

CSU BYLAWS

As Adopted in
December 2011

and

Amended in:

March 2013

November 2013

March 2014

March 2015

November 2015

November 2016

March 2017

March 2021

November 2021

**CONCORDIA STUDENT UNION
GENERAL BY-LAWS**

NAME

1.1 The name of the company shall be Concordia Student Union in English and Syndicat des étudiants et étudiantes de Concordia in French (the “Student Union”).

OBJECTS

2.1 The objects of the Student Union are:

- a. To form a representative Student Union to promote the educational, political, social, recreational and cultural interests of its members;
- b. To provide for student representation on various boards, councils, and committees of Concordia University;
- c. To form a representative Student Union to promote the educational, political, social, recreational and cultural interests of its members;
- d. To provide for student representation on various boards, councils, and committees of Concordia University;
- e. To co-operate with other organizations having similar interests in promoting student activities and interests;
- f. To consider and support activities which enhance the quality of life for students of Concordia University;
- g. To represent the positions of its membership;
- h. To engage in such other activities and undertakings as may seem appropriate to the Student Union;
- i. To increase awareness, to educate and to mobilize with a view to promote the quality of the environment and of life, both with regard to the student population and the public in general, the whole subject to the *Act Respecting Private Education*;
- j. To be the representative of the undergraduate students of Concordia University pursuant to the accreditation granted to the Student Union pursuant to the *Act Respecting the Accreditation and Financing of Students' Associations*.

MEMBERSHIP

- 3.1. Every undergraduate student registered in a credit course or its equivalent and subject to the Student Union fee at Concordia University shall be a member of the Student Union. Membership entails the right to vote in all elections, by-elections, general meetings and to run and hold an elected office in the Student Union or serving as the Chief Electoral Officer or on the Judicial Board.
- 3.2. Membership starts on the first day of the semester in which the student is registered in a credit course or its equivalent and subject to the Student Union fee, as defined in the University's academic calendar.
- 3.3. Membership in the student union will expire the day following Concordia University's DNE drop deadline the semester following the last semester they were registered in a credit course or its equivalent and subject to the Student Union fee, or the fall semester if the last semester the member was registered in a credit course or its equivalent and subject to the Student Union fee was the winter semester. For greater clarity, a member who registers for the following winter and does not register for the fall semester will be an associate member for the duration of the fall semester.

- 3.4. An undergraduate student who does not fulfill the conditions for membership but who is still registered in a program at a university will be considered an associate member. This will include students who are under a suspension, waiting for their graduation or on a leave from their program of studies. Associate members have access to services offered by the student union but do not have the right to vote in all elections, by-elections, general meetings and to run or hold an elected office in the Student Union or serving as the Chief Electoral Officer or on the Judicial Board.
- 3.5. The Council of Representatives, by a two-thirds majority vote at a meeting duly convened for that purpose, may, in exceptional circumstances, grant temporary membership to an individual who is not a member, with full rights and privileges, for a period ending not later than the last day of registration of the succeeding Fall term of Concordia University. When a student requests the granting of temporary membership they remain a member until the next regular meeting of the Council of Representatives where their request will be disposed of. Exceptional circumstances are defined to mean that the lack of membership is due to the actions or decision of a third party outside of the power and ability of the member to remedy such as a contested suspension or expulsion, late registration not processed by the university, visa problems unresolved because of the government bureaucracy etc.
- 3.6. The Council of Representatives, by a two-thirds majority vote at a meeting duly convened for that purpose, may, to recognize a special contribution to the Student Union, grant honorary membership to an individual who is not a member, with no right to vote in elections, by-elections, general meetings nor to run and hold an elected office in the Student Union or serve as the Chief Electoral Officer or on the Judicial Board.

FACULTY AND DEPARTMENTAL ASSOCIATIONS

- 4.1. The Student Union recognizes and defines a faculty association as an academic association organized by, comprised of, and representing students of a particular faculty and all of the departments contained therein,
- 4.2. The Student Union recognizes and defines a departmental association as an academic association organized by, comprised of and representing students of a particular department, school, college, institute, autonomous program or “academic unit” as defined by the University Calendar.
- 4.3. In addition to any afforded to them by law, the powers of faculty and departmental associations are as follows:
 - 4.3.1. To select and appoint representatives to the University bodies with a mandate specific to their faculty or department;
 - 4.3.2. In the case of a faculty association, to administer the departmental associations within that faculty.
- 4.4. Should a faculty association not exist in any faculty, the Student Union shall take on the responsibilities of the faculty association on an interim basis.

GENERAL MEETINGS

- 5.1. All meetings of members must be called with at least five (5) days notice and must be properly advertised on both campuses by posters, on the Student Union website and if possible by at least one notice in a publication distributed on both campuses. The posters and notice of meeting shall contain the place, date and time of the meeting, the proposed agenda, and the proposed resolutions in the case of a Special General Meeting of members.

ANNUAL GENERAL MEETING

- 5.2 The Annual General Meeting of members shall be held solely for the following purposes:
- a. Receiving the Chief Electoral Officer's report on the Annual General Elections of the Student Union and on any Student Union referendums or by-elections held concurrently;
 - b. Receiving the audited financial statements of the Student Union for the last fiscal year and the auditors' report thereon as well as the interim financial statements up to at least the end of February of the current fiscal year;
 - c. Appointing the auditors for the ensuing year, where an open tender process must occur at a minimum every three years;
 - d. The presentation of a written annual report from the outgoing Executive.

The quorum for the Annual General Meeting of members shall consist of thirty (30) members. The Annual General Meeting of members shall be called by the Council of Representatives to take place during the last week of April and by the latest on April 30th annually.

