



enhancing student life

Annual General Meeting Agenda

Monday November 28th, 2016

5:30pm – 7:30pm

1. Call to Order
2. Acceptance of the Agenda
3. Annual Report by BCITSA President
4. Report on Audited Financial Statements
5. [Click here to see 2015-2016 Financial Statements](#)
6. Auditors Appointment for 2016/2017
7. Governing Documents Revisions
8. Meeting Adjournment

Information Note

BCITSA Draft Bylaws for November 28th 2016 AGM

Preamble

The BC Government has recently updated the Society's Act Legislation, of which BCITSA and all Student Societies in BC are governed under. As these changes come into effect, BCITSA must make some mandatory changes to our governing documents to keep in line with the legislation.

BCITSA took this opportunity to have a substantial review of our Bylaws (not just what is necessary through legislation), and have been working in collaboration with our student executives, staff, and lawyers over the past several months to ensure that our governing documents reflect and adapt to our current practices and structure

Summary of Changes

Below is a summary of the changes made to the Bylaw and Constitution document is included but not limited to:

- Removing points 3 and 4 from the Constitution and placing them in the Bylaws
- A reorganization of Bylaw Sections for ease of reading (Including a new numbering system)
- Clarification of voting threshold for various types of motions of Council
- The addition of an Executive Sub-Committee of Council
- Clarifying the delegation of the powers of Council to the Executive Sub-Committee during the summer months (and the absence of a Council during such time)
- The addition of a Finance Sub-Committee of Council
- Clarification of the role and membership of the Clubs Committee
- The addition of several new definitions for purpose of clarity
- Various grammatical fixes
- Clarifying eligibility requirements for nomination of executives
- Various election bylaw revisions based on recommendations from last year's Election Committee
- Extending the number of years that BCITSA can use the same Auditor from 5 to 10 years
- Moving the responsibility of appointing Residence/International/Aboriginal Councillors from the Chair of Computing and Academic Studies Portfolio to the VP Student Affairs Portfolio

Recommended Approach to Approving Bylaws

The recommended approach to approving these changes at the AGM will be to motion that the entire document be voted on as one single motion. If there is a specific clause in the Bylaws that a member wishes to discuss, or simply to vote separately on, then any member may make a **motion to divide** the motion into two separate motions. This process is outline as a hypothetical situation below:

EX: A member wishes to vote in favor of the new bylaws, but (for whatever reason they may have) objects to having a Finance Committee (Bylaws 12.41, 12.42, and 12.43).

- Once the main motion of approving the new Bylaws is on the floor, the member would then say “I would like to make a **motion to divide** Bylaws 12.41 through to 12.43.”
- This motion needs to be seconded. There is no discussion on a **motion to divide**, other than to amend which bylaws are being divided
- This **motion to divide** will then be voted on, and if passed, we would move back to the original motion of the Bylaw Document (now with the absence of Bylaws 12.41 to 21.43).
- After this main motion is voted on, we would move to the motion of approving/disapproving of the divide bylaws (in this case, the Finance Committee Bylaws)
- Once the divisions have been voted on (passed or failed), there shall be a final motion to consolidate these divided bylaws back into the main Constitution and Bylaw Document. In the case that the Finance Committee motion fails (i.e. the membership decides not to have a Finance Committee), it will simply not be brought into the new bylaws.
- Once that is done, the Bylaw changing process will be complete, and we will move onto the next item in the agenda.

We encourage everybody to look through the new Bylaw Document prior to the AGM as there are many substantial changes, and in the effort of transparency we want to ensure that there are no surprises. Should anybody have any questions about the proposed Bylaw Changes, please feel free to contact any of the following individuals for more clarification.

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| Student
Association

enhancing student life

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

Draft for Annual General Meeting – November 28th, 2016

www.bcitsa.ca

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CONSTITUTION

- 1.1 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**").
- 1.2 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) **"Aboriginal Services"** means the BCIT entity tasked with providing support and resources to First Nations, Inuit, Metis and other indigenous students;
- (b) **"AIC"** shall mean the 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) **"Appeals Committee"** means the committee having the purpose and consisting of the individuals set out in Bylaw 12.23;
- (f) **"ATC"** shall mean the Aerospace Technology Campus, located at 3800 Cessna Drive, Richmond, British Columbia;
- (g) **"BCIT"** shall mean the British Columbia Institute of Technology;
- (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 Policy and Procedure Manual** shall mean the document outlining the policies and procedures of the BCITSA;

- (m) **"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;
- (n) **"BMC"** shall mean the BCIT Marine Campus, located at 265 W Esplanade, North Vancouver, British Columbia;
- (o) **"Burnaby Campus"** shall mean the BCIT campus located at 3700 Willingdon Avenue, Burnaby, British Columbia;
- (p) **"Business Day"** means a day other than a Saturday, Sunday or statutory holiday in the province of British Columbia;
- (q) **"Bylaw Committee"** means the committee having the purpose and consisting of the individuals set out at Bylaw 12.13;
- (r) **"Chair"** shall refer to each Executive that is a representative of a particular school or campus, as follows:
 - (i) Chair of Aerospace Campus;
 - (ii) Chair of the School of Business;
 - (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; and
 - (vii) any other chairs that may be determined from time to time.
- (s) **"Clubs"** shall refer to student organizations that have been sanctioned by the Council, pursuant to the procedures set out in Bylaw 16;
- (t) **"Clubs Committee"** means the committee described in Bylaw 12;
- (u) **"Club Program Coordinator"** means the member of BCITSA staff responsible for supporting BCITSA-sanctioned clubs;

