

**BYLAWS**  
**STUDENTS' ASSOCIATION OF BOW**  
**VALLEY COLLEGE**

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## **PART 1 – BYLAWS INTRODUCTION**

### **1. NAME OF THE STUDENTS' ASSOCIATION**

- 1.1 The name of the Students' Association is the Students' Association of Bow Valley College, SABVC.

## **PART 2 – INTERPRETATION**

### **2. CERTAIN RULES OF INTERPRETATION**

- 2.1 Where to context so requires, all references to the plural shall include the singular and vice versa, and all references to gender shall include all other genders.
- 2.2 Headings of the Parts and (sub)sections hereof are inserted for convenience of reference only and shall not affect the construction or interpretation of these Bylaws.
- 2.3 References to any legislation, statutory instrument or regulation, or to any other bylaw, policy or terms of reference, or a section thereof, unless otherwise specified, is a reference to the legislation, statutory instrument, regulation, bylaw, policy, terms of reference or section as amended, supplemented, restated and in effect from time to time, and it includes all regulations, policies and terms of reference, as applicable, prescribed thereunder.
- 2.4 "Including" or "includes" means "including (or includes) but is not limited to" and shall not be construed to limit any general statement preceding it to the specific or similar items or matters immediately following it.
- 2.5 The expressions "hereof", "herein", "hereto", "hereunder", "hereby" and similar expressions refer to these Bylaws as a whole and not to any particular portion of these Bylaws.

### **3. DEFINED TERMS**

- 3.1 In these Bylaws the following capitalized words and phrases have the meaning ascribed to them, and they will be capitalized throughout these Bylaws to indicate they carry such meaning:
- (a) "**Active Member**" means an individual who satisfies the membership criteria set out in section 4.1.
  - (b) "**Adhoc Committees**" means committees that are composed temporarily to discuss and vote on specific topics.
  - (c) "**Annual General Meeting (AGM)**" means the yearly meeting of the Active Members of the SABVC, as described in section 9.1(a).
  - (d) "**Board of Governors**" means Board of Governors of Bow Valley College.
  - (e) "**Board of Governors Representatives**" means the two (2) students nominated by Students' Council to represent SABVC Members in the Board of Governors of Bow Valley College.

- (f) "**BVC**" means Bow Valley College.
- (g) "**Campaigning**" means any action or activity by any person with the intent of soliciting votes or persuading voters (regardless of the direction of persuasion), or informing persons of any individuals intent to seek nomination or run in any election of the SABVC, and it includes Personal Campaigning, Public Campaigning, and Online Campaigning.
- (h) "**Candidate**" means, with respect to a specific election, an individual approved and officially announced by the CRO to have met the eligibility criteria and successfully submitted a Nomination Package for candidacy in an election for office as an Executive or as a Councillor.
- (i) "**Club**" means a group of Active Members gathered together with the purpose of fulfilling a mandate, and which has been ratified by the SABVC in accordance with SABVC policies and procedures.
- (j) "**College**" means Bow Valley College.
- (k) "**Conflict of Interest**" means a conflict between the personal or professional interest of an individual and that of the SABVC and or the Council in respect of any matter upon which that individual may be required to debate or participate in decision making, and it includes any arrangement or affiliation held by an individual that compromises the perception or impartiality of that individual.
- (l) "**Council**" means the Students' Council for the Students' Association of Bow Valley College, which is comprised of the Councillors and the Executives.
- (m) "**Councillor**" means an individual elected to Council, but it excludes those individuals who also hold office as an Executive.
- (n) "**CRO**" means the Chief Returning Officer, an individual hired or appointed by the SABVC for election proceedings to ensure compliance with these Bylaws and the policies of the SABVC, and to assist in conducting free and fair elections and Referendums.
- (o) "**Eligible Programs**" means those programs delivered by the College in which students of the College who are enrolled are eligible to be Active Members, and, as such, will be levied applicable Membership Fees. Programs not considered Eligible Programs may be determined from time to time by BVC.
- (p) "**Executive**" means an individual elected to a position on the Executive Committee as set out in section 26.1, other than the Executive Director.
- (q) "**Executive Committee**" means the committee comprised of the individuals holding the offices set out in section 26.1.
- (r) "**Ex Officio**" means a person who holds office by virtue of his or her status, and by default possesses no voting rights.
- (s) "**Full-time Student**" means a student taking no less than a 60% course load at BVC.

- (t) "**Executive Director**" means the individual employed by the SABVC as Executive Director, all as more particularly described in Part 10.
- (u) "**Health and Dental Plan Fee**" means those fees levied on Full-Time Students in accordance with section 8.1.
- (v) "**In Camera**" means meetings of Council, or portions thereof, at which only members of Council may attend, without the media, other Members or any other person present. Discussions are not recorded during this time.
- (w) "**Member**" means a student of BVC, but it specifically excludes any student not included in a students' association pursuant to the PSLA.
- (x) "**Membership Fees**" means those fees levied on Full-Time Students and Part-Time Students in accordance with section 6.
- (y) "**Minutes**" means a summarized record of the proceedings at a meeting.
- (z) "**Nomination Package**" has the meaning set out in section 42.1.
- (aa) "**Online Campaigning**" means any Campaigning that occurs wholly or partially on, or is facilitated by, the Internet, including social media websites, blogs, email, online forums, etc.
- (bb) "**Part-time Student**" means a student taking less than a 60% course load at BVC.
- (cc) "**PSLA**" means the *Post-Secondary Learning Act (Alberta)*.
- (dd) "**Personal Campaigning**" means in-person Campaigning, including personal conversations, building a campaign team, requesting nomination signatures, and, for greater certainty, it excludes any and all campaigning in a group or public setting or forum, etc.
- (ee) "**Public Campaigning**" means Campaigning to the general public or student body at large, or in any manner not constituting Personal Campaigning, including engaging in conversation with multiple people; classroom visits or presentations; public speaking; distributing campaign materials, etc.
- (ff) "**Resolution**" means a decision to do something or not to do something, usually brought forward in the form of a motion that is considered and voted upon by persons eligible to vote on the matter, in person or, where permitted by these Bylaws, by proxy, at a duly constituted meeting called in accordance with these Bylaws.
- (gg) "**Referendum**" means a general vote by Members, usually performed through a ballot vote that takes place on a single day or over the course of a number of days. This vote must ask a direct question that can be answered with a 'yes' or a 'no' response.
- (hh) "**Requisition**" means a formal written demand that something should be performed, carried out or put into operation.

- (ii) "**SABVC**" means the Students' Association of Bow Valley College.
- (jj) "**Scrutineer**" means someone who examines or closely inspects the conduct of an election.
- (kk) "**Simple Resolution**" means a Resolution requiring greater than one-half [1/2] of votes in favour.
- (ll) "**Special Meeting**" means any meeting of the Active Members of the SABVC that is not the Annual General Meeting, as described in section 9.1.
- (mm) "**Special Resolution**" means:
  - (i) a resolution passed:
    - (A) at a General Meeting or Special Meeting of which not less than twenty-one (21) days' notice specifying the intention to propose the resolution has been duly given, *and*
    - (B) by the vote of not less than three-quarters [3/4] of those members who, if entitled to do so, vote in person or by proxy,
  - (ii) a resolution proposed and passed as a special resolution at a General Meeting or Special Meeting of which less than 21 days' notice has been given, if all the members entitled to attend and vote at the General Meeting or Special Meeting so agree, *or*
  - (iii) a resolution consented to in writing by all the members who would have been entitled at a General Meeting or Special Meeting to vote on the resolution in person or, where proxies are permitted, by proxy. (Province of Alberta – Societies Act, RSA 2000 cS-14 s1).
- (nn) "**Students' Association**" means the Students' Association of Bow Valley College.