SPECIAL GENERAL MEETING

- 5.3.1. A Special General Meeting of the members may be called by the General Coordinator or the Council of Representatives solely for the purpose of considering specific resolutions proposed by the General Coordinator or the Council of Representatives, such resolutions to be included in the notice of meeting. Special General Meetings may amend such proposed resolution to the extent that such amendments pertain to the same topic as the original resolution. Resolutions adopted by a Special General Meeting of members are binding upon the Student Union and shall be recorded in the Positions Book, subject to the respect of these By-Laws and the Quebec Companies Act part III, until they have been repealed or amended by the members in a Special General Meeting or a referendum. The Quorum for a Special General Meeting of members shall consist of 450 members.
- 5.3.2. A Special General Meeting of the members may also be called by the presentation of a petition signed by at least 250 members to the Chairperson of the Council of Representatives. Such petition must set out the reasons for the meeting and the specific resolutions to be considered at such meeting. The Chairperson of the Council of Representatives must inform the Representatives of such a petition at the earliest possible time and hold the meeting within thirty days from receiving the petition.
- 5.3.3. The petition must designate up to three members of the Student Union as the promoters of the petition. The promoters may cancel the Special General Meeting called

by their petition by giving written notice to this effect to the General Coordinator or the Chairperson of the Council of Representatives.

INFORMATION GENERAL MEETING

5.4.1. The General Coordinator or the Council of Representatives may also from time to time, call Information General Meetings of the members to provide information on various topics to be determined by the President or the Council of Representatives. Such Information General Meetings

have no quorum requirement and may not serve as a forum to make decisions binding upon the Student Union.

5.4.2 An Information General Meeting of the members may also be called by the presentation of a petition signed by at least 250 members to the Chairperson of the Council of Representatives. Such petition must set out the reasons for the meeting and the specific resolutions to be considered at such meeting. The Chairperson of the Council of Representatives must inform the Representatives of such a petition at the earliest possible time and hold the meeting within thirty days from receiving the petition.

COUNCIL OF REPRESENTATIVES

6.1 The governing authority of the Student Union shall be vested in the Council of Representatives.

COMPOSITION

6.2.1 The Council of Representatives shall be composed of a minimum of two Representatives from each of the Faculties of Concordia University representing the members enrolled in those Faculties.

6.2.2 The maximum number of Representatives shall be thirty (30), as stated in the Student Union's letters patents. The composition not specified in 6.2.1 above shall be determined by the Council of Representatives before calling the Annual General Election of the Representatives. The composition decided upon shall appropriately reflect the composition of the membership in the different faculties of the University. For the purposes of this Article, the collectivity of Independent Students is deemed a faculty.

6.2.3 In addition to the above, the following shall be the advisors to the Council of Representatives with permanent ex-officio rights to speak at Council meetings: members of the Executive, members of the Judicial Board the Chairperson and Secretary of the Council of Representatives and the members elected or appointed to the Board of Governors and University Senate.

6.2.4 Representatives shall sit as such for one year until their replacements, elected at the annual general election, take office, or until their resignation or removal from office. An incumbent Representative may run for re-election.

TASKS AND POWERS

6.3 The tasks and powers of the Council of Representatives may only be properly exercised in the course of a duly convened meeting of same. In particular the Council shall do or cause to be done the following:

- a. Administers the affairs and formulate policy for the Student Union
- b. Approve budgets of the Student Union and its affiliate organizations
- c. Act as the final authority on appointments of the Student Union
- d. Enact, amend or repeal by-laws, policies, regulations and resolution which shall be binding on the Student Union, its affiliated organizations, officers, employees, and all others under its authority. Regulations shall be policies of a permanent nature which may only be adopted, amended or rescinded by a two-thirds majority vote of the Council of Representatives at a meeting specifically called for the purpose of adopting, amending, or rescinding one or more regulations.
- e. Enact, amend or repeal policies, regulations and resolutions for its own procedure to ensure its own proper functioning.
- f. Enact, amend or repeal positions that direct the Union's political orientations and representation.
- g. Enact, amend or repeal policies and resolutions so that the Student Union will conform to any policy, position or resolution passed in a duly convened Special General Meeting, and to the results, affirmative or negative, of duly conducted referendums which met quorum.
- h. Such other acts as allowed by law which do not contravene these bylaws.

CHAIRPERSON

6.4.1 The Chairperson of the Council of Representatives is elected from among the members by the Representatives to chair and administer meetings of the Council and to act on behalf of the Council when instructed to do so by the Council.

6.4.2 The term of the office of the Chairperson shall run from the first meeting of the newly inducted Representatives to the time when their successors, elected at the following Annual General Elections, take office. However, should the chair be vacant, the Council of Representatives shall, within twenty (20) days, elect a new Chairperson from among the members to carry out the duties stated in 6.4.1 above for the remainder of the term. The Chairperson may be removed by a two-thirds majority vote of the Council of Representatives at a duly convened meeting of the Council of Representatives.

6.4.3 Representatives and members of the Executive and of the Judicial Board may not assume the chair except on an acting basis, and then only when the regular Chairperson is absent or incapacitated, or when there is no regular Chairperson.

6.4.4 The Chairperson may not vote. Nevertheless, a Representative who is an acting Chairperson may vote in the event of a tie and may vote in all secret ballots.

MINUTE KEEPER

6.5 The Council of Representatives shall elect a Council Minute Keeper from the members of the Student Union to hold office from the first meeting of the newly inducted Representatives to the time when their successors, elected at the following Annual General Elections, take office. Should the position of Council Minute Keeper be vacant, the Council of Representatives shall, within

twenty (20) days, elect a new Council Minute Keeper from among the members. The Minute Keeper shall be responsible for preparing minutes of all meetings of Council and General meetings of the members. The Minute Keeper may be removed by a simple majority vote of the Council of Representatives at a duly convened meeting of the Council of Representatives.

MEETINGS

6.6.1 Regular meetings of the Council of Representatives shall be held on the second Wednesday of every month, except September where the meeting will take place on the third Wednesday. There shall be no regular meeting during the months of July and August and two regular meetings during the months of October, November and January where the second meeting will be held on the fourth Wednesday of those months.

6.6.2 The agenda must be distributed the Friday before any regular Council meeting. Should the Friday not be a day according to the By-Laws the agenda shall be distributed on the first day preceding that Friday.

6.6.3 The President or any three Representatives may call a special meeting of the Representatives. Two days' notice must be given to each Representative.

6.6.4 The quorum for the meetings of the Council of Representatives shall be one third of sitting Representatives.

PROCEDURE

6.7.1 Procedure at meetings of the Council of Representatives shall be governed by Roberts Rules of Order (latest edition), except when such Rules contravene these by-laws or the Quebec Companies Act Part III.

