii) how widely the positions were advertised to students, and how this was done;
  - (iii) how many applications were received;
  - (iv) how decisions were made as to which applicants were appointed; and

- (v) if applicable, the extent to which Councillor selection reflects the make-up of students within the School or Specialty Campus from which they are chosen.
- 7.2. Councillors shall be appointed in accordance with Bylaw 7.1, and shall:
- (a) be entitled to participate fully in all Council meetings;
  - (b) provide direct communication between the Council and their respective Schools or Specialty Campuses, as applicable, and community (i.e. students, faculty, and staff);
  - (c) attend all Council meetings and be willing to sit on at least one Association or BCIT committee as requested;
  - (d) receive a meeting fee for each Council meeting attended;
  - (e) read, understand and act in accordance with the Constitution, these Bylaws and any regulations of the Association;
    - (i) failure by a Councillor to abide by the Constitution, these Bylaws and/ or any regulation of the Association shall lead to a verbal warning, followed by a written warning, before being terminated from the position of Councillor by and at the discretion of the Executive responsible for such Councillor's appointment;
    - (ii) serious offences by a Councillor are subject to immediate termination at the discretion of the Executive responsible for such Councillor's appointment; and
  - (f) attend all General Meetings of the members.
- 7.3. Each Specialty Campus Councillor shall be appointed by the Chair of the Specialized Transport Campuses and shall be appointed for a term not to exceed one calendar year.
- 7.4. Specialty Campus Councillors shall:
- (a) be appointed pursuant to Bylaw 7.3;
  - (b) be entitled to participate fully in all Council meetings including proposing motions and voting on any motion coming before Council;

- (c) receive a monthly honorarium in an amount to be determined by Council;
- (d) provide direct communication between the Council and their respective Specialty Campuses and community (including students, faculty, and staff);
- (e) read and understand the Constitution and Bylaws of the Association;
- (f) act at all times in accordance with the Constitution, Bylaws and any regulations of the Association;
- (g) attend Annual General Meetings and Special General Meetings;
- (h) chair applicable Set Representatives Committee meetings as scheduled in accordance with Bylaw 8.5;
- (i) meet at least monthly with the Chair of the Specialized Transport Campuses;
- (j) liaise with BCIT to ensure that Set Representatives are elected, and shall ensure that Set Representatives are trained appropriately;
- (k) liaise with key BCIT personnel as well as with any BCITSA employees designated to assist Specialty Campuses;
- (l) act as a liaison between Council and their respective Specialty Campus;
- (m) express the viewpoint of their respective Specialty Campus at Executive Board or Council meetings;
- (n) provide direction to BCITSA members in the following areas:
  - (i) issues relating to instructors;
  - (ii) access to administration; and
  - (iii) access to Executives;
- (o) and be required to resign under the following conditions:
  - (i) if the Specialty Campus Councillor ceases to be a Member;

- (ii) if the Specialty Campus Councillor fails to pass an academic term while acting in their capacity as a Satellite Councillor;
- (iii) if the Specialty Campus Councillor fails to be in full attendance at any two regularly scheduled meetings (per school term) of the Executive Committee and/or Council without approval of the President; or
- (iv) if a Specialty Campus Councillor's resignation is requested by a Two- Thirds (2/3) Resolution of Council for any of the following reasons:
  - A. a motion of non-confidence has been moved against the Specialty Campus Councillor; or
  - B. the Specialty Campus Councillor has failed to fulfill their duties as Specialty Campus Councillor in accordance with these Bylaws.

7.5. Pursuant to Bylaw 3.2, the Association may adopt a Code of Conduct for Councillors and Specialty Councillors that governs their conduct in office, defines the terms of their removal from office under Bylaws 7.2(e) and 7.4(o)(iv) respectively, and that provides for additional sanctions, including but not limited to censure and suspension. Subject to Bylaw 12.11(f), no motion related to the adoption, amendment, or rescission of such a Code of Conduct shall be in order unless it is included in a report of the Bylaw Committee.

8. SET REPRESENTATIVES

- 8.1. Set Representatives shall be elected by the relevant Students on an annual basis during the first two weeks following the start of their respective academic term, and shall serve for the duration of the term.
- 8.2. Set Representatives shall:
- (a) establish and maintain regular communications between the Students and the Chair of their respective School, or their Specialty Campus Councillor, as applicable;
  - (b) report to the Chair or Specialty Campus Councillor that represents the set of students, as applicable;
  - (c) attend a training session near the beginning of their program start date, which shall be held by the School or Satellite Campus that the Set Representative represents; and
  - (d) attend Set Representatives Committee meetings in accordance with Bylaw 8.5.
- 8.3. Set Representatives Committees shall be formed for each School or Specialty Campus for the purpose of facilitating a structure for communication between Chairs/Specialty Campus Councillors and their respective Set Representatives, each Set Representatives Committee which shall consist of all of the Set Representatives from the applicable School or Specialty Campus.
- 8.4. Each Set Representatives Committee shall be chaired by the Specialty Campus Councillor or Chair of such School or Specialty Campus, as the case may be.
- 8.5. Each Set Representatives Committee shall have meetings per the frequency established by the the Chair or Satellite Councillor, as the case may be. If a Set Representative will be absent, they Specialty designate another Student to attend the committee meeting in their place, such substitute to be drawn from the same set as the absent Set Representative.