### **PART 3 - MEMBERSHIP**

#### **4. MEMBERS OF THE STUDENTS' ASSOCIATION**

- 4.1 The Active Members of the Students' Association is comprised of those Members who satisfy the following criteria:
  - (a) The individual is a Full-Time Student or Part-Time Student;
  - (b) The individual is enrolled in an Eligible Program;
  - (c) The individual has paid their respective Membership Fees for the current semester in full;
  - (d) The individual is not otherwise excluded from being part of a student's association pursuant to the PSLA; and



- (e) The individual is in Good Standing with the Association and has not had their status as an Active Member cancelled in the manner contemplated under section 5.1, or it was cancelled but such cancellation has since been successfully appealed or reinstated as contemplated in section 5.3.

## **5. CANCELLATION OF MEMBERSHIP & EXPULSION OF MEMBERS**

- 5.1 A Member's status as an Active Member may be cancelled by a Special Resolution of Council.
- 5.2 Members who are not Active Members do not have the right to do any of the following:
  - (a) vote in any elections held by the SABVC;
  - (b) vote on any Resolution of the members of the SABVC;
  - (c) sign any Requisitions;
  - (d) run for Students' Council as a Councillor or for office as an Executive;
  - (e) sit on any committee of the SABVC;
  - (f) start a club; or
  - (g) exercise any of the rights or privileges of the Active Members except to the extent specifically provided otherwise pursuant to these Bylaws or any applicable laws.
- 5.3 A Member who has had their status as an Active Member cancelled by a Special Resolution of Council pursuant to section 5.1 shall be entitled to:
  - (a) appeal to an ad-hoc grievance committee consisting of three Active Members at large, as selected by the Executive Director, or
  - (b) submit a Requisition containing 200 signatures of Active Members for the calling of a Special Meeting to review Council's decision and vote on reinstating their status as an Active Member. Upon receipt of a valid Requisition, Council shall call a Special Meeting no earlier than twenty-one (21) consecutive days thereafter and not later than thirty (30) consecutive days thereafter. Any decision to reinstate such Member's status as an Active Member shall require a Special Resolution.

## **PART 4 – MEMBERSHIP FEES**

### **6. MEMBERSHIP FEES**

- 6.1 The Students' Association levies a non-refundable Membership Fee on all Full-Time Students and Part-Time Students enrolled in an Eligible Program. Membership Fees help support the programs, mandates and plans of the SABVC.
- 6.2 Students' Council shall set Membership Fees annually during its budgeting process. The Membership Fees for Part-Time Students shall be set lower than Membership Fees for Full-Time Students.

- 6.3 Membership Fees may be altered annually by up to 4% by a Special Resolution of Students' Council. Any annual Membership Fee increase above 4% may only be changed by a majority vote at a Referendum or by Special Resolution of Members at a meeting of Members.
- 6.4 A portion of Membership Fees shall be allocated to an awards fund. Such portion is subject to annual review by the Executive Committee, and based on such review, may be amended from time to time.

## **7. COLLECTION OF FEES**

- 7.1 SABVC may enter into agreements from time to time with the College for, among other things, the collection of Membership Fees by the College on behalf of the SABVC. Such collection typically occurs at the time the College collects tuition payments.
- 7.2 Health and Dental Plan Fees may be collected in the same manner as Membership Fees are collected.

## **8. HEALTH AND DENTAL FEES**

- 8.1 Subject to section 8.2, Full-time Students enrolled in an Eligible Program will be levied the Health and Dental Plan Fee for the SABVC Health and Dental Plan in effect from time to time.
- 8.2 Any student may opt-out of the Health and Dental Plan by following the prescribed procedure in effect from time to time. Where a student validly opts out of the Health and Dental Plan, the Health and Dental Plan Fee shall be refunded to him or her.
- 8.3 Health and Dental Plan Fees are set by the third-party policy provider and are subject to annual review by the Executive Committee and approval by a Special Resolution of Students' Council. Any annual increase to the Health and Dental Fee in excess of 4% may only be changed by a majority vote at a Referendum or by Special Resolution of Members at a meeting of Members.

## **PART 5 – MEETINGS OF MEMBERS**

### **9. TYPES OF MEETINGS OF MEMBERS**

- 9.1 There shall be two types of meetings of the Members:
- (a) Annual General Meetings (AGM), for purposes of the following:
- (i) presenting to the Members a proposed annual budget for review and approval; *and*
  - (ii) presenting to the Members a report of the activities of Council in the previous year for review by the Active Members, as further described in section 19.5;
- (b) Special Meetings, for purposes of dealing with any and all matters other than those matters set out in section 9.1(a)(i) and 9.1(a)(ii), all of which is deemed to be special matters.

9.2 For greater certainty, a meeting of the Members may be an Annual General and Special Meeting.

9.3 Each meeting of the Members has its minutes voice recorded and transcript for official records.

## **10. LOCATION OF MEETINGS**

10.1 All meetings of SABVC will be held in the City of Calgary, with the location of all meetings taking place on campus at the College unless no location on campus is reasonably available.

## **11. DATE AND TIME OF MEETING**

11.1 Student's Council shall call an Annual General Meeting each year and shall set its date and time between October 1 and November 30.

11.2 Special Meetings may be called from time to time as follows:

- (a) By Special Resolution of Student's Council; or
- (b) By delivering a valid Requisition to Students' Council in accordance with section 13.1.

## **12. NOTICE OF MEETING**

12.1 The Council will notify Members of any meeting of the Members not less than twenty-one (21) consecutive days prior to the meeting.

12.2 Notice of all meetings of Members shall be given by posting notice on boards under the jurisdiction or control of SABVC, or available for use by the SABVC, as well as through posting a notice on the SABVC's website and social media. To be valid, such notice must include the following:

- (a) Whether the meeting is an Annual General Meeting, Special Meeting or an Annual General and Special Meeting;
- (b) The time, date(s), and place of the meeting;
- (c) The proposed agenda for the meeting;
- (d) The text of any Resolution to be submitted to the meeting, including whether a decision on such matter requires a Simple Resolution or Special Resolution to be valid and effective, and provided however that the text of a Resolution may be amended at a meeting if the amendments correct manifest errors or are not material, as determined by Student's Council; and
- (e) In the case of all special matters (being any matter not dealt with solely at an AGM), the nature of the matter in reasonably sufficient detail to permit the Members to form a reasoned judgment on that matter, as determined by Student's Council.

**13. REQUISITIONS**

- 13.1 Special Meetings shall be called by Student's Council within thirty (30) consecutive days of receiving a valid Requisition for a Special Meeting. To be valid, such a Requisition must be duly executed by 200 Active Members, containing each such Member's name and student identification number.

**14. QUORUM FOR MEETINGS**

- 14.1 Quorum for Annual General Meetings and Special Meetings shall be fifty (50) Active Members. In the event that quorum is not met, the meeting may continue with the reporting of activities, discussions and or the sharing of any information but such meeting shall not be considered valid, and no matter may be voted on or business conducted at such meeting. Members that are not Active Members are not included in any count for purposes of determining quorum.