6.7.2 No Representative shall vote by proxy.

6.7.3 Notices of meetings, agendas and related documents may be transmitted by electronic mail, by regular mail, by commercial delivery, by delivery in a reserved mailbox at the offices of the Student Union or by such other means as the Council of Representatives may determine from time to time.

EXECUTIVES

7.1 The Executive shall be composed of eight (8) Coordinators. The Coordinators are directly responsible to the Council of Representatives.

7.2 The Executive shall submit written reports to the Council of Representatives for distribution with the agenda for the first regularly scheduled council meeting of each month.

7.3 The General Coordinator may fill a vacant Coordinator position from among the members, subject to ratification by a majority of the Council of Representatives.

7.4 Should there be a vacancy of the General Coordinator position, the Council of Representatives shall appoint a General Coordinator from among the remaining Coordinators for the remainder of the term of office. Should no Coordinator remain in office or be willing to be appointed, the Council shall appoint a General Coordinator from among its members by two-thirds majority vote, at a meeting duly called for

such purpose, who shall thereupon be deemed to have resigned from the Council of Representatives.

7.5 Each member of the Executive shall have ex-officio right to present motions at meetings of the Council of Representatives as if a voting member.

COORDINATORS

7.6 The Academic and Advocacy Coordinator is responsible for the coordination and the chairing meetings of the Academic Caucus. The Coordinator is also the liaison to the Graduate Student Association and the individuals responsible for all bodies concerning academic issues, as well as sitting on - or appointing students to - the academic bodies of the University. They are also responsible for overseeing the Advocacy Center, the Off-campus Housing and Job Bank, and the Legal Information Clinic. The Coordinator will sit on the Policy Committee.

7.7 The External Affairs and Mobilization Coordinator is the liaison to all student associations and organizations outside of the University. The Coordinator is also responsible for the organization and mobilization of students for participation in the annual campaign of the Student Union. The Coordinator will sit on the External and Mobilization Committee.

7.8 The Finance Coordinator is responsible for preparing the budget of the Student Union, ensuring that the financial information of the Union is up-to-date, and to report on a monthly basis to the Council of Representatives. They will ensure that access to the Union's financial information is available to its members. The Coordinator is also responsible for ensuring that the budget adopted by Council is respected and that expenses are made in the interest of the Union. The Coordinator will sit on the Financial Committee.

7.9 The General Coordinator is responsible for the implementation of the decisions of the Council of Representatives, for the day-to-day administration of the Student Union. The General Coordinator shall be the Chief Executive Officer of the Union, the official representative and chief spokesperson of the Union.

7.10 The Internal Affairs Coordinator is responsible for overseeing all internal operations of the Union and the development of clubs services. The Coordinator will also act as the Secretary of the Corporation and is responsible for all corporate books of the Union. They are the liaison to clubs, and are responsible for the management of clubs' budgets. The Coordinator will sit on the Clubs Committee.

7.11 The Loyola Coordinator is responsible for overseeing and developing the Union's presence and services at the Loyola campus, and ensuring that Loyola students' best interests are represented within the Union and the Concordia community. The Coordinator will encourage the building of ties between both campuses, and encourage a united university community. The Coordinator will sit on the Loyola Committee.

7.12 The Student Life Coordinator is responsible for the organizing of student orientations and the major events related to student life on campus, as well as overseeing communications with students. The Coordinator is responsible for CSU Special Project Funding. They are the liaison to faculty associations. The Coordinator will sit on the Student Life Committee.

7.13 The Sustainability Coordinator is responsible for the implementation of environmental and social sustainability policy for the Union. The Coordinator acts as a liaison with sustainability

related groups on campus and within the Concordia community, and is responsible for supporting student sustainability initiatives. The coordinator will sit on the Sustainability Committee.

EXECUTIVE DECREE

7.14 The General Coordinator shall have the authority to exercise in writing, by decree, all the powers of the Council of Representatives between meetings of the latter, limited only by policy, regulation, positions or resolution passed by the Council of Representatives, by the results of duly conducted referendums and/or Special General Meeting(s) which met quorum and the dispositions of the Quebec Companies Act part III, with the consent of three other members of the executive. Any exercise of the powers of the Council of Representatives by the General Coordinator shall be reported to the next meeting of Council for ratification. The exercising of the decree can only be used for unforeseen emergencies that cannot be remedied by calling a Special Meeting of the Council of Representatives or where a Special Meeting of the Council of Representatives failed to remedy the situation or failed to achieve quorum. In this vein, they have the power to veto any action of any individual or group which would violate or seek to violate these by-laws or regulations of the Student Union. Such a veto must be ratified by the Representatives at the first succeeding duly convened meeting of the Council of Representatives following the enactment of said veto. If said veto is not ratified at this time, it is null and void. Notwithstanding, the General Coordinator cannot veto a decision of the Council of Representatives or of the Judicial Board

JUDICIAL BOARD

COMPOSITION

8.1.1 The Judicial Board shall be composed of no less than three and no more than nine members of the Student Union. The Council of Representatives may, by a two-thirds majority vote, fill a vacancy on the Judicial Board. Members of the Judicial Board shall be appointed for as long as they are members.

8.1.2 The Council of Representative, by a 2/3 majority vote shall name a legal adviser to the Judicial Board. The legal adviser shall a member of the Quebec Bar and shall be responsible to provide training to members of the Judicial Board on an annual basis related to procedure and the rules of natural justice. The legal adviser shall also serve as a non-voting chair to hear appeals to the Judicial Board related to Annual General Elections and direct the procedure for such appeals. The adviser shall be appointed for a five (5) years mandate. The legal adviser cannot have held any offices in the Student Union, in an organization the Student Union is a member of and cannot accept any professional work outside the legal adviser mandate during the course of their term and for five (5) years following the end of their term.

POWERS AND TASKS

8.2 The Judicial Board of the Student Union shall, upon the written request of any member or member association, convene to:

- a. Interpret these by-laws and the validity of regulations and resolutions enacted by the Council of Representatives.