9. COUNCIL MEETINGS

- 9.1. There will be no Special Resolutions proposed or passed during a Council meeting.
- 9.2. Council meetings shall be held every other week during the school year, unless otherwise voted by Council by a Two-Thirds (2/3) Resolution. In the event that a regularly scheduled Council meeting falls on a statutory holiday in British Columbia, such meeting shall be held on the first business day in British Columbia following such statutory holiday.
- 9.3. Quorum for a Council meeting shall be set at:
- (a) sixty percent (60%) of the Executive Board; and
  - (b) sixty percent (60%) of all currently appointed Councillors.
- 9.4. Electronic participation at Council meetings shall be permitted for Specialty Campus Councillors only, unless the Chairperson determines otherwise at its sole discretion based on extenuating circumstances.
- 9.5. If quorum is not reached within 30 minutes from the time set for holding a Council meeting, no motions can be proposed or passed, and no business shall be conducted.
- 9.6. Voting by proxy at a Council meeting shall not be permitted.
- 9.7. Councillors shall receive a Council meeting attendance honorarium in an amount determined by Council. For greater clarity, this provision does not refer to or include Specialty Campus Councillors. Furthermore, this provision does not refer to the meetings of any Committee.
- 9.8. Members of Council shall attend all Council meetings, subject to the following:
- (a) if an Executive is required to be absent for a reasonable cause, they shall, prior to the meeting, submit a written request to be excused from attending such meeting to the chair of such meeting;
  - (b) if a Councillor is required to be absent for a reasonable cause, they shall, prior to the meeting, submit a written request to be excused from attending such meeting to the Chair by whom

they were originally appointed or, in the case of the Housing Student Councillor, International Student Councillors, and Indigenous Student Councillors, to the President;

- (c) if a Specialty Campus Councillor is required to be absent for a reasonable cause, they shall, prior to the meeting, submit a written request to the Vice President Student Experience; and
- (d) any Executive with responsibilities for receiving written requests to be absent shall proactively advise the meeting chair of anticipated absences and any impacts on quorum.

9.9. The Executive Director or a member of the Association staff designated by the Executive Director shall take minutes for all meetings of Council.

9.10. Subject to Bylaw 12.9(d), no motion relating to Association-sanctioned Clubs brought forth to Council shall be in order unless included in the Clubs Committee report.

10. ANNUAL GENERAL MEETINGS

- 10.1. BCITSA shall hold an Annual General Meeting once per calendar year within six (6) months after fiscal year end, on a date, place and time set by the Vice President Finance and Administration.
- 10.2. Notice of an Annual General Meeting shall specify the date, time and location in British Columbia of the Annual General Meeting, and shall, no later than twenty- one (21) days and not more than sixty (60) days prior to such Annual General Meeting, be:
- (a) sent by email to every member of the BCITSA who has provided an email address to the BCITSA; and
  - (b) posted on the BCITSA website.
- 10.3. The agenda for the Annual General Meeting shall be determined in advance by Council.
- 10.4. The Executives shall present the following to the Members at each Annual General Meeting:
- (a) financial statements prepared:
    - (i) in relation to the most recent fiscal year ending May 31st, and
    - (ii) in accordance with the requirements of the Societies Act and its regulations;
  - (b) the auditor's report, if any, on such financial statements.
- 10.5. Subject to the Societies Act, the financial statements of the Association prepared in accordance with Bylaw 10.4 shall include a note providing the following information:
- (a) in respect of the remuneration, if any, paid by BCITSA to the directors in the period in relation to which the financial statements are prepared:
    - (i) a list of all of the directors paid by BCITSA, including the position or title of each director;
    - (ii) the amount of the remuneration paid by BCITSA to each director listed in accordance with Bylaw 10.5(a)(i) to act in their capacity as director; and

- (iii) the amount of the remuneration paid by BCITSA to each director listed in accordance with Bylaw 10.5(a)(i) to act in any other capacity, including a description of such capacity.
  - (b) in respect of the remuneration paid by BCITSA to its employees or contractors whose remuneration was at least \$75,000 during the period in relation to which the financial statements are prepared:
    - (i) a list of all such persons, or
    - (ii) if there are more than ten (10) such persons described in Bylaw 10.5(b), a list of the ten (10) most highly remunerated persons, such list which:
      - (iii) shall include, in the case of employees, each employee's position or title and, in the case of contractors, the nature of the contractual services provided by each contractor;
      - (iv) shall include the amount of remuneration paid during the applicable period to each of those persons; and
      - (v) may include, but is not required to include, such persons' names.
- 10.6. The following shall take place at each Annual General Meeting, among other things:
  - (a) the Vice President Finance and Administration shall ensure the reading of a report on the audited financial statements for the previous fiscal year; and
  - (b) the President shall read an interim report on BCITSA activities for the current fiscal year and shall table a report on BCITSA activities for the previous fiscal year.
- 10.7. Quorum at the Annual General Meeting shall be thirty (30) Members.
- 10.8. Business, other than the election of the chair of the meeting and the adjournment or termination of the meeting, shall not be transacted at a general meeting unless quorum is met pursuant to Bylaw 10.7. If, within 30 minutes from the time set for holding an Annual General Meeting, a quorum of voting members is not present, the

meeting stands adjourned to the same day in the next week, at the same time and place, and if, at the continuation of the adjourned meeting, a quorum is not present within 30 minutes from the time set for holding the continuation of the adjourned meeting, the voting members who are present constitute a quorum for that meeting.