**15. VOTING AND RESULTS**

- 15.1 Subject to any provision of these Bylaws respecting matters requiring approval by Special Resolution of the Members, in order to be valid and effective a decision of the Members must be approved by Simple Resolution.
- 15.2 Each Active Member present in person at an Annual General Meeting or Special Meeting is entitled to one vote on each matter voted on at any such meeting. Members that are not Active Members do not have a right to vote at any Annual General Meeting or Special Meeting.
- 15.3 Online voting from a reputable and secure service provider shall be permitted when voting takes place online, via electronic ballots. Each Active Member eligible to vote will receive, via BVC email account, one voter code and a link to the voting site.
- 15.4 Active Members on a work term, co-op, clinical placement or practicum, may vote in person or by proxy using SABVC's prescribed form of proxy in effect from time to time.
- 15.5 In case of a tie vote, the motion will be defeated.
- 15.6 Results of Simple Resolutions and Special Resolutions or any decisions of the Members shall be announced through the SABVC website, social media, and emails.

**PART 6 – REFERENDUM****16. REFERENDUM**

- 16.1 Referendum may be called from time to time between the months of November to April, inclusive, as follows:
- (a) By Special Resolution of Student's Council; or
  - (b) By delivering a valid Requisition to Students' Council in accordance with section 16.2.
- 16.2 Referendum shall be called by Student's Council within thirty (30) consecutive days of receiving a valid Requisition for a Referendum. To be valid, such a Requisition must

be duly executed by 200 Active Members, containing each such Member's name and student identification number.

- 16.3 Each Active Member is entitled to one vote on each matter voted on at a Referendum by personally attending and voting at a valid polling place. Members that are not Active Members do not have a right to vote on any matter being voted on in a Referendum.
- (a) Online voting from a reputable and secure service provider shall be permitted when voting takes place online, via electronic ballots. Each Active Member eligible to vote will receive, via BVC email account, one voter code and a link to the voting site.
- 16.4 Referendums require a minimum of 3% voter turnout in order to be valid. A Referendum that produces a voter turnout of less than 3% shall be invalid, and all votes and voting results shall be of no force or effect.
- 16.5 Council will notify Members of any Referenda not less than twenty-one (21) consecutive days prior to the date on which polls will first be open.
- 16.6 Notice of all Referendum shall be given by posting notice on boards under the jurisdiction or control of SABVC, or available for use by the SABVC, as well as through posting a notice on the SABVC's website and social media. To be valid, such notice must include the following:
- (a) The period during which polls will be open;
- (b) The location or web address of all or a majority of the polling place(s);
- (c) The question or matter being voted on and whether a decision on such matter requires a Simple Resolution or Special Resolution to be valid and effective; and
- (d) The nature of the matter in reasonably sufficient detail to permit the members to form a reasoned judgment on that matter, as determined by Student's Council, or, in the case of a meeting called as a result of a Requisition, the nature of the matter described in such Requisition.
- 16.7 In case of a tie vote, the Referendum decision will be defeated.
- 16.8 The Referendum result shall be announced through the SABVC website, social media, and emails.

## **PART 7 - SABVC COUNCIL**

### **17. COMPOSITION OF COUNCIL**

- 17.1 SABVC Students' Council, or Council, will be comprised of the following individuals elected by Active Members at elections held pursuant to these Bylaws:
- (a) seven (7) Councillors, one representative of each BVC School;
- (b) one (1) Councillor as the Indigenous representative;

- (i) Indigenous representative cannot represent their school at the same time.
- (c) one (1) Councillor as the Regional representative;
  - (i) Regional representative cannot represent their school at the same time.
  - (ii) Regional representative must attend regional campus class(es) in any BVC site, except main campus in downtown.
- (d) the Executive Committee;
  - (i) Executive Committee is comprised of Director of External Affairs, Director of Internal Affairs, Director of Finance, Board of Governors Representatives, and Executive Director. Executive Committee is further described in Part 8.
  - (ii) Board of Governors Representative and Executive Director are non-voting, ex-officio members. Board of Governors Representative is further described in Part 9; the Executive Director's duties and responsibilities are further described in Part 10.

## **18. CHAIR**

- 18.1 SABVC Students' Council will nominate one Councillor to be the Council's Chair, considering the group elected.
- (a) Current Executive Committee Members cannot be nominated Chair due to conflict of interest.
  - (b) The nomination must be done no later than October 30.
  - (c) The Chair may be nominated by a simple majority vote of Students' Council.
  - (d) The nominated Chair will be automatically appointed as the Board of Governors Representative as further described in section 34.
- 18.2 A Councillor is not qualified to be a Chair if they have held the office of an Executive Committee member during the past year-term prior to becoming the Chair; and/or if they have violated any SABVC Policy, Bylaws, or BVC Learner Code of Conduct during their time as a student at BVC.
- (a) If the Councillor occupying Chair position violates any SABVC Policy, Bylaws, or receive a BVC Learner Code of Conduct sanction during their year-term, the Councillor will be removed from the Students' Council and will not be able to hold the position as Councillor and Chair.
  - (b) If the Chair acts against the interests of SABVC and/or does not fulfill their duties, Students' Council may remove the Chair. It is Students' Council responsibility to make sure the Chair's performance is accountable.
    - (i) To remove or dismiss the Chair, Students' Council needs a simple majority vote.

- 18.3 If the Chair is removed, dismissed, or if they resign, an interim Chair shall be nominated by Students' Council for the remaining term.
- (a) The interim Chair may be nominated by a simple majority vote of Students' Council.
- 18.4 The Chair is not a voting member; however, they have authority to break a tie. If there is a tie, the Chair is allowed to vote.
- 18.5 The Chair reports to the Students' Council.
- 18.6 The Chair must have the same requirements of Councillors, as described in section 20.
- 18.7 The Chair shall be governed by the Conflict of Interest provisions in this Bylaws.
- (a) The Chair shall disclose any Conflict of Interest that may arise in respect of any matter being discussed or any decision to be acted upon by Council.
- 18.8 Councillors may only serve as Chair for a maximum of two (2) year-terms.
- 18.9 The Chair's main responsibility is to chair and moderate Students' Council meetings, ensuring that SABVC Bylaws and policies are being adhered. It is the Chair's responsibility to ensure that all discussions in the Students' Council meetings remain focused within the scope, goals, mission, vision, and values of SABVC. Further description of Chair's duties and responsibilities are available in the related policy.