- (v) **"Councillor"** means the appointed Student constituent of each school that sits on the Council;
- (w) **"Council"** means the BCITSA student representatives, being the governing body of BCITSA as further described in Bylaw 6;
- (x) **"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;
- (y) **"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;
- (z) **"Disability Resource Centre"** means the BCIT entity responsible for providing support to students with disabilities;
- (aa) **"DTC"** shall refer to the Downtown Campus, located at 555 Seymour Street, Vancouver, British Columbia;
- (bb) **"EDCO Executive Committee"** means the Executive standing committee of the BCIT Education Council;
- (cc) **"Election Committee"** means the committee having the purpose and consisting of the individuals set out in Bylaw 12.19;
- (dd) **"Executive"** shall refer to a director of the Association, elected by the Members in accordance with Bylaw 5;
- (ee) **"Executive Board"** means the BCITSA board of directors consisting of all of the Executives of the Association;
- (ff) **"Executive Committee"** means the committee having the purpose and consisting of the individuals set out in Bylaw 12.1937
- (gg) **"Executive Director"** means the senior paid staff member responsible for the day-to-day operations of the Association;
- (hh) **"Finance Committee"** means the committee having the purpose and consisting of the individuals set out in Bylaw 12.19;

- (ii) **"Honorary Member"** means a member of the Association that holds full speaking rights at meetings of the Members, but does not have the right to vote in elections, referenda, or meetings of the Members;
- (jj) **"Human Resources Manager"** means the most senior member of the Association's human resources staff;
- (kk) **"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;
- (ll) **"Member"** means a member of the BCITSA who meets the criteria set out at Bylaw 2.1;
- (mm) **"Nominee"** shall have the meaning ascribed to it in Bylaw 5.5;
- (nn) **"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;
- (oo) **"Petition"** shall have the meaning ascribed to it in Bylaw 11.1(b);
- (pp) **"Satellite Campus"** shall refer to any BCIT campus that is not located at the Burnaby Campus, including, without limitation, the Aerospace Campus, the Marine Campus, the Annacis Island Campus and the Downtown Campus);
- (qq) **"Satellite Councillor"** shall refer to students hired as representatives of their respective Satellite Campuses;
- (rr) **"Selection Committee"** means the committee having the purpose and consisting of the individuals set out in Bylaw 12.18;
- (ss) **"Satellite Program Coordinator"** means the member of Association staff responsible for program delivery at the Satellite Campuses;

- (tt) **"Set Representatives"** means the set representatives elected by the Students in accordance with Bylaw 8.1;
- (uu) **"Set Representatives Committee"** means the committee having the purpose and consisting of the individuals set out in Bylaw 12.34;
- (vv) **"Societies Act"** shall mean the *Societies Act* (British Columbia), as the same may be amended from time to time;
- (ww) **"Special General Meeting"** means any meeting of Members held in accordance with these Bylaws other than an annual general meeting;
- (xx) **"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.]
- (yy) **"Student"** shall mean a registered student enrolled at BCIT, whether full time or part time;
- (zz) **"Student Spaces Development Committee"** means the committee having the purpose and consisting of the individuals described in Bylaw 12.8;
- (aaa) **"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;
- (bbb) **"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;

1.2 In these Bylaws, the feminine gender and the plural shall be interpreted as the masculine and the singular and vice-versa, as the context requires.

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 In the event that 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:

- (a) have the right to vote in elections and referenda; and
- (b) the right to run for and hold office in the Association.

2.8 A Member may be expelled from the BCITSA by way of Special Resolution provided that:

- (a) 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 expelled; and
- (b) 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.