- 10.9. All Members are entitled to one vote at an Annual General Meeting other than those Members not currently in good standing in accordance with Bylaw 2.5.
- 10.10. Members shall not be entitled to participate in Annual General Meetings by telephone or other communications medium.
- 10.11. Polls and voting for purposes of conducting any poll or vote at a meeting of the Members shall be conducted and performed in accordance with the following rules:
  - (a) all Members shall be eligible to cast a vote;
  - (b) voting by proxy at meetings of the Association shall not be permitted; and
  - (c) vote count should occur immediately upon the closing of the voting system.
- 10.12. With respect to the attendance of Specialty Councillors, Bylaw 9.8(c) will also apply for Annual General Meetings.

11. SPECIAL AND SEMI-ANNUAL GENERAL MEETINGS

- 11.1. The President shall call a Special General Meeting upon:
- (a) a Two Thirds (2/3) Resolution of Council requesting a Special General Meeting for a specific purpose or reason; or
  - (b) a written request signed by seventy-five (75) Members of BCITSA stating the purpose and reasons for calling a Special General Meeting and describing the Special Resolutions that will be proposed at such meeting (each, a "Petition").
- 11.2. A Special General Meeting shall be held within three (3) weeks of the approval of any Petition.
- 11.3. Notice of a special general meeting shall specify the date, time and location in British Columbia of the special general meeting, and shall, no later than twenty- one (21) days and not more than sixty (60) days prior to such special general meeting, be:
- (a) sent by email to every member of the BCITSA who has provided an email address to the BCITSA; and
  - (b) posted on the BCITSA website.
- 11.4. Quorum at a Special General Meeting shall be one hundred (100) Members.
- 11.5. All Members in good standing are allowed to vote at a Special General Meeting.
- 11.6. Only matters described in a Two Thirds (2/3) Resolution of Council or a Petition may be discussed during a Special General Meeting.
- 11.7. The President shall call a semi-annual general meeting ("an S.A.G.M.") for the sole purpose of considering any Special Resolutions to amend the Bylaws, unless the Bylaw Committee recommends that this is unnecessary.
- 11.8. A Semi-Annual General Meeting, unless the Bylaw Committee recommends that it is unnecessary, shall be held between February 1st and May 31st.
- 11.9. With respect to any Semi-Annual General Meeting, the provisions of Bylaw 11 shall apply for the purposes of adequate notice, quorum, and voting by Members in good standing.



## 12. COMMITTEES

### **Standing Committees**

12.1. There shall be the following Standing Committees of Council:

- (a) Clubs Committee;
- (b) Student Spaces Development Committee;
- (c) Bylaw Committee;
- (d) Finance Committee;
- (e) Equity & Sustainability Committee; and
- (f) Advocacy & Policy Committee.

12.2. Each Standing Committee of Council shall have the following members:

- (a) a Chair, who shall be designated in Bylaws;
- (b) one Executive, as vice-chair, as appointed by the Executive Committee, such appointment to be reviewable under 6.4(d);
- (c) between two and four members of Council, to be appointed by Council; and
- (d) the Executive Director or a designee thereof, as an ex officio member.

12.3. Outside the Summer Months, each Standing Committee shall meet once a month, but committee members may decline to hold a meeting if there is insufficient business and a majority of the committee members have consented in writing to cancel the meeting, provided that:

- (a) effective September 30th of a particular year, if one month has elapsed since the later of September 30th or the last meeting of the committee, any two members of a committee may schedule a meeting of that committee by providing members of the committee with five (5) days' notice of such meeting.

- 12.4. Each Chair of a Standing Committee, or a vice-chair in their absence, shall report to Council on the Committee's work in the preceding month.
- 12.5. Each Standing Committee shall make best efforts to co-operate with each other to best achieve the Committee's goals. If the Committee cannot reach consensus on a matter, the Committee members in attendance at a meeting of the Committee may resolve the issue in accordance with Robert's Rules of Order, Newly Revised.
- 12.6. Quorum for transacting business shall be equivalent to the next whole number greater than 50% of the Committee's voting membership. In the absence of quorum, members may nonetheless discuss business but cannot making binding decisions of any sort.
- 12.7. Emergency meetings of the Committee may be held at the discretion of the Committee Chair by providing 72-hour notice to the Committee members.
- 12.8. Council may create any Ad Hoc Committee, from time to time, subject to the following:
  - (a) notice to Council must be provided for any motion establishing an Ad Hoc Committee;
  - (b) prior to such notice being given, the Executive Board shall have considered the matter at a previous meeting;
  - (c) the motion establishing an Ad Hoc Committee shall state the purpose of the Committee, shall designate its Chair, and shall specify if the Committee expires on the 31st of May or upon completion of its work, whichever is earlier; and
  - (d) the provisions of Bylaw 12 governing the membership and procedures for Standing Committees shall apply to any Ad Hoc Committee.