## **19. ROLE OF COUNCIL**

- 19.1 Council shall be familiar and comply with the provisions of the PSLA and these Bylaws, and all other bylaws and policies of SABVC in effect from time to time.
- 19.2 Council is the official channel of communication between the Members and the Board of Governors of BVC, as per section 95(4) of the PSLA. Council is also the recognized medium of communication between SABVC and each of the following:
- (a) other constituent groups within BVC;
- (b) other students' associations recognized under the PSLA;
- (c) the municipal, provincial, and federal levels of Government and other governmental authorities; and
- (d) the general public and other third parties.
- 19.3 Council shall communicate with the Board of BVC through two (2) representatives: the Council's Chair and the Board of Governors Representative, both appointed by SABVC Students' Council.
- 19.4 The business and affairs of SABVC shall be managed by Council. Council is responsible for approval/disapproval of:
- (a) Bylaws updates;

- (b) New policies and/or policies updates;
  - (c) Strategic Plan;
  - (d) Creation of new committees and/or committees updates;
  - (e) Annual Budget;
    - (i) Council shall, with the assistance of the Executive Director and Director of Finance, prepare and send in advance of the Annual General Meeting the SABVC's budget, for approval by Members at the Annual General Meeting.
      - (A) Should the budget not be approved, Students' Council shall present a new budget at a Special Meeting within thirty (30) consecutive days of the Annual General Meeting.
    - (ii) Council has the right to budget and audit all monies, properties, and securities of whatever nature that may be placed in the custody of, or that may become, the property of SABVC.
  - (f) Events promoted by SABVC and/or Clubs;
  - (g) New partnerships or sponsorships;
  - (h) The CRO hired by the Executive Director to work on election periods and respective appeals.
- 19.5 Council shall present at the Annual General Meeting a report detailing the activities undertaken by SABVC during the previous year.
- 19.6 Council may, from time to time, delegate any of its responsibilities to the Executive Committee in an effort to achieve efficiency regarding the affairs of SABVC, provided however that Council remains responsible to ensure any such delegated responsibility is fulfilled.

## **20. COUNCILLOR REQUIREMENTS**

- 20.1 Each Councillor shall:
- (a) serve maximum of ten (10) assigned office hours per month;
  - (b) present a cumulative GPA of 2.0 or higher each semester during all year-term;
  - (c) be enrolled in a minimum of one (1) course in each semester from September to April;
  - (d) be free of BVC Learner Code of Conduct sanctions during all year-term;
  - (e) be free of criminal record during all year-term; and
  - (f) be 18 years of age or older.



## **21. TERMS OF OFFICE**

- 21.1 Councillors elected by the SABVC take office October 1st. All other Councillors take office when appointed in accordance with section 23.1.
- 21.2 Subject to early removal or resignation in accordance with these Bylaws, all Councillors serve office until April 30<sup>th</sup> of each calendar year, regardless of when the member of Council obtains office.

## **22. RESIGNATIONS AND REMOVAL FROM COUNCIL**

- 22.1 In the event that a member of Council (i) fails to maintain their status as an Active Member of SABVC during their entire year-term or (ii) their cumulative Grade Point Average for their then current program at BVC falls below 2.00, such member shall provide notice of such occurrence to Council along with a resignation letter, failing which they shall be deemed to have been removed from Council.
- 22.2 Notwithstanding section 20.1(d), a Councillor that receives a BVC Learner Code of Conduct sanction during their year-term will be automatically removed from Council.

## **23. VACANCIES OR RESIGNATIONS OF COUNCILLORS**

- 23.1 If more than three (3) Councillors vacate or resign prior to the end of their year-term, then Council shall initiate an appointment process to fill vacated position(s). Council shall establish policy to govern the appointment process.
  - (a) Should three (3) or more Councillor positions become vacant *between October and early January*, Students' Council shall make every attempt to fill the positions through the Appointment process.
  - (b) If three (3) or more Councillor vacancies occur *after the middle of January*, Students' Council may determine if an Appointment process is required through a simple majority vote.
    - (i) Should Council vote to proceed with an Appointment, the process in 23.1 shall be used.
- 23.2 To be considered a vacant position, the resigning Councillor shall submit a written resignation to Council. After the resignation is presented to Council, the position will be considered vacant.

## **24. COUNCIL OATH OF OFFICE**

- 24.1 All Councillors must, at the beginning of their first Council meeting, recite aloud, either alone or in unison with other members of Council, the following oath:
  - (a) *"as an elected member of Council, I most sincerely promise and solemnly swear:*
    - (i) *to actively honour the obligation of duties outlined within SABVC's Bylaws and policies;*

- (ii) *to strive to keep myself informed of developments in the field of post-secondary at BVC and beyond, and to seek opportunities to inform my fellow members of these developments;*
  - (iii) *to behave and perform in line with the spirit and letter of the law, SABVC policy, and the BVC Learner Code of Conduct;*
  - (iv) *all this I do swear without any equivocation, mental evasion or secret reservation"*
- (b) The above oath and the names of those who have recited it aloud will be recorded permanently in the minutes of the meeting.

## **25. MEETINGS OF COUNCIL**

- 25.1 Council shall meet a minimum of twice per month from and including October to and including April.
- 25.2 If the Chair is not able to attend to a meeting, the Director of Internal Affairs will replace the Chair only in that specific meeting.
- 25.3 The agenda for each Council meeting shall be posted in the SABVC office no later than two (2) business days prior to the starting time of each meeting.
- 25.4 Quorum required for the transaction of business of Council shall be differentiated throughout the year, and as follows, in order to accommodate the academic calendar:
- (a) during the months of October to April, a majority of Executives as well as a majority of Councillors present will constitute quorum;
  - (b) during the months of May to September, a majority of Executives present will constitute quorum;
  - (c) motions will be passed by simple majority;
    - (i) If there is a tie, tie will be considered a loss and the final decision will be "not approved";
  - (d) Students' Council may invite guests to attend Council meetings whenever necessary. Guests do not have a vote in the meeting.
- 25.5 Subject to any provision of these Bylaws respecting matters specifically requiring approval by Special Resolution of the members of Council, in order to be valid and effective a decision of Council must be approved by Simple Resolution.
- 25.6 Notwithstanding anything in these Bylaws to the contrary, in order to maintain the voice of Council, no decision requiring approval by a Special Resolution shall be made at meetings of the Executive Committee between May and September. Decisions requiring a Special Resolution are to be reserved for meetings during the months of October to April in order to allow for input from Councillors.

- 25.7 Meetings of Council shall be open to all Active Members of SABVC, provided that Council be allowed to move In Camera in extraordinary circumstances, as determined by Council in their sole discretion.
- (a) Meetings of Council are not open to any Member or general public in case an issue(s) addressed in the respective meeting disclosure or prejudice someone or something in respect of that current issue or if it is related to a confidential action.
- 25.8 Prior to adjourning a meeting of Council, Council shall schedule its next meeting.
- 25.9 Voting by proxy at Council meetings is not permitted.
- 25.10 Subject to any Special Resolutions of Council, and to the extent not inconsistent with these Bylaws, Robert's Rules of Order in effect from time to time shall govern the conduct of all meetings of Council.
- 25.11 Members of Council shall disclose any Conflict of Interest that may arise in respect of any matter being discussed or any decision to be acted upon by Council and shall abstain from voting on any Resolution with respect to any such matter.
- 25.12 The minutes of Council meetings will be posted for not less than seven (7) business days in the SABVC office and on notice boards under the jurisdiction of SABVC.

## **PART 8 - SABVC EXECUTIVE COMMITTEE**

### **26. COMPOSITION OF EXECUTIVE COMMITTEE**

- 26.1 SABVC Executive Committee is comprised of five (5) student leaders:
- (a) Director of External Affairs, elected by Active Members, pursuant to these Bylaws;
- (b) Director of Internal Affairs, elected by Active Members, pursuant to these Bylaws;
- (c) Director of Finance, elected by Active Members, pursuant to these Bylaws;
- (d) Two (2) Board of Governors Representatives, nominated by Student Council, pursuant to these Bylaws and to the Post-Secondary Learning Act (PSLA, 2003).
- 26.2 Board of Governors Representatives and Executive Director are non-voting, ex-officio members.

