

By-Laws

St. Francis Xavier University Students' Union

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Part 1: Definitions

Unless otherwise defined in the By-Laws, the following definitions should be used to interpret the By-Laws.

Business Day – A day that the University is open for regular business. This shall include each weekday (Monday through Friday) excluding holidays, or days on which campus is closed. A business day begins at 8am and ends at 5pm.

The Union – The St. Francis Xavier University Students' Union

Member – Any ordinary or honorary member of the Union.

Ordinary Member – A registered student at St Francis Xavier University who pays Students' Union Fees if set out in the annual budget of the Union.

The Board and/or Board of Directors – The Board of the St. Francis Xavier University Students' Union.

Director(s) – The elected member(s) of the Board of Directors.

Voting Director – A Director who is permitted to vote on Board matters as stipulated in the Board Structure section of the by-laws.

President – The duly elected President and Chief Executive Officer of the St. Francis Xavier University Students' Union.

Vice President Academic – The duly elected Vice President of the St. Francis Xavier University Students' Union.

Chair and/or Chair of the Board – The Office of the Chair of the St. Francis Xavier University Students' Union Board of Directors.

Deputy-Chair – The Deputy-Chair of the St. Francis Xavier Students' Union Board of Directors.

General Manager – The General Manager of the St Francis Xavier University Students' Union.

Elected Student Representative - Any member who was elected to their position by the membership of the Union (or a respective constituency), in accordance with the regulations in the by-laws and policies of the Union. This includes, but is not limited to the President, elected Vice-President(s), Directors of the Board, Student Senators, and Board of Governors Representatives.

University – The University shall refer to St. Francis Xavier University.

Part 2:By-Laws

General

1. The By-laws are superseded only by the Act of Incorporation and Constitution, and shall take precedence over any and all rules, policies, regulations, or decisions created by the Union.
2. **The Union shall not adopt any policies, regulations, rules or decisions that are contrary to the Act, Constitution, or Bylaws.**
3. The By-laws shall be amended only by a referendum of the Union membership or at the Annual General Meeting in accordance with the amendment procedures of the bylaws. In exceptional circumstances, when the by-laws are found to be in direct conflict with legislation passed by the Province of Nova Scotia, or Government of Canada, the Board may amend the By-law or By-laws in question in accordance with the procedures outlined in this By-Law.
4. The Union shall not obtain membership of any organization or enter into contract or agreement with any individual or organization, if such membership or contract or agreement shall supersede the By-laws, Constitution, or Policies of the Union.

Superseding Clause

5. These By-Laws supersede all previous By-Laws of the Union.
6. All previous By-Laws of the Union are repealed.

Part 3:Membership

General

1. There shall be two categories of membership:
 - a. Ordinary Membership
 - b. Honorary Membership

Ordinary Membership

2. All registered students at St.F.X. University are ordinary members of the Union.
3. Ordinary members may be required to pay a Students' Union Fee, set out in the annual budget of the Union.
4. Ordinary membership entitles a member to access any Union services, subject to restrictions laid out in the by-laws and policies of the Union.
5. Ordinary members have the right to vote in Union elections, subject to restrictions laid out in the voting policy.
6. Ordinary membership ceases when an individual is no longer a registered student at the University.

Honorary Membership

7. Honorary membership shall only be granted to individuals or groups by a two-thirds (2/3) vote of the Board.
8. Honorary membership may be awarded to individuals or groups who have contributed significantly to the success of the Union.
9. Honorary membership does not entitle a member to access any Union services.
10. Honorary members shall not be eligible to vote in any Union Election or Referenda.
11. Honorary membership shall not cease unless such membership is revoked by a 2/3 vote of the Board.