### **Clubs Committee**

- 12.9. The Clubs Committee shall:
  - (a) with respect to all of BCITSA's Clubs, facilitate the determination of the distribution of the annual Club funds provided by the BCITSA annual budget;
  - (b) grant or deny, as it sees fit and in its sole discretion, any funding requests submitted by Clubs on a monthly basis;

- (c) not include as a member of the Committee any Councillor who continues, upon appointment by Council, to serve in any capacity that grants them any voting role in any Association-sanctioned Club; and
- (d) cause its Chair, or vice-chair as the case may be, to report any appropriate information to the Council meeting following each Committee meeting, such report to include the following:
  - (i) any recommendation for motions regarding matters related to Association-sanctioned Clubs. For greater certainty, this provisions shall be construed as applying to existing, proposed, suspended, and de- sanctioned Clubs.

### **Student Spaces Development Committee**

12.10. The Student Spaces Development Committee shall:

- (a) with respect to all BCITSA space development, facilitate design development decisions as they pertain to spaces owned or acquired by BCITSA;
- (b) grant or deny, in its sole discretion, and requests for funds to be drawn from the Student Space Fund; and
- (c) review any other matters assigned to it by Council.

### **Bylaw Committee**

12.11. The Bylaw Committee shall:

- (a) conduct periodic reviews of the Bylaws throughout the year;
- (b) propose governance procedures for adoption by Council;
- (c) prepare such documents as are necessary to propose any amendments agreed upon by Committee for the Association's General Meetings;
- (d) take all actions necessary to effect any amendment of these Bylaws that is approved by resolution at a General Meeting of the Association;
- (e) review any other matters assigned to it by Council; and

- (f) Prepare and recommend to Council codes of conduct as identified in Bylaws 4.5 and 7.5. Such codes of conduct, once adopted, shall be reviewed by the Bylaw Committee annually, with recommendations to be reported to Council.

### **Finance Committee**

12.12. The Finance Committee shall:

- (a) facilitate the oversight and effective financial operations of the Association;
- (b) review the monthly financial statements of the Association;
- (c) ensure the transparency of, and facilitate access to, all the financial documents of the Association with respect to the Members;
- (d) review the annual budget of the Association within a reasonable time prior to its presentation and adoption by Council;
- (e) review the financial statements of the Association within a reasonable time prior to the the Annual General Meeting, subject to the following:
  - (i) failure by the Committee to review the financial statements of the Association prior to the Annual General Meeting in accordance with this section shall not relieve any party of its duty to prepare and present the financial statements at such a Meeting in accordance with these Bylaws, and shall not invalidate such presentations in any way; and
- (f) review any other matters assigned to it by Council.

### **Equity & Sustainability Committee**

12.13. The Equity & Sustainability Committee shall:

- (a) review the implementation at BCIT of the UN Sustainable Development Goals applicable to students;
- (b) study and promote the alignment of Association policies and procedures with applicable UN Sustainable Development Goals;

- (c) assist the Vice President Equity and Sustainability in the execution of the Vice President's Sustainable Development Goals initiative in the fall and the spring, including by hosting two workshops to further the Committee's mandate; and
- (d) review any other matters assigned to it by Council.

### **Advocacy and Policy Committee**

12.14. The Advocacy & Policy Committee shall:

- (a) be responsible for reviewing matters of public policy and studying the same;
- (b) propose, as needed, External Policy Positions for consideration and adoption by the Association;
- (c) conduct a review of any External Policy Positions whose review date is within the next six months, in addition to any other existing, proposed, or repealed External Policy Positions it may choose, and report all recommendations to Council; and
- (d) review any other matters assigned to it by Council.

### **Human Resources Committee**

12.15. The Human Resources Committee shall be formed as a standing committee of the Executive Board to provide advice and support to the Executive Board with respect to its management, hiring, and termination of the Executive Director, and any other duties and responsibilities as the Executive Board may assign to it.

12.16. The membership of the Human Resources Committee shall be as follows, and shall at all times consist of at least three voting members:

- (a) the President, as chair of the committee;
- (b) up to three additional members of the Executive Board, to be nominated and appointed by the Executive Board by a Three-Quarters (3/4) Resolution;
- (c) in a non-voting capacity, up to two Councillors, to be nominated by the Executive Board and appointed by Council; and

- (d) in a non-voting capacity, the senior-most employee of the Association within the human resources department who, for matters within the Committee's mandate as defined in 12.17, is obligated to act independently of the Executive Director and in the best interests of the Association with respect to any advice or support provided to this Committee.