### **27. ROLE OF EXECUTIVE COMMITTEE**

- 27.1 The Executive Committee is the executive authority of SABVC. It is responsible for the Students' Association internal and external affairs, operating and managing its finance to achieve SABVC Strategic Plan's goals.
- 27.2 Executive Committee represents BVC students' interests to College, internal and external committees, all levels of government, and community. The Executive

Committee is the official intermedium of communication between Members and SABVC stakeholders.

- 27.3 It is Executive Committee's responsibility to be informed and/or knowledgeable about internal and external issues related to Members and to College.
- 27.4 It is Executive Committee's responsibility to be knowledgeable about and to handle political and administrative issues related to SABVC.
- 27.5 Executive Committee reports directly to Student Council.

## **28. EXECUTIVE REQUIREMENTS**

- 28.1 All Executives regardless of the office they hold shall:
  - (a) present a cumulative GPA of 2.50 or higher each semester during all year-term;
  - (b) be enrolled in a minimum of one (1) course in each semester from September to April;
    - (i) Notwithstanding section 4.1, Executives do not need to be registered in a BVC course over the summer semester to fulfill the requirements of maintaining Active Membership status.
  - (c) be free of BVC Learner Code of Conduct sanctions during all year-term;
  - (d) be free of criminal record prior to nomination and during all year-term;
  - (e) be 18 years of age or older.

## **29. TERMS OF OFFICE**

- 29.1 Executives elected by the SABVC membership take office on May 1<sup>st</sup>. All other Executives take office when appointed in accordance with section 31.1.
- 29.2 Subject to early removal or resignation in accordance with these Bylaws, all Executives serve office until April 30<sup>th</sup> of each calendar year, regardless of when the member of Council obtains office.

## **30. RESIGNATIONS AND REMOVAL FROM EXECUTIVE COMMITTEE**

- 30.1 In the event that an Executive (i) fails to maintain their status as an Active Member of SABVC during their entire year-term or (ii) their cumulative Grade Point Average for their then current program at BVC falls below 2.50, such member shall provide notice of such occurrence to Council along with a resignation letter, failing which they shall be deemed to have been removed from the Executive Committee and Students' Council.
- 30.2 Notwithstanding section 28.1(c), an Executive that receives a BVC Learner Code of Conduct sanction during their year-term will be automatically removed from the Executive Committee and Students' Council.

### **31. VACANCIES OR RESIGNATIONS OF EXECUTIVES**

- 31.1 If any Executive vacates or resigns from office prior to the end of their year-term, then Council shall initiate an appointment process to fill vacated position(s). Council shall establish policy to govern the appointment process.
- (a) If an Executive position becomes vacant *between May and the end of August*, the Executive position shall be filled during the September Councillor election.
  - (b) All Executive vacancies occurring *between September and early January* shall be resolved as early in the winter semester as possible through the Appointment process.
  - (c) No vacant Executive position may be filled *after the end of January*. If an Executive position becomes vacant after the middle of January, or no suitable candidate is found through the Appointment process, the vacant Executive's duties shall be distributed between other Executives.
- 31.2 To be considered a vacant position, the resigning Executive member shall submit a written resignation to Council. After the resignation is presented to Council, the position will be considered vacant.

### **32. EXECUTIVE OATH OF OFFICE**

- 32.1 All Executives must, at the beginning of their first Executive Committee meeting, recite aloud, either alone or in unison with other members of the Executive Committee, the following oath:
- (a) *"as an elected member of Council and Executive Committee, I most sincerely promise and solemnly swear:*
    - (i) *to actively honour the obligation of duties outlined within SABVC's Bylaws and policies;*
    - (ii) *to strive to keep myself informed of developments in the field of post-secondary at BVC and beyond, and to seek opportunities to inform my fellow members of these developments;*
    - (iii) *to behave and perform in line with the spirit and letter of the law, SABVC policy, and the BVC Learner Code of Conduct;*
    - (iv) *all this I do swear without any equivocation, mental evasion or secret reservation"*
  - (b) The above oath and the names of those who have recited it aloud will be recorded permanently in the minutes of the meeting.

### **33. EXECUTIVE COMMITTEE MEETINGS**

- 33.1 Executive Committee meetings shall be held a minimum of twice a month.
- 33.2 In the first Executive Meeting of each year-term, the Executive Committee will appoint one member to lead the Executive Meetings.

- (a) The Director appointed to lead the meetings will be responsible for the Agenda of Executive Meetings.
  - (b) The Director of Finance is responsible for the Minutes of Executive Meetings.
- 33.3 Executives may invite guests to attend Executive Committee meetings whenever necessary.
- (a) Guests do not have a vote in the meeting.
- 33.4 Quorum of the Executive Committee will be set at simple majority.
- 33.5 Motions will be passed by simple majority.
- (a) The Executive Director will act as a tiebreaker only if it is in the best interest of SABVC.

## **PART 9 – BOARD OF GOVERNORS REPRESENTATIVES**

### **34. NOMINATION**

- 34.1 SABVC has two (2) Representatives in the Board of Governors of Bow Valley College, pursuant to the Post-Secondary Learning Act (PSLA, 2003).
- (a) The first representative will be the Students' Council Chair.
  - (b) The second representative will be an *external* candidate. It is considered an external candidate any Active Member that is not currently a student leader of SABVC.
- 34.2 Board of Governors Representatives shall be nominated by Students' Council.
- 34.3 The first representative, the Students' Council Chair, will be nominated the Board of Governors Representative by Council in October. The second representative, the *external* candidate, will be nominated by Council in April.

### **35. ROLE OF BOARD OF GOVERNORS REPRESENTATIVES**

- 35.1 Mainly, the Board of Governors Representatives will represent the student body of Bow Valley College to the Board of Governors of BVC. They shall bring student concerns to the Board and they shall report Board decisions to SABVC.
- 35.2 Board of Governors Representatives are voting members at the Board of Governors Meetings.

### **36. BOARD OF GOVERNORS REPRESENTATIVES REQUIREMENTS**

- 36.1 The Board of Governors Representatives shall:
- (a) present a cumulative GPA of 2.50 or higher each semester during all year-term;
  - (b) be enrolled in a minimum of one (1) course in each semester from September to April;

- (i) Notwithstanding section 4.1, Board of Governors Representatives do not need to be registered in a BVC course over the summer semester to fulfill the requirements of maintaining Active Membership status.
- (c) be free of BVC Learner Code of Conduct sanctions during all year-term;
- (d) be free of criminal record prior to nomination and during all year-term;
- (e) be 18 years of age or older.

### **37. TERMS OF OFFICE**

- 37.1 Board of Governors Representatives will take office as soon as they are nominated.
- 37.2 Subject to early removal or resignation in accordance with these Bylaws, both Representatives will serve office for a year-term.

### **38. RESIGNATIONS AND REMOVAL FROM BOARD OF GOVERNORS**

- 38.1 In the event that a Board of Governors Representative (i) fails to maintain their status as an Active Member of SABVC during their entire year-term or (ii) their cumulative Grade Point Average for their then current program at BVC falls below 2.50, such member shall provide notice of such occurrence to Council along with a resignation letter, failing which they shall be deemed to have been removed from the Board of Governors and Executive Committee.
- 38.2 Notwithstanding sections 36.1(c) and 28.1(c), a Representative that receives a BVC Learner Code of Conduct sanction during their year-term will be automatically removed from the Board of Governors and Executive Committee.