2.9 Honorary Members shall be all persons who have been designated as such by a Two-Thirds (2/3) Resolution of Council.

2.10 All Honorary Members shall be considered to be in good standing unless:

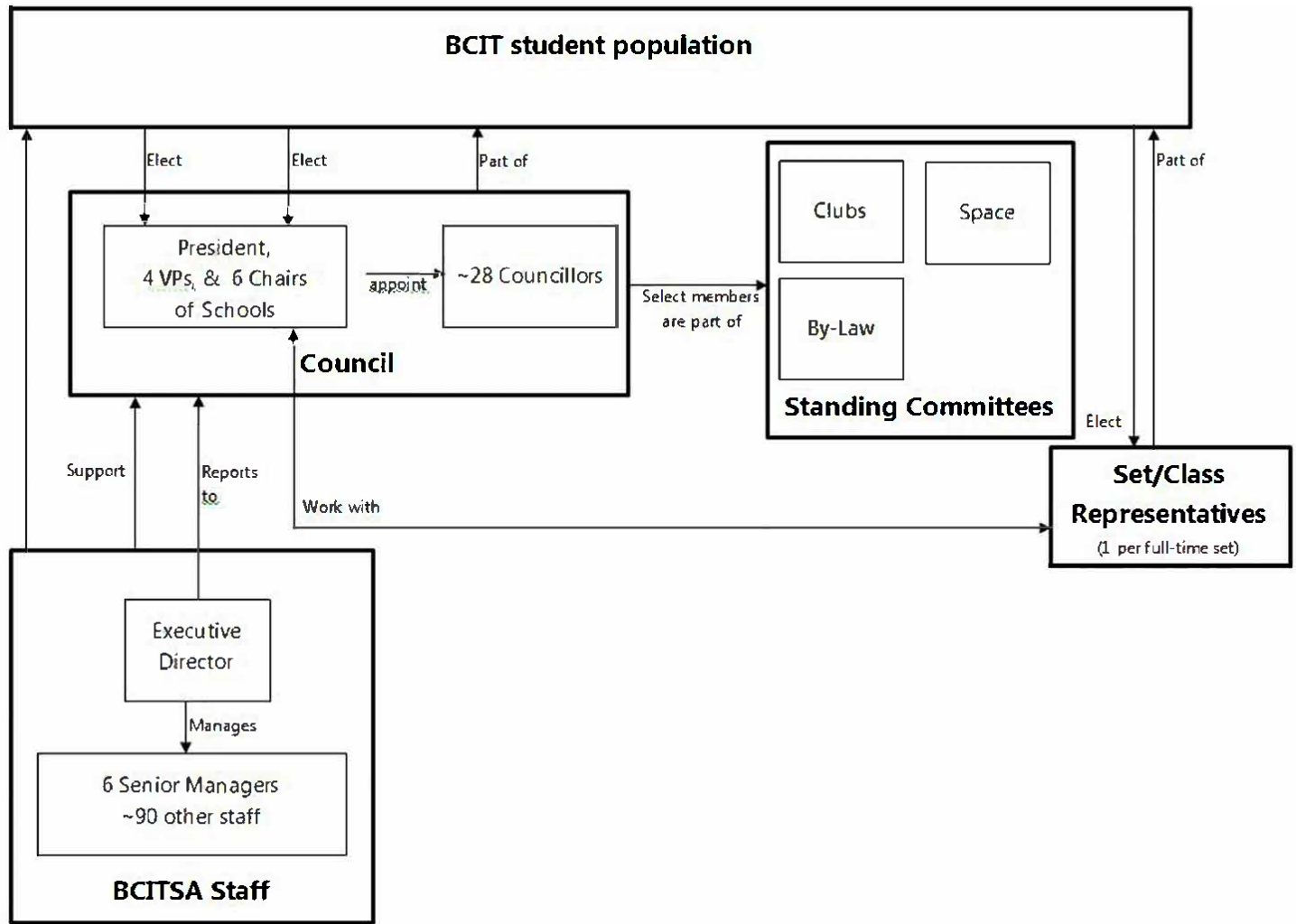
- (a) a Two-Thirds (2/3) Resolution of Council is passed; or
- (b) an Ordinary Resolution is passed,

stating the Honorary Member is no longer in good standing with the BCITSA.

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3. ORGANIZATION CHARTS

3.1



4. EXECUTIVES AND THE EXECUTIVE BOARD

- 4.1 The Executive Board of BCITSA shall consist of eleven Executives, elected by the Members in accordance with Bylaw 5, who shall occupy the following positions:
- (a) President;
 - (b) Vice President Finance & Administration;
 - (c) Vice President Student Affairs;
 - (d) Vice President External;
 - (e) Vice President Campus Life;
 - (f) Chair of the School of Business;
 - (g) Chair of the School of Health Sciences;
 - (h) Chair of the School of Energy;
 - (i) Chair of the School of Transportation, Construction & the Environment;
 - (j) Chair of the School of Computing & Academic Studies; and
 - (k) Chair of the Aerospace Technology Campus (ATC).
- 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 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.
- 4.5 Executives shall be issued a copy of the Constitution and Bylaws by the Vice President Finance and Administration prior to the start of their term in office.

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;
- (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 months of June, July and August;
- (f) attend all orientations as scheduled by the Executive Director;
- (g) be responsible for submitting progress reports on a bi-weekly basis;
- (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 12 credit hours or equivalent per semester, with the exception of the summer semester, for the duration of their term on the Executive Board;
- (j) attend all annual general meetings and Special General Meetings that may take place; and
- (k) 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.

4.7 The following Executives shall be employed by BCITSA during the months of June, July and August ("**Summer Employment**"):

- (a) President;
- (b) one Vice President, selected by consensus of the Vice Presidents from those Vice Presidents who volunteer themselves for Summer Employment;

- (i) should no consensus be reached pursuant to Bylaw 4.7(b), the Vice President shall be selected by majority vote of the Vice Presidents, and in the event of a tie, the tie-breaking vote shall be cast by the President;
- (c) if no Executive accepts Summer Employment with BCITSA, the Vice President Campus Life shall be required to fill the position.