12.17. The Committee's duties and responsibilities include:

- (a) providing for a regular, independent performance review of the Executive Director by appointing, with the advice and consent of the employee appointed under Bylaw 12.16(d) a person or entity to conduct such performance review;
- (b) adhering to appropriate standards of conduct, including respecting confidentiality, acting ethically, and mitigating conflicts of interest, such standards of conduct to be set by the Executive Board and reviewed from time to time;
- (c) the President shall provide regular updates to the Executive Board starting not later than the second meeting of the Executive Board following a meeting of the Committee regarding the committee's work, given that the updates provided to the Executive Board are intended to be of a general nature and to be presumptively confidential;
- (d) having the power to enter into contracts with third-party service providers, and to allocate funds for those contracts, if the employee appointed under Bylaw 12.16(d) deems that it is reasonably necessary for the discharge of the committee's duties, provided that:
  - (i) notwithstanding any other provision of these Bylaws, the Board shall establish within thirty days of its first meeting of the new term a budget not less than fifty thousand (50,000) dollars for this purpose; and
  - (ii) the Committee shall be required to seek further funds from the Board if it exhausts funds allocated; and
- (e) generally having the duty to advise the Executive Board with respect to the management of the Executive Director, whether at the Board's request or the committee's own initiative; and
- (f) any other relevant responsibilities assigned to it by the Executive Board through a resolution or policy.

12.18. The Human Resources Committee shall be subject to the following accountability measures:

- (a) the Executive Board may compel the committee to provide the Executive Board with supporting documentation and records of its proceedings, providing that such records are treated confidentially by the members of the Executive Board;
- (b) any member of the committee may inform the Executive Board that the committee is not fulfilling its duties; and
- (c) to the extent that a member of the committee has informed the Executive Board that the committee is not fulfilling its duties and reasonably believes that the Executive Board has not addressed the matter sufficiently, they shall report the matter to Council only where the circumstances relate directly to the discharge of an existing power of Council by:
  - (i) providing written notice to the members of the committee that they shall raise this matter at the next Council meeting; and
  - (ii) at the beginning of the next Council meeting, moving a motion to take the meeting into closed session with only members of the committee and voting members of Council present, which shall not require a seconder and shall be deemed adopted without further discussion.

For greater certainty, this provision does not derogate from the exclusive power of the Executive Board to manage the Executive Director and to direct the activities of the committee. It shall only be construed as providing a mechanism for relevant information to be shared with Council related to the discharge of its existing duties.

12.19. All members of the committee shall attend training within thirty (30) days of their appointment to the committee, and such training shall include but not be limited to:

- (a) confidentiality;
- (b) employer and employee rights and obligations;
- (c) performance management; and
- (d) governance;

provided that where an Executive member of the committee has, in the view of the employee appointed under Bylaw 12.16(d), already completed such training during the same Executive Board term as their appointment to the committee, that training will be deemed to satisfy the requirements of this section of the Bylaws. In the event that a member of the committee does not complete such training within the allocated time, their appointment to the committee shall be deemed to be rescinded. The Chair shall notify the Executive Board and, as applicable, Council, and the vacancy shall be filled in accordance with Bylaw 12.16.

13. REFERENDA

- 13.1. Referenda shall be a process that asks the Members a specific question that will address a specific issue. Two types of referendum can be conducted as follows:
- (a) a binding referendum, the result of which binds the Association; and
  - (b) a plebiscite, the result of which is advisory in nature.
- 13.2. A binding referendum or plebiscite of the Association shall be called by the President:
- (a) upon receipt of a resolution signed by a majority of Council members requesting a binding referendum or plebiscite; or
  - (b) upon receipt of a petition requesting a binding referendum or plebiscite duly signed by at least one thousand (1,000) Members, such petition which must be brought forth to Council by at least fifty (50) of the signing Members of such petition, and passed by a resolution signed by a majority of Council members.
- 13.3. A binding referendum of the Association shall be called by the President if any change in respect of student society fees of the Association is proposed.
- 13.4. The result of a binding referendum shall be decided by a majority of the votes cast, such result which shall be final and binding upon BCITSA only if the lesser of a minimum of one hundred and fifty (150) votes (not including blank votes), or twenty-five percent (25%) of eligible votes, are cast.
- 13.5. The result of a plebiscite shall be decided by a majority of the votes cast.

14. REMOVAL AND REPLACEMENT OF EXECUTIVES

- 14.1. An Executive who intends to resign as a director of the Association shall give their resignation to the Association in writing, such resignation to take effect upon the date specified in the written resignation or, in the event no date is specified, upon receipt by the Association of the written resignation.
- 14.2. An Executive may be removed from office by Special Resolution or as otherwise provided in these Bylaws.
- 14.3. The Executives of the Association shall be required to resign from office under the following conditions:
- (a) if the Executive ceases to be a Member;
  - (b) if the Executive fails to pass an academic term while acting in their capacity as an Executive, or in the case of an Executive-elect, if they fail to pass the academic term immediately preceding assuming office as an Executive, unless the following applies:
    - (i) the Executive is not enrolled in courses during the Summer Months; or
    - (ii) with less than six (6) months remaining in their elected term, the Executive is not enrolled in courses after successfully completing all requirements of their program.
  - (c) if the Executive fails to be in full attendance at any two regularly scheduled meetings (per school term) of the Executive Committee and/or Council without approval of the President; or
  - (d) if an Executive's resignation is requested by a Two-Thirds (2/3) Resolution of Council for any of the following reasons:
    - (i) a motion of non-confidence has been moved against the Executive; or
    - (ii) the Executive has failed to fulfill their duties as Executive in accordance with these Bylaws.
- 14.4. Where an Executive is required to resign from office subject to 14.3(d)(i) or 14.3(d)(ii), they shall be ineligible to stand for election

as an Executive for a period of not less than twelve (12) months following the adoption of the motion removing them from office. After this period has elapsed, such an individual may only be permitted to be considered for eligibility to stand for office by the Elections Committee if approved by a Two-Thirds (2/3) Resolution of Council;

- (a) nothing in the above provision shall be construed as derogating from the Elections Committee's authority to rule on any other question of eligibility for such an individual, nor from its ability to consider a past removal from office when deciding whether to exercise its discretion under Bylaw 5.7;
- (b) where an Executive is required to resign from office pursuant to this provision for a second time, such individual shall be permanently deemed ineligible to stand for election as an Executive and shall also be ineligible for appointment to Council.