- b. Declare invalid any act of any member who through their action derogates from these by-laws or from the constitution of any member association of the Student Union.
- c. Settle disputes on matters concerning the Student Union between its members, officials and/or constituted bodies.
- d. It is the duty of the Judicial Board to act upon any violation to By-Laws and Constitutions that comes to light stemming from an ongoing investigation; even if such violations are not directly related to the original complaint.
- e. The Judicial Board may issue provisional decisions to safeguard the rights of the parties in the course of proceedings. Provisional decisions are issued when they are urgent and necessary to avoid an irreparable prejudice which the final decision could not effectively remedy. Such provisional decisions require a two-thirds majority vote of the Judicial Board. Provisional decisions remain in effect until the final decision is rendered, save earlier revocation by the Judicial Board.

PROCEDURES

8.3 The Judicial Board shall observe the following procedures:

- a. It shall render all its decisions in writing and answer those questions put to it by a plaintiff. In the case of a plaintiff naming a respondent, that respondent must be notified in writing of the case, charges, and all other relevant matters to the case. put to it by a plaintiff. In the case of a plaintiff naming a respondent, that respondent must be notified in writing of the case, charges, and all other relevant matters to the case.
- b. It shall keep a digital copy of all decisions made. Those decisions shall be made available to any member of the Student Union at the latest five (5) days following such request. In the case that confidential information is included in the decision the copies available to the members shall be modified to remove any nominative information.
- c. It shall not dismiss charges of any plaintiff without having sat in session and shall act in accordance with the rules of natural justice.
- d. The Judicial Board shall keep a list of upcoming hearings on the Student Union website. It may invite interested parties, even those not named by a plaintiff or respondent, to attend a session of the Judicial Board. The Judicial Board shall also consider requests to intervene as an interested party from members who are not invited by the Judicial Board.
- e. In the event of new evidence forthcoming, any member or member association may request that such evidence be considered at a new hearing. The Judicial Board shall determine whether new evidence has been presented.
- f. The quorum for the duly convened Judicial Board meeting shall be a simple majority or three (3) members, whichever is greater.
- g. Every final decision of the Judicial Board must be presented in writing to the Council of Representatives at the meeting following such decision. Decisions of the Judicial Board shall be considered final and binding. However, the Council of Representatives may, at the request of a party to proceedings, annul a decision of Judicial Board, by a four-fifths majority vote at a special meeting duly convened for such purpose, should it conclude that the Judicial Board

decision was manifestly unreasonable or was motivated by racism, sexism, collusion, bribery, homophobia or conflict of interest.

- h. The Judicial Board shall keep for a period of twelve (12) months copies of all recordings, transcripts and exhibits related to a decision in case remedy is sought in a court of law or otherwise subpoena.

ELECTIONS AND REFERENDA

- 9.1. The Student Union shall hold a minimum of 2 elections per year for the purpose of electing Representatives, Executives and Senators, and for holding referenda.
- 9.2. The three types of Elections shall be Annual General Elections held in March, Byelections held in November, and Special Elections which may be called by a 2/3 majority vote of Council. Any election may only be held during the Fall and Winter academic sessions on days when regular classes are held and the polling phase may not be held on a day defined as a holiday with work restrictions within a religious calendar.
 - 9.2.1. Representatives, Executives, and elected Senators shall be elected in the Annual General Elections which take place in the month of March.
 - 9.2.2. Vacant seats on the Council of Representatives shall be filled in Byelections which take place in November.
 - 9.2.3. Special Elections may only be held for the purpose of Bylaw Amendments and Questions of Importance following a 2/3 majority vote by the Council of Representatives.
- 9.3. The following dispositions shall apply to the election of positions.
 - 9.3.1. Candidates for the Executive run individually for the positions of Academic and Advocacy Coordinator, External Affairs and Mobilization Coordinator, Finance Coordinator, General Coordinator, Internal Affairs Coordinator, Student Life Coordinator, Sustainability Coordinator and Loyola Coordinator, but may campaign together.
 - 9.3.2. Candidates for the Council of Representatives and Senate run individually and independently.
 - 9.3.3. No candidate for any position in Annual General Elections or Byelections shall be elected by acclamation. In the case of an uncontested candidacy, the candidate shall only be declared elected upon obtaining a majority of votes in a ratification poll held during the Annual General Elections or Byelections the candidacy was submitted for.
 - 9.3.4. Representatives and Executives elected at the Annual General Elections, shall take office on June 1st following said election. The elected executive members will start working on May 1st following the elections for a transition period of one month. During that month they shall be given training, have access to the documents related to their portfolios and will have the right to be present at all closed sessions of the Council of Representatives. They will also receive a salary equal to 50% of one month of the salary of an executive member in office for that fiscal year.
 - 9.3.5. Representatives elected in the Byelection shall take office upon the Council of Representatives receiving the final results.