4.8 Executives shall be entitled to receive a monthly honorarium in an amount to be determined by the Executive Director.

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5. ELECTION OF EXECUTIVES

- 5.1 The elections of the Executives shall be conducted annually between the last school week of March and the last school week of April. The date of the election shall be fixed by the Executive Director and the President in conjunction with BCIT not later than the last day of August the year prior to the election.
- 5.2 The CRO shall be appointed by the Selection Committee, shall chair the Election Committee and be responsible for the administration and conduct of all elections, and shall:
- (a) be an ex-officio member of Council during an election period; and
 - (b) 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 opening date for nominations for any given election in the official BCITSA publication, 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;
 - (f) the location and means by which the nomination forms may be submitted to the BCITSA;
- 5.4 Voting stations may be set up with the permission of the Elections Committee for the purpose of encouraging students to vote.
- 5.5 Any Student may nominate another person for an Executive position (each, a "**Nominee**") by submitting a completed nomination package to the CRO within the applicable nomination period.
- 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; and
- (e) any Nominee that is an ATC candidate must be a full-time Student in accordance with BCIT criteria with a minimum of ten (10) months left in his or her 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 described in Bylaw 5.6.

5.8 Campaigning shall begin upon the adjournment of the "all candidates meeting" until the close of the polls, and shall at all time be subject to the following rules and restrictions:

- (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) campaign materials shall endorse only one candidate;
- (d) candidates shall not produce campaign materials similar to those of other candidates in colour, branding, design, or appearance;
- (e) campaign materials shall not bear slogans which are the same or similar to those of other candidates;
- (f) no campaign material, whether in print, electronic, or other format, shall contain any official logo of the BCITSA, BCIT or any likeness thereof;
- (g) members of the Election Committee, the Appeals Committee, and the Selection Committee, as well as all BCITSA staff, shall remain impartial and refrain from discussing

the election publicly and/or online until the results of the election have been announced;

- (h) candidates who are BCITSA employees or volunteers shall not be permitted to campaign during their working hours;
- (i) except in cases of self-endorsement, no current Executive or BCITSA employee shall publicly endorse any candidate;
- (j) candidates shall not solicit endorsements from any Executive;
- (k) no candidate may incur campaign costs and expenses in excess of an aggregate of seventy-five dollars (\$75.00) plus tax;
- (l) no Club shall endorse any candidate for election;
- (m) 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 businesses shall not constitute the use of Association funds provided that such discounts are available to all candidates);
- (n) any and all corrupt practices, including, without limitation, bribery, treating, undue influence, personation, aiding or abetting, shall be prohibited;
- (o) 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 business shall not constitute an in-kind donation provided that such discounts are available to all candidates);
- (p) all campaign materials must be taken down from all buildings by 5:30pm on the day after the release of election results.

5.9 Any candidate determined by the Election Committee to be in breach of Bylaws 5.8(a), (b) or (n) shall be disqualified .

5.10 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;
- (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.

5.11 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.

5.12 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 seem 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.

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;
 - (ii) Councillors from the School of Health Sciences;
 - (iii) Councillors from the School of Energy;
 - (iv) Councillors from the School of Transportation, Construction & the Environment;
 - (v) Councillors from ATC and DTC;
 - (vi) one Satellite Councillor from each of AIC, BMC, and DTC;
 - (vii) International Student Councillors;
 - (viii) Residence Student Councillor; and
 - (ix) Aboriginal Student Councillor.

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:
 - (i) have full control of all activities under the Association;
 - (ii) have the power to recommend amendments to the Bylaws concerning powers and duties of the Association, all officers, committees and clubs;
 - (iii) have the power to prescribe matters of procedure which are not provided for in the Constitution, Bylaws or the Societies Act;
- (c) conduct all meetings of the Association in accordance with Robert's Rules of Order;

- (d) receive, administer, and have audited all monies that may be placed in the custody of or may become the property of the Association;
- (e) oversee all services offered by the Association to its Members;
- (f) be able to alter, modify, overrule or set aside any action of officers, committees, or clubs to whom powers may have been conferred by the Constitution or these Bylaws; and
- (g) 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).

6.3 Members 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 12.38(a).

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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 Satellite Councillors) for every three-hundred (300) full-time Students, calculated based on enrollment figures as of September 15th of the relevant academic year;
- (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, not including their respective Satellite Councillors;
- (d) each Councillor shall be selected by the School Chair or Satellite Councillor, as applicable, and is accountable to them;
- (e) it is intended that the selection of Councillors if possible reflect the make-up of students within the School or Satellite Campus they are chosen from; and
- (f) the Residence Student Councillor, Aboriginal Student Councillor and International Student Councillor shall be selected by the Vice-President, Student Affairs.

7.2 Councillors shall be appointed in accordance with Bylaw 7.1, and shall:

- (a) be entitled to participate fully in all Council meetings, which may include proposing motions and voting on any motion coming before Council;
 - (i) ATC Councillors shall be entitled to alternate their participation in all Council meetings at the Burnaby Campus such that one ATC Councillor is present at each such meeting and are required to attend the annual general meeting and Special General Meetings;
- (b) provide direct communication between the Council and their respective schools and community (i.e. students, faculty, and staff);
- (c) assist other Council members in the performance of their duties;
- (d) sit on at least one Association or BCIT committee as requested, and attend all Council meetings;

- (e) receive a meeting fee for each meeting attended;
- (f) 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;
- (g) attend all annual general meetings and Special General Meetings.