### **39. VACANCIES OR RESIGNATIONS OF REPRESENTATIVES**

- 39.1 If one Representative resigns prior to the end of their year-term, then Council shall initiate an appointment process to fill vacated position. Council shall establish policy to govern the appointment process.
  - (a) If a Board of Governors Representative position becomes vacant *between May and the end of August*, the position shall be filled during the September Councillor election.
  - (b) If the vacancy occurs *between September and early January* shall be resolved as early in the winter semester as possible through the Appointment process.
  - (c) No vacant position may be filled *after the end of January*. If a Representative position becomes vacant after the middle of January, or no suitable candidate is found through the Appointment process, the vacant Representative's duties shall be passed to the other Representative.
- 39.2 To be considered a vacant position, the resigning Representative shall submit a written resignation to Council. After the resignation is presented to Council, the position will be considered vacant.

## **PART 10 – THE EXECUTIVE DIRECTOR**

- 39.1 The Students' Association of Bow Valley College shall employ an Executive Director to support the Executive Committee and manage the organization in alignment with the Resolutions of Council and the Executive Committee.
- 39.2 Specific duties of the Executive Director are available in the related policy.
- 39.3 In the prolonged or permanent absence of the Executive Director, the Executive Committee shall appoint a staff member to assume the responsibilities of the Executive Director as an interim acting Executive Director until the position is filled. The Executive Committee shall make every reasonable effort to fill the Executive Director position as soon as reasonably practicable.

## **PART 11 – SABVC'S ELECTIONS**

### **40. ELECTIONS GENERALLY**

- 40.1 Students' Council and Executive Committee members shall be elected from time to time during elections called by the SABVC in accordance with these Bylaws.
- 40.2 In order to make SABVC elections possible, Students' Council shall:
  - (a) ensure SABVC have valid electoral policy to govern the elections of Councillors and Executives, as well as Referendum policy to govern Referendum;
  - (b) approve the appointment of Chief Returning Officer (CRO);
    - (i) The CRO shall be an individual with no apparent interest in the outcome of the election, and who does not have any actual or perceived Conflict of Interest in respect of the election, all as determined by the Executive Director and Council, acting reasonably;
    - (ii) The CRO is responsible for all election processes, dealing with nomination and voting process management, complaints, and appeals. The CRO has authority to decide any electoral request or appeal. If CRO's decision is contested, the appeal will be submitted to the Appeals Committee;
    - (iii) The Executive Director shall be responsible for seeking nominations for the position of the CRO;
  - (c) set Appeals Committee to be responsible for electoral policy in effect from time to time; and fulfilling such other duties and responsibilities set out in these Bylaws or applicable policy of the SABVC in effect from time to time.

### **41. ELECTION SCHEDULES**

- 41.1 Election schedules shall be determined as per SABVC policy and shall consist of nomination, campaigning and voting periods, all of which shall allow for reasonable time to encourage election awareness and Member involvement.



- 41.2 An election for Councillors shall occur in the Fall semester ending no later than the end of September, and an election for Executives shall occur in the Winter semester ending no later than the end of March.

#### **42. NOMINATION AND NOMINATION PACKAGE**

- 42.1 To be Candidate, a Member must first be nominated by not less than fifteen (15) Active Members, they must meet the eligibility requirements of a Candidate set out in section 43.2, and they must successfully submit to SABVC a nomination package, as more particularly described in section 42.2.

- 42.2 A nomination package shall, among other things, include:

- (a) A statement that the person seeking nomination is willing and able to perform the duties and responsibilities of a Councillor or of the office for which they are seeking candidacy as an Executive;
- (b) A statement that the person seeking nomination is bondable, and disclosure of any criminal record of such person;
- (c) A list with minimum of fifteen (15) Active Members' names and signatures nominating the person as a Candidate;
- (d) Information verifying that the person satisfies the criteria of a Candidate set out in section 43.2; and
- (e) Such other information as may be required in the prescribed form of nomination package in effect from time to time.

#### **43. ELIGIBILITY TO RUN FOR COUNCIL AND EXECUTIVE COMMITTEE**

- 43.1 Candidates may only run for one position, either for Councillor or for office as an Executive.

- 43.2 Candidates must:

- (a) be an Active Member of SABVC, and have an honest intention of remaining an Active Member for the duration of the term for the office or seat for which they are seeking election;
- (b) be free of Academic Misconduct and BVC Learner Code of Conduct sanctions one year prior to the elections and during elections;
- (c) having not be on academic probation for 1 year prior to the nomination package submission;
- (d) be eighteen (18) years of age or older;
- (e) be all the following:
  - (i) in the case of a Candidate running for a **Councillor** position:

- (A) a new student of BVC; **or** a returning student of BVC who has not been enrolled in a program or course at BVC for a full calendar year; **or** a returning student with a cumulative grade point average (GPA) at BVC of at least 2.00;
  - (B) attending classes at the main downtown Calgary campus or any other BVC sites due to the requirements of Council to attend meetings in person or remotely (online) in the case of the Regional Representative;
  - (C) be free of criminal record during elections;
- (ii) in the case of a Candidate running for office as an **Executive** or **Board of Governors Representative**:
- (A) a student at BVC for at least one semester with a cumulative GPA of at least 2.50;
  - (B) attending classes at the main downtown Calgary campus;
  - (C) be free of criminal record prior and during elections;
- (f) in the case of a Candidate running for office as an Executive, not have served as an Executive, regardless of the office(s) as an Executive, for three (3) or more terms, whether consecutive or otherwise, unless or until five (5) years has passed since the end date of their most recent term.
- (g) in the case of a Candidate running for Council, not have served as a Councillor for three (3) or more terms, whether consecutive or otherwise, unless or until five (5) years has passed since the end date of their most recent term.
- 43.3 The successfully elected Candidates for Executive positions must supply a criminal record check at the start of their term.

#### **44. CONDUCT OF CANDIDATES**

- 44.1 Candidates for all positions shall not commence any form of Public or Online Campaigning until the start of the Campaigning Period.
- 44.2 No Candidate or Member shall distribute material, publish or post information in any form during the Campaign period, nor shall any Candidate permit any of their supporters to distribute any such material or information, that:
- (a) offends or demeans a person, or group of persons, on the basis of race, colour, ancestry, place of origin, nationality, religion, family or marital status, physical or mental disability, age, sex, sexual orientation, or conviction for a criminal charge;
  - (b) seriously threatens or intimidates a person.
- 44.3 Candidates shall abide by all policies of SABVC in effect from time to time, including without limitation, the Electoral and Referendum Policy, any other electoral policy and the BVC Learner Code of Conduct.

**45. VOTING**

- 45.1 Subject to eligibility as contemplated by section 45.2, all Active Members will have the right to one vote for each position being run for in an election of the members of Council and/or of Executive Committee.
- 45.2 Council will appoint two (2) student leaders to work with the Executive Director and the CRO to establish policies and/or procedures, in either case not inconsistent with these Bylaws or any other policy of the SABVC, with respect to the following:
- (a) for determining eligibility of voters to help ensure ballots are only cast by Active Members;
  - (b) to help ensure reasonably free and fair elections and Referendum occur within the SABVC.
- 45.3 In regards item 45.2, Council cannot appoint student leaders that are currently running for any positions at SABVC due to Conflict of Interest.
- 45.4 Voting shall take place for two (2) or three (3) business days during the Campaigning Period subject to the decision of the Executive Committee.
- 45.5 Online voting from a reputable and secure service provider will be utilized when SABVC elections take place online, via electronic ballots.
- (a) Each Active Member eligible to vote will receive, via BVC email account, one voter code and a link to the voting site.