- 9.3.6. Elected Senators shall start their term in accordance with the University Bylaws._
- 9.4. The Quorum for Annual General Elections, Byelections, Referenda, and Special Elections shall be 450 members.
- 9.5. Elections shall be overseen by the Chief Electoral Officer, who shall be appointed by the Council of Representatives. The Chief Electoral Officer shall be charged with the supervision of the said elections, ensure Student Union regulations on Elections and Referenda are followed, and shall report the results of such elections in accordance with the by-laws and regulations._
- 9.5.1. The Annual General Elections and any referenda held concurrently, and the Chief Electoral Officer's report of such shall be deemed to form part of the proceedings of the Annual General Meeting._
- 9.5.2. The Chief Electoral Officer's report of the Byelections and any Special Elections shall be received at the first succeeding meeting of the Council following said Byelection or Special Election._
- 9.6. The following procedures shall be complied with:_
- 9.6.1. The Chief Electoral Officer must file the results of an Election or Referenda with the Chairperson of the Council of Representatives on the day following the expiry of the deadline to contest same, indicating whether such a contestation has been filed._
- 9.6.2. If a contestation is filed, the Chief Electoral Officer must immediately file a copy of the decision rendered thereon with the Chairperson of the Council of Representatives._
- 9.6.3. The Judicial Board must immediately file with the Chairperson of the Council of Representatives a copy of any appeal of the decision of the Chief Electoral Officer._
- 9.6.4. Similarly, the Judicial Board must immediately file a copy of its decision on the appeal, or a notice of discontinuance, with the Chairperson of the Council of Representatives._
- 9.6.5. Upon the delays to contest or appeal having expired without the filing of a contestation or appeal, or upon a final decision being rendered or a notice of discontinuance being received, the reception of the final results shall be added as the very first agenda point of the next regular meeting of the Council of Representatives._
- 9.7. Referenda on the Student Union Fee or the introduction, change, or removal of a non-CSU fee-levy may be called to be held during the Annual General Elections and Byelections. Referenda on amendments to these Bylaws or on Questions of Importance may be called to be held during the Annual General Elections, Byelections and Special Elections. Referenda must be called a minimum of 5 days before the beginning of the campaigning period. The Chief Electoral Officer's report on such referenda shall be submitted concurrently with the report on the Election during which they are held. The procedures set out in 9.6. shall apply mutatis mutandis to referenda._
- 9.7.1. The Council of Representatives shall have the sole authority to bring to referendum a change in the amount of the Student Union Fee.
- 9.7.2. A referendum concerning the creation, modification, or removal of a non-Student Union fee levy may only be called to be held during the Annual General Elections and the Byelections and must follow the dispositions of these Bylaws and the regulations of the Student Union. Referenda on the creation or removal of said fee-levy may be called by a

petition of at least 3000 members presented to the Chairperson of the Council of Representatives alongside any other dispositions laid out in the regulations of the Student Union, ratified by the Council of Representatives a minimum of 5 days before the beginning of the campaigning period. The promoters of a petition for the calling of a referendum are responsible to come and present their petition to the Council of Representatives prior to circulating it on campus. The purpose of such a presentation is only to allow for discussion between Council and the promoters and to solicit feedback on the proposed question. The Council of Representatives shall have no decision-making power over the ability of the promoters to pursue their petition._

9.7.3. The Council of Representatives may choose to call referenda on amendments to these Bylaws by a 2/3 majority vote._

9.7.4. Referenda on Questions of Importance may be called by the Council of Representatives or by a petition of at least 750 members presented to the Council of Representatives a minimum of 5 days before the end of the Campaigning period. The promoters of a petition for the calling of a referendum are responsible to come and present their petition to the Council of Representatives prior to circulating it on campus. The purpose of such a presentation is only to allow for discussion between Council and the promoters and to solicit feedback on the proposed question. The Council of Representatives shall have no decision-making power over the ability of the promoters to pursue their petition, nor over the ability of the promoters to pursue their petition, nor over the putting of that question to referendum. Questions of Importance shall be defined as anything falling under the scope of the Student Union umbrella or any matters deemed important by the student body._

9.7.4.1. Notwithstanding this, should the Council of Representatives think that the proposed question is in contradiction with the current Bylaws or CSU Regulations, it shall send a request for a reference decision to the Judicial Board. The Judicial Board shall issue a report containing an interpretation of whether the proposed question is in contradiction with the CSU Bylaws or Regulations to the Council of Representatives and to the promoters of the petition. If the Judicial Board's report concludes that the question is in contradiction with the Bylaws or Regulations, the Council of Representatives shall have the power to remove the question from ballot by a simple majority. Until such a removal from ballot is voted upon by the Council, the promoters of the petition shall have the same rights to collect signatures and campaign as any other promoter of a petition.

REMOVAL FROM OFFICE

BY REASON OF ABSENCE

10.1 Representatives absent from three scheduled regular meetings of the Council of Representatives during a term of office are deemed to have automatically resigned.

MEMBERSHIP STATUS

10.2 The Chairperson of the Council of Representatives shall verify the status of all Representatives, Executives, members of the Judicial Board, Chief Electoral Officer and the Chairperson and Minute Keeper of Council to ensure they are members. The verification shall happen after the DNE deadline for Concordia University for the fall and winter semester. The Chairperson shall present their report at the first meeting of Council following the DNE deadlines. The Chairperson shall also bring a copy of the list of members to the Council meeting in order to allow any Representatives to verify the membership status of the people included in the report. Should the Chair find that any individual do not have the membership status to hold their position, the individual(s) will have 48 hours to request temporary membership. Pursuant to article 3.4 of the CSU by-laws, this temporary membership will be disposed of unless the member in question can clearly demonstrate that Exceptional Circumstance, as defined in our by-laws, are the cause of registration difficulties. Should the individual(s) fail to obtain temporary membership, it will be considered as automatic resignation.

BY VOTE OF THE COUNCIL OF REPRESENTATIVES

10.3 The General Coordinator and Coordinators may be removed from office by a two-thirds majority vote of the Council of Representatives for misappropriation of funds, dereliction of duties, violation of these by-laws or of the Regulations adopted thereunder. Ten (10) days of written notice of the proposed removal must be given to the General Coordinator. The notice must be signed by at least ten (10) Representatives and indicate the alleged cause(s) for removal, including the specifics of the charge(s) and evidence related to the charge(s) the date, time and place of the meeting of the Council of Representatives where the issue will be decided. Should the vote be carried the removal is effective immediately. Should the judicial board reverse the decision of the Council of Representatives, the executive will have the right to receive their salary for the period between the Council of Representatives and the Judicial Board decision.

10.4 Coordinators may be removed from office by a majority vote of the Council of Representatives upon the recommendation of the General Coordinator. Five (5) days of written notice of the proposed removal from office must be given to the Council of Representatives indicating the date, time and place of the meeting of the Council of Representatives where the issue will be decided. The person facing removal must also receive the cause and the evidence to justify the removal from office.