7.3 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) act as ex-officio member of all committees of the Association should the President see fit;
 - (iii) present 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 his or her duties in accordance with these Bylaws;
 - (vi) sit, or be represented, on all committees struck by the Association, 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, the representatives, and appointees, as he or she deems 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;
 - (xiii) be responsible for all BCITSA employees; and
 - (xiv) 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) preside as chair of the Bylaw Committee (see Bylaw 12);
 - (vi) preside as chair of the Finance Committee (see Bylaw 12);
 - (vii) be responsible for assisting the Chairs in their responsibilities;
 - (viii) be responsible for managing the budget process, and ensuring the budget is presented to Council for approval by May 15th of each year;

- (ix) obtain and evaluate monthly financial reports for the Association;
 - (x) be responsible for the closing of the fiscal year;
 - (xi) read the annual financial report at the annual general meeting;
 - (xii) be responsible for ensuring that appropriate controls are in place for the disbursement of all funds;
 - (xiii) be responsible for overseeing the negotiations and contractual agreement with the BCITSA health and dental service provider;
 - (xiv) act as one of the Student co-signatories on Association cheques;
 - (xv) ensure that Executive progress reports are received from Executives on time.
- (c) 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) 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 Board;
 - 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 educational policies;

- (vii) in consultation with the Executive Board, and subject to the approval of Council, be responsible for the preparation of any briefs, discussions, or negotiations with respect to higher education prior to their submission to the municipal and/or provincial governments;
 - (viii) serve as liaison with the BCIT Alumni Association.
- (d) Vice President Student Affairs shall:
- (i) be responsible for handling student issues and concerns;
 - (ii) liaise with BCIT on all matters affecting Student life at BCIT;
 - (iii) act as the BCITSA representative on the Decision Review Board, when applicable;
 - (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, sit on the Selection Committee for Student elections;
 - (vi) liaise with Satellite Councillors;
 - (vii) liaise with Aboriginal Services;
 - (viii) liaise with International Student Services;
 - (ix) liaise with Disability Resource Centre;
 - (x) petition and appoint the Residence Student Councillor, Aboriginal Student Councillor, and International Student Councillor, having sought the input of BCIT Housing, Aboriginal Services, and International Student Services, respectively;
- (e) The Vice President Campus Life shall:
- (i) keep membership informed, through representatives, of extra-curricular activities;
 - (ii) serve as orientation coordinator for the September intake, subject to availability;
 - (iii) oversee and provide assistance to all Clubs and report to the Executive and Council with respect thereto;
 - (iv) be chair of the Clubs Committee (see Bylaw 9);

- (v) liaise with BCIT Recreation Services;
- (vi) Liaise with BCIT Housing;
- (f) The Chairs shall:
 - (i) chair applicable Set Representatives Committee meetings as scheduled in accordance with Bylaw 12.36;
 - (ii) liaise with BCIT to ensure that Set Representatives are elected and trained;
 - (iii) act as a liaison between Council and their respective schools;
 - (iv) express the viewpoint of their respective schools at Executive or Council meetings;
 - (v) provide direction to BCITSA members in the following areas:
 - 1. issues relating to instructors;
 - 2. access to administration; and
 - 3. access to Executives;
 - (vi) petition and appoint Councillors from the membership of their respective schools and submit the list of Councillors to the Vice President Finance and Administration by the second Council meeting;
 - (vii) maintain an equal balance of first, second, third, and fourth year Councillors;
 - (viii) in the event an uneven number of Councillors represent a certain school, the Chair of that school shall decide if the additional Councillor will be from the 1st, 2nd, 3rd or 4th year.

7.4 Satellite Councillors shall be appointed by the BCITSA Human Resources Department in conjunction with the BCITSA Executives, and shall be hired for a term not to exceed one academic year.

7.5 Satellite Councillors shall:

- (a) be appointed pursuant to Bylaw 7.4;

- (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 the Executive Director or any designee thereof;
- (d) provide direct communication between the Council and their respective Satellite 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;
 - (i) failure to abide by the Constitution, Bylaws or any regulation of the Association shall lead to a verbal warning, followed by a written warning, before being terminated from the position of Satellite Councillor;
 - (ii) serious offences by a Councillor are subject to immediate termination.
- (g) attend annual general meetings and Special General Meetings;
- (h) chair applicable Set Representatives Committee meetings as scheduled in accordance with Bylaw 12.36;
- (i) provide bi-weekly reports to the Vice President Student Affairs with respect to matters of interest at their respective campuses, including reference to any student issues or requests that have arisen;
- (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 including the Satellite Program Coordinator;
- (l) act as a liaison between Council and their respective Satellite Campus;
- (m) express the viewpoint of their respective Satellite 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;
 - (iii) access to Executives;
- (o) in the cases of ATC and DTC, petition and appoint Councillors from the membership of their respective Satellite Campuses and submit the list of Councillors to the Vice President Finance and Administration no later than the second Council meeting in September.