**46. COUNTING OF BALLOTS**

- 46.1 When applicable, sealed ballot boxes are to be returned to the office specified by the Executive Committee at the close of each voting day. Counting of ballots will be overseen by the CRO after the polls close on the last day of voting.
- (a) In case of online voting, the CRO and the Executive Director are responsible for announcing the results provided by the online system report in the presence of minimum of two (2) witnesses.
    - (i) Witnesses can be Active Members of SABVC.
- 46.2 Each Candidate may appoint a scrutineer to oversee the counting of ballots.
- (a) Item 46.2 is not applicable in case of online voting.
- 46.3 The Candidate receiving a plurality or majority of votes cast with respect to the position being run for shall be declared validly elected and shall take office as an Executive or a seat on Council on the date indicated in sections 29.1 and 21.1 respectively, subject to taking oath of office, as specified in these Bylaws.
- 46.4 In the event only one nomination is submitted for a position, Active Members vote to approve or disapprove the Candidate; in which case the Candidate must receive the approval of the majority of ballots cast to be declared elected.

46.5 Ballots shall be destroyed only after a Simple Resolution is passed to do so by Council, which shall not be made earlier than seven (7) business days following the close of voting or, where an appeal has been made, until the Appeals Committee has made a final determination on the matter.

(a) Item 46.5 is not applicable in case of online voting.

46.6 In the event of a tie, the ballots shall be immediately recounted. If a tie vote is confirmed, the CRO shall determine the winning Candidate by a coin toss.

(a) Item 46.6 is not applicable in case of online voting.

#### **47. APPEALS**

47.1 Decisions of the Electoral Committee or the CRO may be appealed within five (5) business days following the close of voting by any Candidate to the Appeals Committee, which shall be established prior to each Election as per applicable SABVC policy.

47.2 To appeal a decision of the CRO, appellants must follow all the procedures outlined in applicable SABVC policy.

47.3 All decisions of the Appeals Committee are final and binding, and not subject to any further appeal.

### **PART 12 – ABSENCE, SUSPENSION AND IMPEACHMENT OF COUNCILLORS AND EXECUTIVES**

#### **48. LEAVES OF ABSENCE**

48.1 Councillors and Executives are entitled to take leave of absence. Each Councillor or Executive shall be permitted to take a leave of absence for a maximum of one (1) semester per term of office to facilitate a co-op, work, or any school related activity that removes the Executive from the Calgary area.

#### **49. ABSENCES FROM COUNCIL MEETINGS**

49.1 With the exception of leaves of absence, as outlined in section 48.1, a Councillor or an Executive who has missed more than two (2) regularly scheduled Council meetings per semester, with the exception of cases of illness or emergency, shall be deemed to have resigned from their position, upon conclusion or adjournment of such second meeting from which they are absent. If the member fails to provide a resignation letter, they shall be deemed to have been removed from Council.

49.2 A member of Council or Executive Committee shall be considered absent from a meeting of Council if the meeting is validly called and held, but such member was not present for purposes of determining whether quorum was met for such meeting.

49.3 Council will adhere to the following provisions in working with an absentee member, provided however that failure to adhere to such provisions shall not invalidate a deemed resignation pursuant to section 49.1:

- (a) Council shall provide written warning to such member as soon as reasonably possible following their absenteeism from one (1) meeting of Council;
- (b) Council will motion to approve any such deemed resignation by way of a Simple Resolution.

## **50. SUSPENSION OF COUNCILLORS AND EXECUTIVE MEMBERS**

50.1 Subject to section 50, a member of Council, Executive Committee and/or Board of Governors may be immediately suspended and may be impeached from their position in the following circumstances:

- (a) The member is in violation of any criminal law of Canada;
- (b) The member violated SABVC Bylaws or any SABVC policy during their year-term;
- (c) The member breached confidentiality or intellectual agreement(s);
- (d) The member breached their fiduciary duties to the SABVC;
- (e) The member is in persistent failure to perform duties of office to an acceptable standard including, without limitation, failure to attend to duties associated with their position such as, but not limited to, attendance at meetings, representation on committees, and/or other required duties, and following written notice of such failure(s) in accordance with section 51.2, and a reasonable opportunity to improve and/or cure any failures, the member has failed to do so; and/or
- (f) The member's conduct is persistently inconsistent with any of the established purposes of the SABVC, and following written notice of such misconduct in accordance with section 51.2, and a reasonable opportunity to improve, the member has failed to do so.

50.2 A suspended member of Council, Executive Committee and/or Board of Governors shall refrain from involvement in any SABVC business except when requested to attend Council Meetings as per the proceedings in section 51.4.

## **51. IMPEACHMENT PROCEEDINGS**

51.1 In order to protect SABVC, a member of Council, Executive Committee and/or Board of Governors may be immediately suspended by a Simple Resolution of the Executive Committee prior to the proceedings in section 51 through to section 51.5 for potential breaches of 50.1(a), 50.1(b), 50.1(c) or 50.1(d).

- (a) The suspended member shall be paid based on the expected number of hours that they would normally be expected to work for the duration of their suspension.
- (b) The suspended member shall refrain from involvement in any SABVC business except when requested to attend Council Meetings as per the proceedings in section 51.4.

- (c) Should the member in question of violating 50.1(a), 50.1(b), 50.1(c) or 50.1(d) be a member of Executive Committee, that Executive shall not be permitted to vote on their own suspension as per 50.1.
  - (d) A suspended member shall be notified of their suspension immediately alongside the required notice described in section 51.2.
- 51.2 Prior to making any determination pursuant to section 50.1, the failure or misconduct, as the case may be, must be brought to their attention by the Chair, or in the case of failure or misconduct by the Chair, by one Executive member, in the form of a written notice describing such failure or misconduct in reasonable detail.
- 51.3 The Executive Director, any member of Council or any member of Executive Committee who believes that another member has committed any of the prohibited acts listed in section 50.1 may provide a written request to the Chair to notify the member in question in accordance with section 51.2, or in the event the member in question is the Chair, to any Executive member.
- 51.4 Any member of Council or Executive Committee who believes that another member has committed any of the prohibited acts listed in section 50.1 may bring forward a motion to adopt a Special Resolution to impeach that member of Council and/or office, provided however that:
- (a) The notice contemplated in section 51.2 has been delivered to the member in question;
  - (b) The motion to impeach must be submitted to Council, including the member in question, in writing no less than ten (10) consecutive days prior to the meeting of Council at which the motion is proposed to be brought forward, and it must set out in reasonable detail the wrongdoing alleged;
  - (c) The motion to impeach must be signed by not less than one-third (1/3) of all members of Council;
  - (d) During the Students' Council meeting in which the motion to impeach is to be brought forward and voted on the motion must:
    - (i) Be made, discussed, and voted on In Camera;
    - (ii) Allow for the member in question and the Councillor or Executive who made the motion to present their respective positions prior to the vote; and
    - (iii) Be voted on by secret ballot.
- 51.5 Should a motion to impeach be submitted to Council pursuant section 51.4 requesting the removal of an Executive, and should that Executive not already be suspended pursuant of section 51.1, that Executive must take a leave of absence from their position with pay until the motion is settled.

