

# **THE BETHUNE COLLEGE COUNCIL CONSTITUTION**

As passed at the Bethune College Council special meeting on February 27, 2020  
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## **Table of Contents**

Title and Mission Statement  
Article I - Interpretation of the Constitution and General Remarks  
Article II - Community Membership  
Article III - Privileges of Bethune College Council Membership  
Article IV - The Composition of the Bethune College Council  
Article V - Qualifications, Powers and Duties of Council Members  
Article VI - Standing Committees  
Article VII - Community Affiliations  
Article VIII - Powers of the Bethune College Council  
Article IX - Bethune College Council Meetings & Procedures  
Article X - Bethune College Council Elections  
Article XI - Council Nominations & Election Procedures  
Article XII - Referenda/ Impeachment of Council  
Article XIII – Impeachment  
Article XIV - Amendments to the Constitution  
Article XV - Bethune College Council Bylaws  
Appendix I - Bethune College Council Financial Policies  
Appendix II - Honorarium Protocols  
Appendix III - The Bethune College Poster Policy

## **Mission Statement**

We, the Bethune College Council, dedicate ourselves to the Bethune community in the provision of social and academic programs and services while ensuring we maintain a strong and representative voice within York University. BCC strives to enrich the lives of the Bethune student body through social and academic events. Additionally, the council will continue to guide and assist all affiliated clubs and organizations.

- The BCC recognizes and celebrates those values exhibited by the college's namesake,

Dr. Norman Bethune, and strives to, at all time, protect the interests of the community in fulfilling its mandate.

- The BCC recognizes and celebrates the fact that it represents and serves a rich and diverse community and attempts to promote further harmony within this diversity.
- The BCC recognizes and celebrates that while it may be the primary voice of the community, that it must proactively interact with, and take suitable direction from, other community bodies such as the Bethune College Fellows, Alumni, staff, faculty and students of the college.
- The BCC recognizes and celebrates a long history and relationship with the Head's Office of Bethune College. It further recognizes the service and guidance that has been provided to the BCC by the Head's Office. The BCC will strive at all time to further this relationship, ensuring equal representation of all community members on the council.

## **Article I - Interpretation of the Constitution and General Remarks**

### 1. Interpretation of the Constitution

- a. The Bethune College Council, hereinafter referred to as the BCC, shall be the sole authority for the interpretation of this constitution. The BCC shall, however, make all determinations of construction and interpretation with due regard to the accepted rules of procedure of York University.

### 2. General Remarks

- a. This Constitution shall come into effect May 1st, 2020, and shall give guidance to succeeding Councils;
- b. Any previous Constitutions of the BCC are hereby repealed, and all legislation, motions or other acts of the BCC inconsistent with this Constitution are hereby revoked; and are done so in the best interests of the Community;
- c. Should any Article, section or subsection of this Constitution be deemed by any member of the BCC to require further and official clarification in the best interests of the BCC and Community, and for just cause, then the President or any Voting Member of the BCC, on request or on his/her own initiative, may propose a clarification in the form of a motion during a duly advertised and regular meeting of the BCC; this proposed clarification shall be accepted upon a two-thirds affirmative vote by the BCC, and providing that any such clarification does not contradict the Articles and Spirit of this Constitution. Such an approved clarification shall be recorded in the BCC Minutes, and shall also be appended, on a separate sheet, to the BCC copy of this Constitution. In addition, no such clarification may take the form of an Amendment to this Constitution without its first successfully passing through the regular Amendment procedures (see Article XIV);

### 3. Conflict of Interest

- a. It is the policy of the BCC to conduct its business and political affairs in compliance with applicable laws and in conformity with the highest ethical and

- moral standards.
- b. No Member of the BCC should have any business or financial interest or other involvement outside of the BCC which in any way conflicts with her duties and responsibilities to the BCC. Each BCC Member should avoid situations that affect or are likely to affect her loyalty and interest in serving the BCC.

## **Article II - Community Membership**

1. There shall be two categories of membership in the Community:
  - a. Regular Members:
    - i. The Head of the College;
    - ii. All full-time and part-time students, plus graduate and special students studying at York University and assigned to Bethune College as their College of Affiliation;
    - iii. The Fellows of the College including the Administrative Assistant, the Secretaries, Dons and the Residence Life Coordinator.
  - b. Honorary Members:
    - i. The Alumni of the College;
    - ii. Persons that the BCC may from time to time designate as being Honorary Members of the Community.

## **Article III - Privileges of the Bethune College Membership**

1. All members of the BC Community shall be entitled:
  - a. To have reasonable access to the BCC's property;
  - b. To participate in General Meetings of the Community;
  - c. To attend all regular meetings of the BCC.
  - d. To vote in elections, or in BCC referenda;
  - e. To propose or second the proposal of amendments to this constitution, in accordance with procedures set out below;
  - f. To propose referendum or recall proceedings in accordance with the rules set out below;
  - g. To nominate or second the nomination of candidates for the Council;
  - h. If they are a student as per Article II (1) (a) ii, to stand for election for council positions open to them;
  - i. To participate in any and all activities sponsored by the Community.