14.5. Subject to Bylaw 14.6, in the event of a vacancy of an office, including due to the resignation, death or impeachment, of:

- (a) the President, the Vice President Finance and Administration shall assume the office of the President until a by-election can be held for the position; and
- (b) any Executive other than the President, Council may by a Two-Thirds (2/3) Resolution of Council appoint any Member who would be eligible to stand for election to be an Executive, as a temporary successor to assume the vacant office of such Executive until a by-election can be held for the position.

Unless the timing is determined otherwise by the Executives, the above-mentioned by-elections shall take place no later than thirty (30) days after the position becomes vacant.

14.6.

- (a) If any office of an Executive becomes vacant after November 30<sup>th</sup>, Council may by a Two-Thirds (2/3) Resolution of Council decline to hold a by-election. In which case, the Member who is the temporary successor of the applicable Executive's office pursuant to Bylaw 14.5 shall hold office for the remainder of the term:

(i) expiring when Council next ratifies the results of an election held in accordance with Bylaw 5 and the newly elected Executive for such office assumes their position, or

(ii) attributable to such vacancy;

whichever is earlier.

(b) If the existing Vice President Finance and Administration assumes the office of the President pursuant to Bylaw 14.5 or 14.6(a), Council may by a Two-Thirds (2/3) Resolution of Council appoint any Member who would be eligible to stand for election to be an Executive to fill the office of the Vice President Finance and Administration until (i) a new President is elected by a by-election or an election held in accordance with Bylaw 5, and the prior individual holding such office returns to resume their duties as the Vice President Finance and Administration, or (ii) the remainder of the term attributable to such vacancy, whichever is earlier.

15. FUNDS, BORROWING POWERS, AND INSURANCE

15.1. The funds of the Association shall consist of the following:

- (a) all mandatory fees related to membership in the Association, which shall be collected by BCIT at the time of payment of student fees; and
- (b) all monies received by the Association as a result of the Association- sponsored activities and operated businesses.

15.2. The following rules shall apply to disbursements of the funds of the Association:

- (a) monies to be spent in excess of approved operational and capital budget limits must be approved by resolution signed by a majority of the Council members;
- (b) capital asset acquisitions in excess of \$5,000 must be approved by the Executive and reported to Council; and
- (c) disbursements shall be in the form of cheques drawn on the Association approved bank account duly signed by:
  - (i) the Vice President Finance and Administration or the President; and
  - (ii) the Association Executive Director or the Director of Finance.

15.3. The Council may, on behalf of and for the purpose of carrying out the objectives of the Association, borrow, raise or secure the repayment of such sum or sums of money in such manner and upon such conditions and terms in all respects as the Association may by resolution prescribe, which may include the following measures:

- (a) issuing bonds, perpetual or redeemable debentures, notes, or any mortgage, charge, or other security on the whole or in part of the property or assets of the Association, both present and future, including all fees or membership dues now or hereafter due or payable.

15.4. The Association shall carry sufficient third party liability insurance to adequately insure itself in respect of any injury sustained by any Member or other person participating in any Association activity. The

amount of coverage necessary to satisfy this requirement shall be reviewed and agreed upon each year at the Council budget meeting.

16. AUDITORS

- 16.1. The auditors of the Association shall be appointed at each Annual General Meeting by the Members.
- 16.2. The Association shall be required to change the lead auditor at least once every five (5) years, and shall at all times be subject to the Societies Act's section 113 requirements pertaining to the independence of auditors, as amended from time to time.
- 16.3. The remuneration of the auditors shall be disclosed to the membership prior to their appointment.
- 16.4. The auditors of the Association shall have the right to access at all times all of the books and records of the Association and all of its Clubs.
- 16.5. The auditors shall be entitled to require from any and all Members, Executives, or staff of the Association and its Clubs any explanation as may be necessary in order to properly perform their duties as auditors.
- 16.6. The auditors shall prepare for the Members of the Association a report on the financial statements that are to be presented to the Members at an Annual General Meeting each year, for the fiscal year ending May 31st, such report which shall state whether, in the auditor's opinion:
  - (a) the financial statements fairly reflect, in all material respects, for the period under review, the financial position of BCITSA and the results of its operations;
  - (b) the financial statements were prepared in accordance with generally accepted accounting principles;
  - (c) the financial statements were prepared on a basis consistent with the basis on which the financial statements that related to the preceding period were prepared; and
  - (d) the auditor obtained all the information and explanations required to prepare the report.
- 16.7. If an opinion given by an auditor in a report under Bylaw 16.6 is subject to qualification, the auditor shall state in the report the reasons for such qualification.