Board Structure By-Law

Board Structure

1. The members of the Board shall be as follows:
 - a. The Chair of the Board (non-voting, except in the case the Chair's vote would break a tie, or a vote by secret ballot)
 - b. The Deputy Chair of the Board (non-voting)
 - c. Four (4) General Directors, elected by the student body-at-large (voting)
 - d. Four (4) constituency Directors, elected by specific constituencies (voting)
 - i. Indigenous Students
 - ii. Students of African Descent
 - lii. International Students
 - iv. Open Constituency
 - e. The President and Chief Executive Officer of the Union (non-voting)
 - f. The Vice-President Academic of the Union (non-voting)

Terms of Office

2. Each General Director shall serve a term of two (2) years.
 - a. Two (2) General Directors shall be elected to their terms each year.
3. Each Constituency Director shall serve a term of one (1) year.
 - a. Please refer to the Constituency Directors policy

Selecting Constituencies

4. : The board shall conduct a review of the open constituency every year at the Board meeting preceding the Annual General Meeting.
 - a. ****In this review****, the Board is required to consider:
 - i. The state of diversity within the Board,
 - ii. The demographics of the Union membership,
 - iii. The desires of the Union membership,
 - iv. The ability of the Union to clearly identify members of the proposed constituency.
5. Following such a review, The Board shall decide **which constituency or constituencies** shall exist, if any, by majority vote.
 - a. Should The Board decide to not fill the open constituency director position, the seat shall be allocated to the general membership to decide at the Annual General Meeting.
 - b. Any proposed constituencies put forth at the Annual General Meeting must be approved by 2/3 majority vote of the Board at the Board meeting following the Annual General Meeting.
6. The Board may not create any constituency which conflicts with the Union's Core Values, the laws of the country of Canada, or the laws of the Province of Nova Scotia.

Chair of the Board

1. The Chair of the Board of Directors is a specially empowered director with the authorities and responsibilities as outlined in these by-laws and in the policies of The Union.
2. The Chair shall remain neutral on all matters brought before the Board of Directors, and during all elections.
3. The Chair shall maintain custody and keep good record of all governing documents of the Union.

4. In the event that the position of Chair becomes vacant, the Deputy Chair may act as Chair until such a time when another Chair is selected in a process determined by the by-laws and policies of the Union.
5. The duties of the Chair will be determined from time to time by the Board.

Deputy Chair of the Board

1. The Deputy Chair shall act as the recording Secretary of the Board.
2. The Deputy Chair shall remain neutral on all matters brought before the Board of Directors, and during all elections.
3. The Deputy Chair will carry out the Chair's duties in their absence.
4. While carrying out the duties of the Chair, the Deputy Chair will observe and adhere all policies and guidelines that the Chair would normally adhere to.
5. In the event that the position of Deputy Chair becomes vacant, the Chair shall assume the duties of the Deputy Chair until such a time when another Deputy Chair is selected in a process determined by the by-laws and policies of the Union.
6. The duties of the Deputy Chair will be determined from time to time by the Board.

President and Chief Executive Officer

1. The President and Chief Executive Officer shall be elected by the membership annually in accordance with the bylaws and policies of the Union related to elections.
2. The President must remain a member of the Union for the duration of their term.
3. The President shall be responsible for the general oversight and management of the daily operations of the Union and advancing the interests of the Union; and, for achieving the objectives determined by the Board of Directors.
4. The President shall be the official representative and spokesperson for the Union; this duty may be delegated.
5. The President shall report directly to the Board of Directors; in between board meetings however, the President shall consult with the Chair on the day-to-day affairs of the Union.
6. The President shall sign an Oath of Office prior to assuming their duties, to be set from time to time by the Board of Directors.

Vice President Academic

1. The Vice President Academic shall be elected by the membership annually in accordance with the bylaws and policies of the Union related to its elections.
2. The Vice President Academic must remain a member of the Union for the duration of their term.
3. In the absence of the President, the Vice President Academic shall assume the duties and responsibilities of the Chief Executive Officer until the duly elected President returns or an election is called.
4. The Vice President Academic shall deal with all matters of an educational or academic nature.
5. The Vice President Academic shall report directly to the Board of Directors, however in between board meetings, the Vice President Academic shall report directly to the President.
6. The Vice President Academic shall sign an Oath of Office prior to assuming their duties, to be set from time to time by the Board of Directors.