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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 Satellite Councillor, as applicable;
 - (b) report to the Chair or Satellite Councillor that represents the set/class 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 12.34;

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 bi-weekly 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 Satellite 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 meeting attendance honorarium [in an amount determined by the Executive Director]. For greater clarity, this provision does not refer to or include Satellite Councillors.
- 9.8 Councillors shall attend all Council meetings, subject to the following exceptions:
- (a) if an Executive is required to be absent for a reasonable cause, he or she shall, prior to the meeting, submit a written request to skip the meeting to the chair of such meeting;
 - (i) if an Executive misses more than two consecutive Council meetings, the President may, at his or her sole discretion, deduct fifty percent (50%) of such Executive's honorarium for the month after the absences occurred.
 - (b) if a Councillor is required to be absent for a reasonable cause, he or she shall, prior to the meeting, submit a written request to skip the meeting to the Chair representing the same school as the Councillor or, in the case of the Residence Student Councillor,

International Student Councillor, and Aboriginal Student Councillor, to the Vice-President, Student Affairs;

- (i) If a Councillor misses more than three consecutive Council meetings, the chair of the Council meeting may, at his or her sole discretion, put the matter to Council.
- (c) if a Satellite Councillor is required to be absent for a reasonable cause, he or she shall, prior to the meeting, submit a written request to the Vice President Student Affairs.
- (i) if a Satellite Councillor misses more than two consecutive Council meetings, the President may, at his or her sole discretion, put the matter to Council.

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.

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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 of 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 thirteen (13) 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];
 - (b) published in the official BCITSA magazine; and
 - (c) 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 period beginning immediately after the end of the preceding financial year and ending not more than six (6) months before the annual general meeting at which the financial statements are to be presented; 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 his or her 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 read a report on the audited financial statements for the previous fiscal year; and
- (b) the President shall read a report on BCITSA activities for the previous fiscal year.

10.7 Quorum at the Annual General Meeting shall be three (3) 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;
 - (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.
- 10.12 Bylaw 9.8(c)(i) will also apply for annual general meetings.

11. SPECIAL 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 thirty (30) 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 thirteen (13) 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];
 - (b) published in the official BCITSA magazine; and
 - (c) posted on the BCITSA website.
- 11.4 Quorum at a Special General Meeting shall be three (3) 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 Bylaw 9.8 will also apply for Special General Meetings.

12. COMMITTEES

Clubs Committee

- 12.1 The Clubs Committee shall, 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, and shall consist of the following individuals:
- (a) the Vice President Campus Life, as chair;
 - (b) the Vice President Student Affairs, as vice-chair;
 - (c) three Councillors, to be appointed by Council; and
 - (d) the Executive Director or any designee thereof, in a non-voting capacity.
- 12.2 if the Vice President Campus Life is unable to chair the Clubs Committee, Vice President Student Affairs will chair the Clubs Committee.
- 12.3 The Clubs Committee shall meet at least every month during the academic year (September to May) to discuss club funding, and any issues related to Club activities and events affecting Student life.
- 12.4 Emergency Clubs Committee meetings may be held at the call of the Vice President Campus Life by providing 24-hour notice to the Clubs Committee members.
- 12.5 The Clubs Committee shall make best efforts to co-operate with each other to best achieve the Clubs goals. If the Clubs Committee cannot reach consensus on a matter, the Clubs Committee members in attendance at a Clubs Committee meeting may resolve the issue by majority vote.
- 12.6 The Vice President Campus Life shall report at Council meetings following each Clubs Committee meeting any appropriate information. If the Vice President Campus Life cannot attend at the Council Meeting to make a required report, Vice President Student Affairs will report at the Council Meeting.
- 12.7 The Clubs Committee shall grant or deny, as it sees fit and in its sole discretion, any funding requests submitted by the Clubs on a monthly basis.

Student Spaces Development Committee

- 12.8 The Student Spaces Development Committee shall, with respect to all BCITSA space development, facilitate design development decisions as they pertain to spaces owned or acquired by BCITSA, and shall consist of the following individuals:
- (a) the Chair of School of Construction, as chair;
 - (b) two Executives, one of which shall be appointed vice-chair by the Chair of School of Construction;
 - (c) four Councillors; and
 - (d) the Executive Director or designee thereof, in a non-voting capacity.
- 12.9 The Student Spaces Development Committee shall meet at least once a month to discuss any issues related to BCITSA space development.
- 12.10 Emergency Student Spaces Development Committee meetings may be held at the discretion of the chair of the Committee by providing 24-hour notice to the Student Spaces Development Committee members.
- 12.11 The Student Spaces Development Committee shall make best efforts to co-operate with each other to best achieve the Student Spaces Development Committee goals. If the Student Spaces Development Committee is unable to reach consensus on a matter, the Student Spaces Development Committee members in attendance at a meeting of the committee may resolve the issue by majority vote.
- 12.12 The chair of the Student Spaces Development Committee, or a Committee member designated thereby, shall report at Council meetings following each Students Spaces Development Committee meeting any appropriate information.