## **Article IV - The Composition of the Bethune College Council**

1. The Voting Members of the Council shall include:
  - a. The President;
  - b. The Executive Vice-President;

- c. The Vice-President Athletics;
  - d. The Head of the College, or designate when Head unavailable;
  - e. The Fellows' Representative;
  - f. Two (2) First Year Representatives;
  - g. Four (4) General Members;
  - h. The SOS Representative;
  - i. The Bethune College Academic Advisor;
  - j. The YFS Director;
2. The Non-Voting Members of the Council shall include:
- a. The Vice-President Finance;
  - b. The Vice-President Social
  - c. The Vice-President Communications
  - d. Director of Finance;
  - e. Two (2) Commuter Directors
  - f. The Administrative Assistant;
  - g. The Orientation Chair(s);
  - h. The Residence Life Representative (DLLO);

## **Article V - Qualifications, Power and Duties of Council Members**

1. All student Council Members must:
  - a. Be a full-time student and be in good academic standing;
  - b. Comply with the constitution and bylaws and take a proactive role in BCC matters;
  - c. Attend all Council meetings to the best of their ability and inform the speaker if unable to attend;
  - d. Attend all BCC social/academic/athletic events to the best of their ability;
  - e. Staff the BCC office as scheduled by the Executive Vice-President;
  - f. Actively participate in Social Orientation in the role of leader.
2. Furthermore, all Executives must:
  - a. Represent the interests of BCC and its constituents at various levels within the University;
  - b. Report at every BCC meeting;
  - c. Report regularly to the President;
  - d. Receive an honorarium, as determined by Council.
3. **The President shall:**
  - a. Have been an BCC Executive or Orientation Chair for at least one-year prior (unless no executive members or Orientation Chair wish to run for president in which case a member of the non-Executive or non-Chair may run for president);

- b. Chair the Executive, and Constitution committees;
- c. Be a member of the Hiring Committee;
- d. Act as the Chief Council Officer of the Community, and therefore shall be charged with final responsibility for carrying out the wishes, legislation, policies and Constitution of the BCC;
- e. Assist in the coordination of social, athletics, finance, academic and orientation programming through collaborative management.

**4. The Executive Vice-President shall:**

- a. Have been a member of the BCC for at least one-year prior;
- b. Chair the Hiring Committee;
- c. Be a member of the Executive Committee and the Finance Committee;
- d. Assume the role of Acting President in the absence of a President and consequently re-assign the remaining duties of the Executive under the discretion of the Executive Committee;
- e. Oversee management and upkeep of council offices;
- f. Be responsible for internal relations and operations between the BCC.

**5. The Vice-President Finance shall:**

- a. Be hired after the General Elections of each year, the final day for applications being the final day of General Elections;
- b. Be a member of the Executive Committee, Orientation Committee and the Finance Committee;
- c. Be responsible for all of the financial matters of the BCC;
- d. Ensure that the completed audit is completed by August and that the Interim Audit is completed by the end of January.

**6. The Vice-President Social shall:**

- a. Be hired after the General Elections of each year, the final day for applications being the final day of the General Elections;
- b. Chair the Social Committee;
- c. Be a member of the Executive Committee;
- d. Assist in the creation and maintenance of a vibrant social life within and at the service of the Community;
- e. Oversee the implementation of all events throughout the academic year that are aimed specifically at all Bethune constituents. These events may be social, academic or educational in nature.

**7. The Vice-President Communications shall:**

- a. Be hired after the General Elections of each year, the final day for applications being the final day of the General Elections;
- b. Chair the Communications Committee;
- c. Be ultimately responsible for all BCC promotions including digital signage, poster-ing, social media and website upkeep.

**8. The Vice-President Athletics shall:**

- a. Have been a BAC Executive Member for at least one year;
- b. Chair the Bethune Athletics Committee;
- c. Be a member of the Executive Committee;
- d. Be responsible for all athletic programming of the BCC;
- e. Endeavour to encourage and increase participation of Community members in both Council and Community athletic activities.

**9. The Four General Members shall:**

- a. Be a member of the Social, Communications, Sponsorship and Finance Committees;
- b. Plan a social event;
- c. Plan a council bonding event;
- d. Put up posters;
- e. Plan seasonal decorations for Bethune spaces;
- f. Scan all receipts and match them to adobe cheque stubs;
- g. Make callouts for Orientation week.

**10. The Director of Finance shall:**

- a. Be a member of the Finance Committee;
- b. Assist the Vice-President Finance in ensuring that all financial matters of the college are properly being upkeep.

**11. The Two First Year Representatives shall:**

- a. Be first year students;
- b. Represent the interests of all First-Year Members of the Community;
- c. Endeavour to encourage and increase the participation of such First-Year Members in both BCC and Community activities.

**12. The SOS Representative shall:**

- a. Be a SOS executive and approved by BCC;
- b. Act as a liaison between BCC and SOS and provides updates on SOS activities to the Council.

**13. The YFS Director shall:**

- a. Be a liaison between the BCC and the York Federation of Students and to represent the view of the BCC in YFS meetings.