17. CLUBS

- 17.1. The Vice President Student Experience shall oversee and provide assistance to all Clubs and report to the Executive Board and Council.
- 17.2. Any group of students proposing to form a Club shall make an application to the Vice President Student Experience through the process outlined in the applicable BCITSA policies and procedures. The Clubs Committee shall review all applications, and shall make recommendations to Council regarding sanctioning based on BCITSA Policies and Procedures and Bylaw 12.9. Council shall, subject to Bylaw 9.10, accept or deny each application on the basis of a majority vote.
- 17.3. Each Club shall be named in such a way that it is clear it is a student organization under the Association and in no way purports to be separate.
- 17.4. Clubs shall:
- (a) be financially transparent and accountable;
  - (b) submit their annual and financial reports to the Vice President Student Experience twenty- one (21) days before BCITSA's Annual General Meeting;
  - (c) pass on the reports to the Vice President Finance and Administration;
  - (d) not establish or maintain bank accounts outside the purview of the Association;
    - (i) if it is determined that a Club is maintaining an outside bank account, that Club shall be subject to a penalty determined by the Clubs Committee, up to and including de-sanctioning;
  - (e) provide to the Executives upon request, and all Executives shall have the right to access, the minutes and reports of all Clubs of the Association;
  - (f) provide to their members upon request, and members of a Club shall have the right to access, the minutes and reports of that Club; and

- (g) acquire, request or otherwise obtain funding strictly in accordance with the policies established and maintained by the Clubs Committee; and
  - (h) secure permission from the Vice President Student Experience prior to organizing or conducting any special functions, fundraising drives or appeals, on or off campus, and shall be fully responsible and liable for any costs or losses incurred in sponsoring such an event.
- 17.5. A Club may be formed upon approval of the Vice President Student Experience to bear the name and to profess the policies of political parties or religious organizations (or comparable organizations) (each, a "**Designated Club**"), subject to the following:
- (a) a Designated Club shall in all respects be subject to the Constitution, Bylaws, Policies, and Procedures of the Association;
  - (b) except as specifically provided by a Two-Thirds (2/3) Resolution of Council, a Designated Club shall not receive funds from any outside organizations;
  - (c) BCITSA shall in no way provide financial assistance for a Designated Club, and shall not be liable in any way for any action of any Designated Club; and
  - (d) the Vice President Student Experience shall be entitled to temporarily suspend any Designated Club that fails to adhere to Bylaws 17.5(a) or 17.5(b), such temporary suspension to be effective until the Council meeting immediately following the next Clubs Committee meeting whereat, subject to Bylaw 9.10, any decision to further suspend or terminate such Designated Club shall be decided by a Two-Thirds (2/3) Resolution of Council.
- 17.6. No BCITSA group or organization shall become or allow it to become an instrument in partisan politics, other than a Designated Club associated with a political party or organization.
- 17.7. Any Club that is not a Designated Club determined by a Two-Thirds (2/3) Resolution of Council to be or have been improperly acting in the interests of a political party or comparable organization may be suspended by such Two-Thirds (2/3) Resolution of Council. A suspended Club may only be restored by a Two- Thirds (2/3) Resolution of Council if Council is satisfied that such Club will

thereafter service the purposes and only the purposes for which it was formed. For greater certainty, Bylaw 9.10 applies to this provision.

- 17.8. The Vice President Student Experience shall review all Clubs on or before the commencement of the last Council meeting taking place prior to year end (being May 31st of any given year), and may at any time make a recommendation to Council that it revoke a sanctioned Club's status for any of the following reasons:
- (a) a Club being defunct;
  - (b) financial misconduct of a Club;
  - (c) a Club is disregarding the purpose for which it is formed; or
  - (d) a Club is disregarding the BCITSA Constitution, these Bylaws, or BCITSA policies and procedures.
- 17.9. No Club shall participate, directly or indirectly, in elections with respect to student offices outside the Club itself, and acceptance by any Student candidate of any Club assistance or support shall render such candidate ineligible for office.
- 17.10. The President of a Club shall:
- (a) at all times act in accordance with and be subject to the BCITSA Bylaws, regulations, policies and/or procedures; and
  - (b) at all times act in accordance with and be subject to applicable Club bylaws, provided that in the event of a conflict between Club bylaws and the BCITSA Bylaws, the BCITSA Bylaws shall govern.

18. RECORDS

- 18.1. The minutes of the meetings of the Association, Council, and Executive Board shall be kept at the offices of the Association at the British Columbia Institute of Technology, 3700 Willingdon Avenue, Burnaby, BC.
- 18.2. The following books, records and documents of the Association may be inspected at no cost by a Member in good standing between the hours of 8:00am and 4:00pm on any Business Day during the academic year of BCIT:
- (a) except as restricted by Bylaw 18.2(d), any annual or monthly financial statements of the Association, any report, letter, account, book, advice or other document or record, in printed or other form, which is in final and not draft form and which has been approved by resolution of the Council or the Executive Board for access by such members;
  - (b) adopted minutes of meetings of the Council;
  - (c) the Constitution and Bylaws of the Association;
  - (d) contracts and agreements, to which the Association is a party, if access by such members has been approved by resolution of the Council or the Executive Board, provided that neither the Council nor the Executive Board shall approve access by such members if the contract or agreement:
    - (i) relates to personal services provided by an individual to the Association;
    - (ii) relates to a relationship of employer and employee between the Association and an individual; or
    - (iii) by its terms requires the Association to preserve its confidentiality in whole or in part; and
  - (e) any other records of the Association that it is required to keep and disclose to Members pursuant to the Societies Act. For records not otherwise expressly accessible under these Bylaws, and where the Act permits exclusion of access by the Bylaws, access may be granted upon a Member's written request by resolution of Council for Council or Committee records, or by resolution of the Executive Board for all other records.