BY PETITION OF THE MEMBERS

10.5 Representatives and the Executive may be removed from office by the members who have the right to elect them by a petition presented to the Chairperson of the Council of Representatives. The petition requesting the removal has to be signed by 2500 members in the case of an executive member, 1250 in the case of an Arts & Sciences Representative, 600 in the case of a John Molson School of Business or Computer Science and Engineering Representative, and 300 in case of a Fine Arts or Independent student Representative. Upon receipt the Chairperson must give a copy of the petition to the Representative or Executive concerned and verify the petition within five (5) days of its filing. If a petition has enough valid names the Chairperson must call and hold a special general meeting no less than 5 and no more than ten (10) days following the validation of the petition. The quorum for the special general meeting

where the removal from office is to be considered is 450 members if the petition concerns a member of the executive, 225 in the case of an Arts & Sciences Representative, 108 in the case of a John Molson School of Business or Computer Science and Engineering Representative and 54 in the case of a Fine Arts or Independent Representative. The petition must state the name of three promoters who must be student union members. One petition has to be filed for each member to be removed from office and must contain the name of three promoters. The Chairperson and a majority of the promoters must agree on a time and location for the special general meeting to take place. Should no agreement be reached within 5 days of the validation of the petition a majority of promoters can call the special general meeting, choose the time and location and get reimbursed by the Student Union reasonable expenses related to the organization and holding of the special general meeting.

10.6 Provided removal from office is a sanction contemplated in a policy or in the Code of Conduct enacted by the Council of Representatives, if the Judicial Board or other committee so empowered by such policy or Code of Conduct (“**Committee**”) determines that a Representative or an Executive (“**Respondent**”) committed a misconduct under such policy or under the Code of Conduct and determines that the appropriate sanction for such misconduct is removal from office, then, provided the Committee’s decision is final, the Committee shall prepare and present to the Council of Representatives a report of its findings and recommended sanctions. Such report shall be presented at the next meeting of the Council of Representatives. A copy of the report shall be provided to the Respondent at least five (5) business days before the meeting of the Council of Representatives. During the meeting, the Respondent shall be given the opportunity to make representation with respect to the recommendations of the report as to their removal from office. After addressing the Council of Representatives, the Respondent shall leave the room for the remainder of the deliberations.

The meeting of the Council of Representatives is held in closed session; the deliberations and the report shall be kept confidential.

The recommendation of the Committee may be adopted, and the Respondent removed from office, by a two-thirds majority vote of the Council of Representatives. If the Council of Representatives does not adopt the recommendation as to the removal from office, then the appropriate sanction (other than removal from office) shall be determined by the Committee, unless the Committee provided for alternate sanctions in its report, in which case such alternate sanctions shall apply immediately.

The Committee may suspend from their office the Respondent, who shall continue to receive their salary, as applicable, until such time the outcome of the vote of the Council of Representatives is known.

The Respondent shall be immediately informed of the outcome of the vote.

A Respondent who has been removed from office under this Section 10.6 shall no longer be eligible to run for office as Representative or as Coordinator.”

STUDENT UNION FEE

11.1 Upon registration at Concordia University, every member shall pay to the Student Union or its agent the Student Union fee set by these By-Laws.

11.2 The Student Union fee shall be set by referendum. Notwithstanding by-law 9.6, the Council of Representatives shall have the sole authority to propose the amount of the fee.

11.3 No organization affiliated with the Student Union shall be permitted to collect fees independently of the Student Union.

AUDITORS

12.1 The Auditor or Auditors of the Student Union shall be appointed annually at the Annual General Meeting of members.

BOOKS AND RECORDS

13.1 The Student Union shall maintain and make available to its members at its head office during normal business hours a book or books containing the following:

- a. These by-laws, amendments to it and all regulations enacted or repealed as well as the positions book.
- b. The names and addresses of the Representatives and the dates upon which they become and cease to be such.
- c. Minutes of all the meetings of the Council of Representatives, as approved by the Council and signed by the Chairperson and the Secretary of the meeting at which the proceedings were held or by the Chairperson and Secretary of the next succeeding meeting.
- d. Detail as to the receipts and disbursements of the Student Union and the matters to which each of them relates, as well as details of its financial transactions and its credits and liabilities.

FISCAL YEAR

14.1 The Fiscal Year of the Student Union shall terminate on the 31st of May. The financial statements of the affairs of the Student Union for the presentation to the members at the Annual General Meeting thereof shall be made up to that date.

SEAL

15.1 The Seal of the Student Union shall be circular in form and shall bear the name of the Student Union and the date of its incorporation.

HEAD OFFICE

16.1 The Head Office of the Student Union will be in the city of Montreal, Province of Quebec. The Student Union may in addition to the foregoing establish other offices elsewhere as the Representatives may, from time to time, determine.

BANKING AND NEGOTIABLE INSTRUMENTS

17.1 The Representatives may, from time to time, by resolution authorize any Representative or Representatives, officer or officers, clerk, employee or agent to transact banking business of the Student Union with such bank or banks and to sign, make draw or accept, endorse or execute in the name of or on behalf of the Student Union, all cheques, promissory notes, bills of exchange or other negotiable instruments. Any and all such documents so signed shall be binding upon the Student Union.

DELEGATION OF POWERS

18.1 The Representatives may, from time to time, entrust to and confer upon any one or more of the Representatives or any standing or special committee or any officer or officers of the Student Union for the time being or any corporation or person or attorney or agent or trustee, either within or without Canada such of the powers exercisable by the Representatives as they think fit, including the powers to sub-delegate, for such time and to be exercised for such objects and purposes, and upon such terms and conditions and with such restrictions as they may deem expedient and may from time to time revoke, withdraw, alter or vary all or any of such powers.

CONTRACTS, DOCUMENTS AND DECLARATIONS

19.1 All documents and returns required to be submitted to or filed with governmental authorities, customs and excise declarations and returns, affidavits, statutory declarations, proofs of claim or loss and general or partial releases relating to same, waivers or claims of lien or privilege and discharges of same and declarations in respect of garnishment proceedings involving the Student Union or interrogatories upon articulated facts may be signed and executed under seal or otherwise by any member of the Executive or such other person as the Council of Representatives may appoint from time to time for or in the name of and on behalf of the Student Union and if signed and executed as aforesaid, shall be binding upon and enforceable against the Student Union.

19.2 Save for the documents referred to in Section 21.1 and all other documents in connection with the ordinary course of activity of the Student Union which may also be signed and executed under seal or otherwise by any member of the Executive or such other person as the Council of Representatives may appoint from time to time for or in the name of and on behalf of the Student Union with the same effect, all documents not in the ordinary course of activity of the Student Union to be signed and executed by the Student Union shall be signed and executed in the name of and on behalf of the Student Union by such persons as may be determined from time to time by resolution of the Council of Representatives and, if required, the corporate seal of the Student Union shall be attached thereto.