Removal

1. An elected student representative shall be removed from office upon:
 - a. The representative resigning from their office by delivering a signed statement of resignation to the Chair of the Board. The signed statement is effective immediately and cannot be revoked.
 - b. A representative on the Board of Directors being absent from three (3) consecutive Board Meetings.
 - c. The delivery of a signed petition to the Chair of the Board in the format outlined in the policies of the Union. It must consist of the signatures and student ID numbers of at least fifteen percent (15%) of current members the representative represents, collected over a period of thirty (30) days;
 - d. Being found by a competent authority to be of unsound mind;
 - e. The conviction of an indictable offence in a court of law.
 - f. The representative dies.
2. Missing three (3) Board Meetings over the course of a fiscal year (non-consecutive) without approval from the Chair may result in removal from office at the Chair's discretion.
3. The Board may remove any elected student representative through the procedure outlined in the policies of the Union and by a two-thirds (2/3) vote in favor if they are found to be in violation of the Board's code of conduct, or any of the Union's policies or by-laws. Elected student representatives who have been removed due to this breach may not be eligible for employment with the Union for up to a period of eighteen (18) months.

Board of Directors Procedures

Calling Board Meetings

1. Regular Meetings of the Board shall take place a minimum of once a month, from September to April, and can be called by two methods:
 - a. The Chair of the Board may schedule a Regular Board Meeting with one (1) week public notice.
 - b. The Board of Directors may schedule a regular Board meeting by majority vote with one (1) week public notice.
2. A Special Board Meeting can be called by three methods:
 - a. A request for a Special Board Meeting, clearly stating the topics to be discussed, signed by two voting members of the Board, can be submitted to the Chair of the Board.
 - b. The President may submit a request for a Special Board Meeting, clearly stating the topics to be discussed, to the Chair of the Board.
 - c. A petition to call a Special Board Meeting may be submitted to Chair, clearly stating the topics to be discussed, signed by at least five (5) percent of the Union membership.
 - d. Upon receipt of such a request, the Chair of the Board must convene a Special Board Meeting no less than two (2) business days, and no more than seven (7) business days following the receipt of the request. Two (2) days' notice of Special Board Meetings may be waived by a two-thirds (2/3) majority of Directors.

Board Procedures

3. The quorum for any Board Meeting shall be a two-thirds (2/3) majority of the voting members of the Board.
4. Board Meetings shall be run in accordance with the by-laws and policies of the Union. When the Board Procedures Policy does not provide direction on a procedural issue, or no such policy is in force, the Chair shall refer to the current edition of Roberts Rules of Order.
5. All Board Meetings will be open to all members of the Union, and invited guests, unless the Board enters an in-camera session by two thirds (2/3) vote.

Accessibility

6. The Board shall make every effort to hold Board Meetings in a place accessible to any student as defined by the Accessibility policy.

Standing Committees of the Board

The composition of the standing committees of the Boards and their specific purview shall be outlined in the policies of the union.

By-Law and Policy Committee

1. The By-Law and Policy Committee is Co-Chaired by the President of the Students' Union and the Chair of the Board.
2. The mandate of the By-Law and Policy Committee is to discuss, deliberate, recommend and report on all matters of procedure called before its attention. This may include but not be limited to recommending amendments to the By-Laws, Policy Manual, Acts, or any governing document of the Union including the Constitutions of the sub-organizations of the Union. This may also include the drafting of new documents.

Budget and Finance Committee

1. The Budget and Finance Committee is Co-Chaired by the Vice President of Finances and Operations and one (1) Board member elected by the voting membership of the committee.
2. The mandate of the Budget and Finance Committee is to discuss, deliberate, recommend and report on all matters of finance called before its attention. This may include but not be limited to making recommendations for the annual budget, houses, and sub-groupings of the Union, the allocation of funds to student societies, the adjustment and setting of Union salaries, wages and honorarium creation, abolishment, and adjustments brought to its attention.

Health & Dental Insurance Plan Committee

1. The Health and Dental Insurance Plan Committee is Co-Chaired by the Vice President of Finances and Operations and one (1) Board member elected by the voting membership of the committee.
2. The mandate of the Health and Dental Insurance Plan Committee is to discuss, deliberate, recommend and report on all matters involving the Students' Union Benefits Plan called before its attention. This may include but not be limited to establishing the operating budget, administrative practices, including the collection of fees, opt-outs, addition of coverage, maintenance of eligibility, claims handling, billings and other administrative related duties and issues.