Bylaw Committee

- 12.13 The Bylaw Committee shall conduct an annual review of BCITSA's bylaws, and shall consist of the following individuals:
- (a) the Vice President Finance and Administration, as chair; and
 - (b) a minimum of two additional members of Council.

- 12.14 The Committee shall meet at least bi-monthly to discuss any necessary amendments to the bylaws of the Association. Emergency meetings may be held at the discretion of the chair by providing 24-hour notice to the members of the Bylaw Committee.
- 12.15 The Bylaw Committee shall make best efforts to co-operate with each other to best achieve the Bylaw Committee's goals. If the Bylaw Committee is unable to reach consensus on a matter, the Bylaw Committee members in attendance at a meeting of the committee may resolve the issue by majority vote.
- 12.16 The chair of the Bylaw Committee, or a Committee member designated thereby, shall report at Council meetings any proposed amendments to the bylaws.
- 12.17 The Bylaw Committee shall prepare such documents as are necessary to propose any amendments agreed upon pursuant to Bylaw 12.15 at the Association's annual general meeting and/or Special General Meeting(s), and shall take all such further steps or actions necessary or desirable to effect any amendment of these Bylaws that is authorized and approved by resolution at such meeting.

Selection Committee

- 12.18 The Selection Committee shall be responsible for appointing members of the Election Committee and the Appeal Committee, and shall consist of the following individuals:
- (a) Vice President Student Affairs;
 - (b) One current Executive to be appointed by the Executive Board;
 - (c) Two senior staff members of the Association designated by the Executive Director, 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 Affairs 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 12.18(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.
 - (i) No Student 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 12.18(d) and (e), Student Councillors may also be appointed to the Executive seats on the Selection Committee, subject to the procedures and restrictions of this Bylaw.

Election Committee

12.19 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:

- (i) Chief Returning Officer; and
- (ii) Two (2) Deputy Returning Officers;

subject to the following restrictions:

- (b) members of the Election Committee shall:
 - (i) not be a current Executive or member of Council;
 - (ii) not have been an Executive or member of Council in the 12 months prior to their appointment; and
 - (iii) not be eligible to stand for election as an Executive;

12.20 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.
- (b) attend a training session organized by the Executive Director or any designee thereof.

12.21 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 12.31 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) will hear all election-related complaints filed during the election period;
- (e) be entitled to consult on administrative matters with:
 - (i) the Human Resources Manager; and/or
 - (ii) the Vice-President Student Affairs, provided that he or she is 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.

12.22 During the time period beginning June 1st and ending September 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) Vice President Student Affairs; and
- (c) the Executive Director or any designee thereof.

Appeals Committee

12.23 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 48 hours of the close of nominations for an election or by-election.

12.24 In the event the Selection Committee determines that an appointed Appeals Committee member is unable to perform his or her 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.

12.25 The Selection Committee may conduct interviews of potential appointees to the Appeals Committee at any time prior to the close of the applicable nominations.

12.26 One member of Council shall be present [at all meetings] of the Appeals Committee as an observer only.

12.27 Each member appointed to the Appeals Committee shall perform the duties of the Appeals Committee from his or her date of appointment until the completion of the election or by-election for which he or she was appointed.

- 12.28 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.
- 12.29 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.
- 12.30 An appeal of a decision made by the Election Committee must be received by the Appeals Committee not later than 24 hours after the decision of the Election Committee is issued.
- 12.31 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.
- 12.32 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.
 - (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 and the Complainant before the Appeals Committee;
- (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 12.21(a). 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 48 hours of the filing of the appeal with all parties present;
- (vi) if all parties are unable to be present within the 48 hour deadline described in Bylaw 12.32(d)(iv), 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.

12.33 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.

Set Representatives Committees

12.34 Set Representatives Committees shall be formed for each school or Satellite Campus for the purpose of facilitating a structure for communication between Chairs/Satellite Councillors and their respective Set Representatives, each Set Representatives Committee which shall consist of all of the Set Representatives from the applicable school or Satellite Campus.

12.35 Each Set Representatives Committee shall be chaired by the Chair of such school or Satellite Campus, as the case may be.

12.36 Each Set Representatives Committee shall have monthly meetings. If a Set Representative will be absent, he or she shall designate another Student to attend the committee meeting in his or her place.

Executive Committee

12.37 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 Satellite Councillors, as non-voting members.

12.38 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;
- (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.

12.39 Voting members of the Executive Committee shall be entitled to one vote on any motion coming before it.

12.40 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 for information purposes only.

Finance Committee

12.41 The Finance Committee shall be formed as a standing committee to facilitate the oversight and effective financial operations of the Association, and shall consist of the following individuals:

- (a) Vice President Finance and Administration, as chair;
- (b) one Executive, as vice-chair, as appointed by Council; and
- (c) two Councillors, as appointed by Council.

12.42 The Finance Committee shall:

- (a) review the monthly financial statements of the Association on a monthly basis;
- (b) ensure the transparency of, and facilitate access to, all of the financial documents of the Association with respect to the Members;
- (c) review the annual budget of the Association within a reasonable time prior to the presentation of such annual budget at the Annual General Meeting.