AUTHORITY OF BY-LAWS

20.1 In the event of any conflict between these by-laws and the constitution of any member association, these by-laws shall take precedence.

20.2 All amendments, regulations, and resolutions, motions or decisions of the Student Union, including, but not limited to those made by or in the Council of Representatives, the President,

the Judicial Board, Special General Meetings, Referendums and any member association must be made in conformity with these by-laws.

AMENDMENTS TO BY-LAWS

- 21.1 Amendments to these By-Laws and the adoption of any new by-law must be approved by two-thirds majority vote of the Council of Representatives, and shall be in force and effect only after they have been confirmed by a simple majority of a quorum of the members voting in a referendum.
- 21.2 Notwithstanding Section 21.1, amendments may be in force and effect upon approval by a two-thirds majority vote of the Council of Representatives, but shall be in force and effect only until the end of the term of office during which they are enacted, unless they have been confirmed by a simple majority of a quorum of the members voting in a referendum.

GENERAL PROVISIONS

- 22.1 In these by-laws the singular shall include the plural and the plural the singular, where appropriate.
- 22.2 In these by-laws gender neutral terms shall be used where appropriate.
- 22.3 In these By-Laws and any regulation or policy of the Student Union, a day is defined as a business day which excludes Saturdays, Sundays, Good Friday, Easter Monday, third Monday of the month of May, International Workers Day (May 1st), Quebec's National Holiday, Canada Day (or July 2nd if July 1st falls on a Sunday), Labour day, Thanksgivings day, Concordia University Holidays where the University is closed and any days starting December 20th until January 5th inclusively. These days shall not be calculated in calculating any delays under the By-Laws, regulations or policies of the Student Union.

OFFICE HOLDERS

23. Members can only hold one position of Representatives, Executive, Chairperson or Secretary of Council, Judicial Board or Chief Electoral Officer at the same time. Notwithstanding, members who are leaving the position of Chief Electoral Officer and Judicial Board member cannot run or hold office for a period of six (6) months following their resignation or removal.

SPECIAL BY-LAW A

BORROWING OF MONEY BY THE STUDENT UNION

The Council of Representatives of the Student Union may from time to time:

- a. Borrow money upon the credit of the Student Union;
- b. Issue debentures or other securities of the Student Union, and pledge or sell the same for such sums and at such prices as may be deemed expedient;

- c. Delegate to such Officers or Members of the Council as it may designate, all or any of the foregoing powers to such extent and in such manner as it may determine;

SPECIAL BY-LAW B

HOLDING STOCK

The Student Union may use its funds in the purchase of stock in any other company.

SPECIAL BY-LAW C

[Removed by Referendum in March 2017]

SPECIAL BY-LAW D

[Superseded by Special By-Law I]

SPECIAL BY-LAW E

[Superseded by Special By-Law I]

SPECIAL BY-LAW G

[Superseded by Special By-Law I]

SPECIAL BY-LAW H

AFFILIATION AND ACCOUNTABILITY

with External Provincial and National Student Organizations

The Student Union may become a member of a provincial or national student organization that requires the Student Union or its members to pay a membership fee to that organization only after the Student Union and the organization enter into a binding, written agreement, which will remain in effect as long as the Society is a member of the organization and containing the following:

- a. The Student Union membership in the organization does not preclude the Student Union membership in other organizations.
- b. The organization will make its by-laws, policies and minutes available online to all members of the Student Union within three (3) months of their approval.
- c. The organization will, within thirty days (30) of receipt of a written request from any member of the Student Union, provide to them a copy of any document in care or control of the organization not lawfully required to be kept private.
- d. The organization recognizes that the Student Union reserves the right to terminate its membership in the organization according solely to the Student Union's by-laws and regulations and according to any of the following procedures:

- i. by resolution of the Council of Representatives if the Student Union joined the organization by resolution of the Council of Representatives;
- ii. by a general meeting or a referendum if the Student Union joined by a general meeting or a referendum.

SPECIAL BY-LAW I
LEVY OF STUDENT UNION FEES

The membership fees payable by members of the Concordia Student Union pursuant to Section 11.1 of its General By-Laws and the *Act respecting the Accreditation and Financing of Students' Association* (Quebec) are the following:

CSU Operating fee: \$1.97/credit

CSU Advocacy Center: \$0.45/credit

CSU Housing and Job Bank (HOJO) \$0.26/credit

CSU Legal Information Clinic (LIC): \$0.27/credit

CSU Clubs: \$0.25/credit

Student Space, Accessible Education & Legal Contingency Fund* (SSAELC): \$1.00/credit

CSU Diversity Services: \$0.23/credit

TOTAL **: 4.43 per credit

[*Previously called Union Building Fund, as per Special By-law G now repealed]

[**All of the CSU membership fees shall be indexed to inflation in accordance with the Consumer Price Index, effective Fall 2015]

Those fees are refundable in accordance with Concordia University's Fee Payment, Refund and Withdrawal Policy in effect from time to time. This by-law replaces Special By-Law E, Special By-Law F and Special By-Law G concerning the levy of fees.

Any and all resolutions and By-Laws of the CSU (with the exception of its General By-Laws) relating to the fixing, combining and collection of the Fee Levy or any portion thereof and the allocation of such fees for various purposes are hereby repealed, and any agreements or other arrangements of any kind made in connection with the Fee Levy or any portion thereof are hereby cancelled and are replaced by the other provisions of this Special By-Law "I", provided that such repeal and cancellation shall not affect the past application thereof nor the past validity of any measures taken (including without limitation the validity of the past collection of the Fee Levy), resolutions passed, and rights, privileges or obligations created thereunder before their repeal.

Under no circumstances may any representative, member of the Executive, or member of the Council of Representatives consent to an "entente" as defined by the *Règles Budgétaires* and the Quebec Ministry of Education, Leisure and Sports regarding the collection of mandatory institutional fees ("frais institutionnels obligatoires") with Concordia University on behalf of the Concordia Student Union.