Campus Affairs Committee

1. The Campus Affairs Committee is Co-Chaired by the Vice President of Campus Affairs and one (1) Board member elected by the voting membership of the committee.
2. The mandate of the Campus Affairs Committee is to discuss, deliberate, recommend and report on all matters involving campus and off-campus life called before its attention. The activities of the Campus Affairs committee shall include but not be limited to residence events, campus policies, response to student crisis, and overall awareness of campus and off-campus life.

Society Review Committee

1. The Society Review Committee is Co-Chaired by the Society Coordinator and the Chair of the Board.
2. The mandate of the Society Review Committee is to discuss, deliberate, and recommend and report on all matters regarding Societies called before its attention. This may include but is not limited to; reviewing and evaluating societies prior to ratification, reviewing all by-laws and policies relating to societies, auditing the budgets of all societies.

Strategic Direction Committee

1. The Strategic Direction Committee is Co-Chaired by the President and Chair of the Board.
2. The mandate of the Strategic Direction Committee is to discuss, deliberate, recommend, and report on all matters of organizational structure and future direction brought before its attention. This may include but not be limited to; recommending changes to the organizational structure of the Union, reviewing the short-term and long-term goals of the Union, preparing and review Strategic and Annual Plans, and reviewing policy proposals.

External Affairs Advisory Committee

1. The External Affairs Advisory Committee is Co-Chaired by the Vice President of External Affairs and one (1) Board member elected by the voting membership of the committee.
2. The mandate of the External Affairs Advisory Committee is to provide the Vice President of External Affairs and President with feedback from students regarding post-secondary education in Nova Scotia and Canada. The feedback will be used to help develop advocacy policy to lobby to the government through Students Nova Scotia and the Canadian Alliance of Student Associations.

Equity Advisory Committee

1. The Equity Advisory Committee is Co-Chaired by the President and one (1) Board member elected by the voting membership of the committee.
2. The mandate of the Equity Advisory Committee is to assess inequity within the Students' Union and recommend solutions to make the Students' Union a more equitable organization. The committee will also examine ways in which the University can improve regarding equity and present recommendations to the University Administration.

Elections Committee

1. The Elections Committee is Chaired by a voting member of the Board.
2. The mandate of the Elections Committee is to oversee the governance of elections and to hire and oversee the Chief Returning Officer and Returning Officers.
3. All violations of the Elections or Referenda by-laws will be addressed by the Elections Committee by a process determined in the policies of the Union and in consultation with the Chief Returning Officer.

4. No member of this committee is eligible to run in an election while they are a sitting member of the committee.
5. The Elections Committee may consult with external bodies as it sees fit and must undergo training as outlined in the by-laws and policies in the Union before they begin their committee work.

Finance

General

1. The fiscal year for the Union shall be from the first (1st) of May to the thirtieth (30th) of April of the following calendar year.
2. The appointment of the Student Unions' auditor is required to be made at the annual general meeting each year.
3. The audited financial statements of the Union shall be published annually, no later than the fifteenth (15th) of November of each year and shall be made available on the Union's website.
4. The Union will not operate at a deficit budget unless this has been approved by a two-thirds (2/3) majority vote from the Board.
5. The Union must have two signing officers for all Union expenses as outlined in the annual budget. The signing officers for the Union are the President, the Director of Finances and Operations, and the General Manager.

Elections By-Law

Elections Scheduling

1. The Students' Union General Election shall take place between December and March of each year. The Election of the Students' Unions President, Vice President of Academic Affairs, and Board of Governors Representative shall take place between December and March of each year.
2. The Election of the Students' Union Board of Directors shall take place in February or March of each year.
3. The Election of the Students' Union Student Senators shall take place in February or March of each year.

Qualification of Electors

4. In any electoral constituency in which an election is held, ordinary members of that constituency at the time of proclamation will be eligible to vote.
5. If an individual becomes a student between the time of proclamation, and the opening of the polls, that individual is responsible to submit written notice and proof of Union membership to the Chief Returning Officer before polling begins to be eligible to vote in the election.

Appeals Process

6. Any member of the Union who was eligible to vote in an election is entitled to file an appeal of the election results.
7. The process for appealing elections results is outlined in the Elections Appeals Policy.

Unforeseen Circumstances

8. Any event not addressed by the by-laws or policies of the Union shall be addressed in a manner decided by the Elections Committee.