**PART 13 - POLICY OF SABVC**

**52. ESTABLISHMENT OF POLICY**

52.1 Policy of SABVC may be established, amended, supplemented or repealed from time to time by:

- (a) Simple Resolution of Council;
- (b) Simple Resolution of Members at a Special Meeting; or
- (c) Majority vote through a Referendum of SABVC,

provided that any such policy is not inconsistent with or in conflict with these Bylaws.

**PART 14 - FINANCES OF SABVC**

**53. THE FISCAL YEAR**

53.1 The fiscal year for the Students' Association is from July 1 to June 30.

**54. FUNDS OF SABVC**

54.1 SABVC may establish funds for capital investment, endowment, or other purposes. Council shall set the allocation for its funds in its annual budget.

**55. SIGNING OFFICERS OF SABVC**

55.1 The signing officers of SABVC shall be:

- (a) the Director of Finance,
- (b) the Director of Internal Affairs,
- (c) the Director of External Affairs, and
- (d) the Executive Director of SABVC.

**56. AUDITORS**

56.1 An external audit firm shall be hired annually by the Executive Director with Council's approval.

56.2 The auditors shall have the right to examine all books, records and accounts of SABVC and shall be entitled to request from any and all members of SABVC, including Council, such information and explanation as may be required by the auditors for the performance of their duties.

**57. BORROWING**

57.1 Subject to the PSLA, in order to carry out the purposes of SABVC, Council may, on behalf of SABVC, issue short or mid-term debt instruments or secure short or mid-

term loan facilities such as lines of credit or loans in order to assist the SABVC with short to medium term operating or capital costs.

- 57.2 Council may, on behalf of SABVC, grant security interests in any of its assets, including mortgages in any real property it may own or hold an interest in, in connection with such loans or debt instruments.

## **58. COMPENSATION AND BENEFITS OF COUNCILLORS AND EXECUTIVES**

- 58.1 Councillors and Executives shall receive a compensation for services rendered during their term, as approved by Council from time to time, always in accordance with these Bylaws and applicable policies.
- 58.2 The compensation awarded to each Councillor or Executive shall be established based on hours worked monthly.
- (a) Councillors are entitled to work up to ten (10) hours per month;
  - (b) Executives are entitled to work up to fifty (50) hours per month, with a minimum of thirty (30) hours per month;
  - (c) Board of Governors Representatives are required to attend all SABVC Executive Meetings, BVC Board of Governors Meetings, and General Students' Council Meetings.
- 58.3 SABVC shall track hours worked by each Councillor and/or Executive based on time machine records in order to calculate their monthly salary.
- (a) Every time that Councillors and Executives work in the office or represent SABVC in events or meetings, they must register *time in* when they start and *time out* when they finish work;
  - (b) It is responsibility of each Councillor and Executive to keep their records updated and accountable;
  - (c) Hours that are not registered in the time machine will not be considered in the monthly salary calculation.
- 58.4 Executives shall receive Health and Dental coverage during their term of office.

## **PART 15 – SABVC RECORDS**

### **59. LOCATION OF RECORDS**

- 59.1 All books and records of SABVC shall be kept in SABVC's office, SABVC's online storage (electronic files), and in a secure record and file store facility.
- 59.2 Policies respecting the storage and security of physical and digital files may be established from time to time by the SABVC, provided that any such policy is not inconsistent with or in conflict with these Bylaws.
- 59.3 The Executive Director is responsible for maintaining all SABVC records and archives.



## **60. ACCESS TO RECORDS AND INFORMATION**

- 60.1 The following records of SABVC shall be made available to any Member for inspection at the offices of SABVC within five (5) business days of a written request submitted to Executive Committee or Executive Director. The Executive Team is responsible to inform Students' Council when a request has been made.
- (a) Yearly Audit Financial Statements and Year-End Audit Reports;
  - (b) Donation, scholarship, and award records;
  - (c) Minutes of SABVC's meetings, such as Students' Council meetings, Annual General Meetings, Special Meetings, Executive Committee meetings;
    - (i) Minutes are not available to any Member or general public in case an issue(s) addressed in the respective meeting disclosure or prejudice someone or something in respect of that current issue or if it is related to a confidential action.
    - (ii) Minutes of in-camera meetings are not available to any Member or general public as they are considered restricted information.
  - (d) Policies and procedures manuals;
  - (e) Membership contracts with other associations and/or representative organizations;
  - (f) Councillors and Executives reports, such as monthly and final reports;
    - (i) Reports are not available in case an issue(s) addressed in the respective report disclosure or prejudice someone or something in respect of that current issue or if it is related to a confidential action.
- 60.2 Any record, contract, archive, material, and/or information related to Human Resources nature shall not be made available to inspection by Members pursuant to the Personal Information Protection Act (PIPA, 2003). It includes, but is not limited to:
- (a) Staff and volunteer files;
  - (b) Salaries and wages;
  - (c) Employees and third parties hiring contracts;
  - (d) Surveys' data.
- 60.3 Exceptionally, Policy on Role of Executive Committee, Policy on Role of Students' Council, Policy on Role of Chair, Policy on Role of Board of Governors Representatives, and Policy on Role of Executive Director shall be available to inspection by Members.

## **PART 16 - STANDING COMMITTEES OF SABVC**

### **61. ESTABLISHMENT**

- 61.1 Council shall have the authority to appoint standing, advisory and *ad hoc* special committees by Resolution from time to time and shall have the right to fix terms of reference and or other policy respecting any such committees, provided no such terms of reference or policy is inconsistent with these Bylaws.

### **62. EXECUTIVE COMMITTEE**

- 62.1 SABVC shall have an Executive Committee, which shall consist of:

- (a) Director of External Affairs,
- (b) Director of Internal Affairs,
- (c) Director of Finance,
- (d) Two (2) Board of Governors representatives as "*Ex Officio*", and
- (e) the Executive Director as "*Ex Officio*".

- 62.2 The duties and responsibilities of the Executive Committee are described in section 27 and related policy.

### **63. APPEALS COMMITTEE**

- 63.1 SABVC shall have an Appeals Committee which shall consist of Active Members nominated by Students' Council.

- 63.2 The Appeals Committee is responsible for electoral policy in effect from time to time; and fulfilling such other duties and responsibilities set out in these Bylaws or applicable policy of the SABVC in effect from time to time.

- 63.3 Appeals Committee is the last instance to appeal any subject, including electoral and impeachment decisions. All decisions of the Appeals Committee are final and binding, and not subject to any further appeal.

- 63.4 No member of the Appeals Committee shall seek election or re-election while serving on the Appeals Committee.

## **PART 17 - AMENDMENTS TO THE BYLAWS OF SABVC**

- 63.1 These Bylaws may only be amended by a Special Resolution of the Members.

## **PART 18 - COMING INTO FORCE**

- 63.1 These Bylaws were approved by SABVC Membership on the 11<sup>th</sup> day of February 2020.

- 63.2 These Bylaws shall come into force the 1<sup>st</sup> day of May 2020.

- (a) Any election and/or appointment process that occurs between the transitioning period, from the 11<sup>th</sup> day of February 2020 to the 30<sup>th</sup> day of April 2020, shall follow these Bylaws to be effective.