- 18.3. A Member wishing to inspect books, records and documents of the Association pursuant to Bylaw 18.2 shall first make an appointment to do so, provided such appointment time is mutually agreed upon with an authorized representative of the Association and is reasonably convenient for the attendance at such appointment of two members of the Executive Board, the Director of Finance or Executive Director, and the member wishing to make such inspection.
- 18.4. All documents shall be copyright of the Association and shall not be reproduced without express written consent of Council.
- 18.5. Any person may obtain the financial statements of BCITSA by submitting a request to obtain a copy of the financial statements to the Association, together with payment in the amount of \$10. An additional fee of \$0.50 per page may be charged for any request for a hard copy of the financial statements, while an additional fee of \$0.10 per page may be charged for an electronic copy of the financial statements provided by email.
- 18.6. Following a request and the payment of any fees required by any person in accordance with Bylaw 18.5, BCITSA shall promptly, and in no case later than fourteen (14) days following receipt of the request and payment of any associated fees, provide a copy of the financial statements to such person as requested.

19. OFFICERS AND OFFICIAL SEAL

19.1. The Officers of the Association shall be:

- (a) the President;
- (b) the Vice President Finance and Administration;
- (c) the Executive Director; and
- (d) the Director of Finance.

19.2. The Executive Director may provide for a common seal for the Association and may from time to time destroy it and substitute a new seal in its place.

19.3. The common seal for the Association must not be affixed except in the presence of the President or the Vice President Finance and Administration, together with the Executive Director or Director of Finance.

20. DISSOLUTION OF BCITSA

- 20.1. In the event of the proposed dissolution of BCITSA, all funds and assets remaining after the satisfaction of BCITSA's debts and liabilities shall be transferred to BCIT, to be held in trust for and until such time as a new student society is established at BCIT which has similar purposes to those of BCITSA at the time of its dissolution, meets the reasonable criteria of a student society as defined in the College and Institute Act (British Columbia), and is for a charitable purpose (a "**New Student Association**"). Any funds or assets held in trust by BCIT for a New Student Association shall be distributed to the New Student Association at the time of its formation.
- 20.2. In the event a New Student Association or the process described in Bylaw 20.1 does not satisfy the definition of a "qualified recipient" under the new Societies Act, or it is otherwise agreed that a New Student Association is unlikely to be established in the future, any funds or assets remaining after the satisfaction of BCITSA's debts and liabilities shall be transferred to such qualified recipient as may be specified in an Ordinary Resolution of the Association or, if passing an Ordinary Resolution is not feasible, specified in a directors' resolution.

21. EXTERNAL POLICY POSITIONS

- 21.1. The Association, through its Council and Board, may adopt External Policy Positions for the purposes of conducting external advocacy and articulating the values and principles informing such advocacy.
- 21.2. No External Policy Position shall supersede these Bylaws.
- 21.3. An External Policy Position may only be adopted by a Resolution of Council and shall:
- (a) Require a Two-Thirds (2/3) Resolution of Council;
  - (b) Must be proposed by a member of the Advocacy and Policy Committee;
  - (c) Require notice to have been given at a previous meeting;
  - (d) Express support or opposition in relation to a proposed or adopted course of action by an external party; and
  - (e) Specify a date by which it must be reviewed by the Advocacy & Policy Committee.
- 21.4. No person shall engage in external advocacy on behalf of the Association in contravention of any External Policy Positions.
- 21.5. A member of the Association is not engaging in external advocacy when they are acting in their capacity as an elected student member of the BCIT Board of Governors or BCIT Education Council.
- 21.6. In order to provide a uniform presentation style and promote good record-keeping and transparency, all External Policy Positions shall be compiled in a Manual and made available on the BCITSA website. Any proposed, repealed, or expired External Policy Positions may also be included as an appendix.
- 21.7. All External Policy Positions remain in effect, as amended from time to time, until repealed. Amendment or repeal may only occur through a Two-Thirds (2/3) Resolution of Council, for which notice must have been given at a previous meeting.
- 21.8. External advocacy includes the promotion of the External Policy Positions of the Association and is generally conducted by the Executives and staff designated for such purposes.

- 21.9. External advocacy may also be conducted in relation to the following matters, notwithstanding the absence of an External Policy Position:
- (a) Government has requested Student Association feedback;
  - (b) Government is hosting consultation that is open to the public;
  - (c) Legislation directly affecting students, such as the statutes regulating post- secondary education, student financial assistance, employment standards, charities, and registered societies;
  - (d) Policies concerning Association or government programs such as the U-Pass, mental health services, health and dental programs, childcare, or food and beverage operations; and
  - (e) Government policies designed to respond to an emergency or crisis.