Referenda By-Law

Referenda Scheduling

1. All referenda polling may take place at any point during the year, at the discretion of the Chief Returning Officer.
2. The wording of a referendum question shall be approved by the Chief Returning Officer no less than fourteen (14) days prior to the beginning of polling.
3. Only three (3) referenda questions may be put to students at any time.

Initiating Referenda

4. Referenda may be initiated either by members of the Union, or by the Board.
5. A Student Initiated Referendum shall be initiated by the following process:
 - a. Any member of the Union may present a proposed referendum question to the Board via the Chair. If the question respects the required by-laws and policies of the Union, the Chair will bring the question to the Board. The question requires a majority to be accepted.
 - b. The Chair must notify the Member within ten (10) business days of submission of the question if the Board has approved the question.
 - c. If the proposed referendum question is approved by the Board, the Union member shall have fifteen (15) business days to submit to the Chief Returning Officer the signatures of at least ten (10) percent of the Union membership on a petition clearly stating the proposed referendum question.
 - d. If the petition is confirmed to be valid by the Chief Returning Officer, the Referendum Question shall be put to students within the next ninety (90) days, or the next Union election, whichever is sooner.
6. A Board Initiated Referendum shall be initiated by the following process:
 - a. A written motion to place a question before the Union membership must be signed by one-third (1/3) of the voting members of the Board and presented to all Board members at a meeting of the Board.
 - b. The Chair of the Board shall ensure the proposed referendum question respects the required by-laws and policies of the Union.
 - c. If the proposed referendum question does not violate the required by-laws and policies of the Union, the motion to place the question before the Union membership shall be voted upon at the next meeting of the Board. The question shall be put to the Union membership if the motion is passed by a two-thirds (2/3) vote of the Board.
7. When all requirements to initiate a referendum are met, the Chief Returning Officer shall release a proclamation stating the referendum question, and the dates of polling on the referendum question.

Qualification of Electors

8. When any referendum is held, Ordinary Members of the Union at the time of proclamation will be eligible to vote.
9. If an individual becomes an Ordinary Member of the Union between the time of proclamation, and the opening of the polls, that individual is responsible to submit written notice to the Chief Returning Officer before polling begins to be eligible to vote in the referendum.

Unforeseen Circumstances

10. Any event not addressed by the by-laws or policies of the Union shall be addressed in a manner decided by the Elections Committee.

Societies

General

1. Societies may exist as an entity of the Union.
2. The creation and maintenance of active status and funding of societies must be done in accordance with the by-laws and policies of the Union.

Amendment Procedures

Policies

1. The policies of the Union may be amended in accordance with the procedures as outlined in the terms of reference of the bylaw and policy committee.

By-laws:

The By-laws shall be amended by one of the following processes:

Referendum:

2. A referendum to amend any by-law or by-laws shall be called either by:
 - a. A two-thirds (2/3) majority vote of the Board. Quorum for such motions shall be two thirds (2/3) of the eligible voting members of the Board.
 - b. A petition presented to the Chair of the Board signed by 10% of the Union Membership. This petition must adhere to the requirements set out in the By-law on Referenda.
3. A referendum to amend the By-laws shall require 30 days' public notice in accordance with the proclamation policy, which shall include the proposed changes.
4. All referenda under this section must adhere to the regulations set out in the By-law on Referenda.
5. The Board may amend a by-law without a referendum only if said by-law does not adhere to legislation passed by the Province of Nova Scotia or Government of Canada. The changes to the by-law in question must be made in accordance with the procedure in the Special Amendments policy.

Annual General Meeting:

6. A motion to amend the bylaws at an Annual General Meeting must be made in accordance with the formal processes and regulations of an Annual General Meeting as outlined in the bylaws and policies of the Union.
7. Any motion to amend the bylaws must be passed with a two-thirds (2/3) majority vote.

Constitution

8. Notice that the Board is proposing an amendment to Article 1 or 2 or 3 of the Constitution must be given to the members in the form set out in the by-laws and policies of the Union.

Act of Incorporation

9. Notice that the Board is proposing an amendment to the Act of Incorporation must be given to the members in the form set out in the by-laws and policies of the Union.