The sole method by which the Concordia Student Union may authorize the collection of an increase to mandatory institutional fees is through a duly convened referendum pursuant to these Bylaws and all CSU Regulations. The referendum question must clearly state that the elector is being asked to consent to an increase to a mandatory institutional fee to Concordia University

beyond the normally allowed increase as defined by the *Règles Budgétaires* and the Quebec Ministry of Education, Leisure and Sports.

The Council of Representatives of the CSU be and is authorized to incur expenses from the Student Space, Accessible Education, and Legal Contingency Fund, as well as the former Union Building Fund as per Special By-law G now repealed, with the utmost transparency and diligence, and subject to the approbation of a Fund Committee as established by Special By- Law J, to:

- A. carry out such studies, make such inquiries, retain such professionals, contractors and other service providers and make any decisions and enter into any transactions or agreements, and generally take any and all other actions that the Council of Representatives of the CSU considers desirable from time to time in its discretion to improve the facilities available to students for use as student spaces, including without limitation:
 - i. the construction, acquisition, disposition, replacement, renovation of, and/or repairs to, such lands and buildings (or parts thereof) located at one or more sites considered suitable by the Council of Representatives of the CSU to serve as student centres;
 - ii. acquiring, maintaining and/or disposing of ownership or other occupancy rights in such lands and buildings (or parts thereof) and the operation thereof, including without limitation the leasing, subleasing or use of space by persons carrying on commercial and/or non- commercial activities beneficial or useful to the students, engaging such contractors, building managers and other service providers desirable for the operation, maintenance, repair and/or renovation of such lands and buildings (or parts thereof) and including the payment of all fees and expenses associated with the foregoing (including for greater certainty any rents, taxes, management fees and other costs);
 - iii. the obtaining of any financing (in capital and interest and secured or unsecured) contracted for the purposes set forth in this section, according to terms and conditions determined by the Council of Representatives of the CSU;
- B. With permission of a two-thirds (2/3) majority vote of the Council of Representatives, to satisfy a judgment or to settle a legal action where the cost to the Student Union would compromise the general operations of the Union.

The annual interest accrued on the Student Space, Access to Education and Legal Contingency Fund from the previous fiscal year may be used, not subject to the approbation of the Fund Committee as established by Special By-Law J, to:

- C. to grant funding to initiatives or organizations aligned with the CSU Position Book, following the procedures outlined in the CSU Standing Regulations;
- D. to accommodate costs needed by a Concordia University undergraduate student association in case of a binding strike mandate voted by said association;
- E. for the provision of additional resources and to accommodate costs needed in case of a binding strike mandate approved by the membership at a duly convened Special General Meeting.

Fifty thousand (50,000) dollars of the abovementioned annual interest shall be set aside for the purpose of Sections C) and D). In the event that the annual interest were to be lower than fifty

thousand (50,000) dollars, the entirety of said annual interest shall be set aside for the purpose of Sections C) and D). This amount shall be cumulative from year to year for a maximum of seventy five thousand (75,000) dollars. In the event that Section E) is invoked, the provision of section C) and D) shall take precedence.

Any expense incurred under Section C), D) and E) shall be subject to the approval of a committee, as defined in the CSU Standing Regulations, with the following composition:

- four (4) CSU members, independently appointed by incorporated non-CSU organizations that collect fees from CSU membership and are accountable to the CSU membership.
- three (3) representatives appointed by the CSU.

Quorum for the committee shall be four (4) voting members.

The Council of Representatives of the CSU be and is hereby authorized to do all other Things necessary, desirable or advisable for the carrying out of the foregoing in any manner which it may deem to be in the best interest of the CSU and of its members, subject only to the specific jurisdiction of the Fund Committee, established by Special By-Law J, to manage the capital of the Student Space, Accessible Education, and Legal Contingency Fund.

SPECIAL BY-LAW J FUND COMMITTEE

A Fund Committee is hereby established by this Special By-Law J to oversee, protect, and manage the funds collected and to be collected in the future in the Student Space, Accessible Education, and Legal Contingency Fund as established by Special By-Law I as well as the funds collected in the former Union Building Fund as per Special By-law G now repealed.

Said Committee will be comprised of five (5) members;

- one member of the Council of Representatives of the CSU appointed at the June Council Meeting annually;
- the General Manager of the CSU ex officio;
- the General Coordinator of the CSU ex officio;
- two (2) external members appointed for a three (3) year term, one being a lawyer not employed nor affiliated with Concordia University, and the other a Concordia University Professor (full or part time) who cannot hold any other elected position within the University.

The Fund Committee is authorized to negotiate and enter into an agreement with a third party, to the exception of Concordia University, with respect to the holding of the management of the funds collected and to be collected in the future pursuant to the Student Space, Accessible Education, and Legal Contingency Fund as established by Special By-Law I as well as the funds collected in the former Union Building Fund as per Special By-law G now repealed. The Committee must implement such measures with regards to the collection, holding and management of said funds as it considered being in the best interest of the CSU. It must, on an annual basis, provide a written report to the Council of Representatives of the CSU on the status of the funds.

If the Council of Representatives of the CSU, as provided by Special By-Law I, decides to incur expenses from the funds, said decision of Council must be ratified by the Committee. Said ratification vote must be carried with a 4/5 majority and all members of the Committee must certify that the provisions of the By-Laws and the CSU standing regulations have been met so that any expense can be incurred as per Special By-Law I.

If the Committee does not ratify the decision made by Council for any reason whatsoever, only a duly convened referendum pursuant to these By-Laws and CSU regulations can forgo the ratification of the Committee. The referendum question must clearly state that the elector is being asked to consent to an expense from the funds as requested by Council but not ratified by the Fund Committee.

SPECIAL BY-LAW K
HEALTH PLAN AND DENTAL PLAN

The CSU may levy no more than \$1.50 per student per semester for the purpose of administering its Health Plan, and no more than \$1.50 per student per semester for the purpose of administering its Dental Plan. The reserve fund for the Health Plan and the Dental Plan cannot be used for the CSU's normal operations and must be kept exclusively for use as a typical reserve fund is expected to be used.