12.43 Failure by the Finance Committee to review the annual budget of the Association prior to the Annual General Meeting in accordance with Bylaw 12.42 shall not relieve any party of its duty to prepare and present the annual budget of the Association at such meeting in accordance with these Bylaws, and shall not invalidate such presentation in any way.

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;
- (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, in person, 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.

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14. REMOVAL AND REPLACEMENT OF EXECUTIVES

- 14.1 An Executive who intends to resign as a director of the Association shall give his or her 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 his or her capacity as an Executive, or in the case of an Executive-elect, if he or she fails to pass the academic term immediately preceding assuming office as an Executive;
 - (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 his or her duties as Executive in accordance with these Bylaws.
- 14.4 In the event of 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. This by-election shall take place no later than 30 days after the position becomes vacant;
 - (b) any Executive other than the President, a temporary successor shall be selected in accordance with Bylaw 14.4(b) until a by-election can be held for the position. This by-election shall take place no later than 30 days after the position becomes vacant.

Temporary successors for all Executives other than the President shall be selected according to the following priority:

- (i) by and from the Councillors of the Schools directly associated with the office in question;
- (ii) by the Council.

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15. FUNDS

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

- (a) all fees for admission to 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 Controller.

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 auditors at least once every ten (10) years.
- (a) In addition, the Association shall also be required to change the lead auditor at least once every five (5) years.
- 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 Member 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. BORROWING POWERS

- 17.1 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, and in particular by way of the issue of 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.

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18. INSURANCE

- 18.1 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 required to satisfy this Bylaw shall be reviewed and agreed upon each year at the Council budget meeting.

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19. CLUBS

- 19.1 The Vice President Campus Life shall oversee and provide assistance to all Clubs and report to the Executive Board and Council.
- 19.2 Any group of students proposing to form a Club shall make an application to the Vice President Campus Life through the process outlined in the BCITSA Policy and Procedure Manual. Council shall review all applications and shall accept or deny each application on the basis of a majority vote.
- 19.3 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.
- 19.4 Clubs shall:
- (a) be financially transparent and accountable;
 - (b) submit their annual and financial reports to the Vice President Campus Life 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 only in accordance with the policies established and maintained by the Clubs Committee;
 - (h) secure permission from the Vice President Campus Life 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;

- 19.5 A Club may be formed upon approval of the Vice President Campus Life 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, and rules 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 Campus Life shall be entitled to temporarily suspend any Designated Club that fails to adhere to Bylaws 19.5(a) or 19.5(b), such temporary suspension to be effective until the next Council meeting whereat any decision to further suspend or terminate such Designated Club shall be decided by a Two-Thirds (2/3) Resolution of Council.
- 19.6 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.
- 19.7 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.
- 19.8 The Vice President Campus Life 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 or these Bylaws.

19.9 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.

19.10 The President of a Club shall:

- (a) at all times act in accordance with and be subject to the BCITSA Bylaws and/or regulations; 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.

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20. SEAL OF THE ASSOCIATION

- 20.1 The Executive Director may provide for a common seal for BCITSA and may from time to time destroy it and substitute a new seal in its place.
- 20.2 The common seal for BCITSA must not be affixed except in the presence of the President or the Vice President Finance and Administration, together with the Association Executive Director or Controller.

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21. RECORDS

- 21.1 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.
- 21.2 The following books, records and documents of the Association may be inspected at no cost by a Student of the Association in good standing at the Association's office between the hours of 8:00am and 4:00pm on any Business Day during the academic year of BCIT:
- (a) except as restricted by Section 21.2(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 thereto by such members;
 - (b) adopted minutes of meetings of the Council;
 - (c) the Constitution and Bylaws of the Association; and
 - (d) contracts and agreements, to which the Association is a party, if access thereto by such members has been approved by resolution of the Council or the Executive, except that neither the council nor the Executive shall approve access thereto 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.
- 21.3 A Member wishing to inspect books, records and documents of the Association pursuant to Section 21.2 shall first make an appointment to do so in person at the offices of the Association, 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 Controller or Executive Director, and the member wishing to make such inspection.

- 21.4 All documents shall be copyright of the Association and shall not be reproduced without express written consent of Council.
- 21.5 Any person may obtain the financial statements of BCITSA by delivering a request to obtain a copy of the financial statements to the Association's main office, together with a cheque or cash 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.
- 21.6 Following a request and the payment of any fees required by any person in accordance with Section 21.5, BCITSA shall promptly, and in no case later than 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.

22. DISSOLUTION OF BCITSA

- 22.1 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.
- 22.2 In the event a New Student Association or the process described in Bylaw 22.1 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.

23. GENERAL

- 23.1 The operations of BCITSA are to be carried on at BCIT, located in Burnaby, British Columbia.
- 23.2 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.
- 23.3 Any amendments to the BCITSA Constitution or Bylaws must be approved by the members of the Association at an annual general meeting or a Special General Meeting in accordance with Bylaws 10 or 11, respectively.

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