**14. The Commuter Representative(s) shall:**

- a. To be responsible for the maintenance and upkeep of JACs/JCR and study rooms;
- b. Be a liaison between the BCC and the Commuter students of Bethune college;
- c. Maintain at least three (3) separate regular hours in Bethune JCR (115);
- d. Ensure JCR/JACs are open on weekdays and are clean. The Commuter Reps are also responsible for overseeing the planning and execution of any events that are to be held in JCR/JACs.
- e. Not be living in any residence at York University for the elected academic session.

**15. The Residence Representative (DLLO) shall:**

- a. Be a current Don of the Bethune College Residence appointed by the Residence Life Coordinator and accepted by the BCC;
- b. Report as necessary to the BCC at its meetings;
- c. Acts as a liaison between the Residence Council and the BCC.

**16. The Fellows Alumni Representative shall:**

- a. Be a member of the York community and a Fellow an Alumni of the Bethune College;
- b. Assist the BCC in defining and achieving its goals, in the best interests of the whole Community;
- c. Be recommended by the Fellows or Head and approved by BCC.

**17. The Administrative Assistant shall:**

- a. Be hired after the General Elections of each year, the final day for applications being the final day of General Elections;
- b. Be an impartial and accurate recorder of discussions, motions, decisions, and reports of all other business and happenings at BCC meetings and ensure proper distribution to the community.

**18. The Orientation Chair(s) shall:**

- a. Be hired after the General Elections of each year, the final day for applications being the final day of General Elections;
- b. Plan and execute Orientation Week under the supervision of the Orientation Committee;
- c. Be a member of the Orientation Committee and Sponsorship Committee;
- d. Be responsible for all Orientation related programming;

## **Article VI - Standing Committees of the BCC**

Each committee will meet on a regular basis and report, in writing, every semester.

**1. The Executive Committee shall:**

- a. Consist of the President (Chair), the Executive Vice-President, the Vice-President Finance, the Vice-President External, the Vice-President Athletics

and the Vice- President Social;

- b. Be responsible for management of the storage spaces;
  - c. Meet bi-weekly to inform each other of council matters and make plans for the year.
2. **The Finance Committee shall:**
    - a. Consist of the President, Vice-President Finance (Chair), Executive Vice-President, Head of the College or delegate, and four (4) General Members and the Director of Finance;
    - b. Oversee all BCC financial matters in the best interests of the Bethune College Council ensuring a balance of the books.
  3. **The Social Committee shall:**
    - a. Consist of the Vice-President Social (Chair), Four (4) General Members, Both First Year Representatives;
    - b. Plan and organize and promote BCC social and/or academic functions;
    - c. Have all events planned and approved by the BCC at their specified date but no later than June 30<sup>th</sup>.
  4. **The Hiring Committee shall:**
    - a. Consist of the incoming Executive Vice-President (Chair), the incoming President; the Administrative Assistant to the Head or designate, and optionally a special member familiar with the position as decided upon by the committee to hire all hired council positions;
  5. **The Bethune Athletics Committee shall:**
    - a. Consist of the Vice-President Athletics (Chair), the Bethune Athletic Committee Director of Operations, the Bethune Athletic Committee Director of Communications, the Bethune Athletic Committee Director of Promotions and the General and Senior members of the Bethune Athletic Committee;
    - b. Promote and implement the Intramural Program in Norman Bethune College ensuring good sportsmanship and fair play by all participants.
  6. **The Orientation Committee shall:**
    - a. Consist of the President (Chair), the Orientation Chair(s), the Vice-President Finance, the Head of the College, the Assistant to the Head and any other member of Council that is deemed appropriate by the Chair;
    - b. Meet on a weekly basis during the Summer semester;
    - c. Work with the Orientation Chair(s) and the President to ensure that plans for Social Orientation are running on time and on budget;
    - d. Submit recommendations on expenditures and events for Social Orientation to Council.
  7. **The Constitution Committee shall:**
    - a. Consist of the President (Chair), the Executive Vice-President and the Head;
    - b. Review the constitution from time to time and decide whether sections need to be edited, added or deleted;
    - c. Meet on a bi-semester occasion to review the BCC Constitution;
    - d. Report to Council through its Chair as to progress and any information that needs to be changed;



- e. Organize a meeting with the Bethune Community to review and ratify any changes to the Constitution.

**8. The Communication Committee shall:**

- a. Consist of the Vice-President Communications (Chair), The Promotion Director and two (2) Promotion Assistants and four (4) general members;
- b. Ensure proper communication of Bethune College Council events and news to Bethune constituents

**9. The Sponsorship Committee shall:**

- a. Consist of the President (Chair), Orientation Chair(s), Vice-President of Finance, Director of Finance and four (4) general members;
- b. Shall be in charge of seeking sponsorship opportunities for the council.

## **Article VII- Student Ombuds Service**

- 1. The BCC recognizes SOS as an integral part of the Bethune and York community and shall support SOS in whatever way possible in effort to further strengthen the community and further the academic goals of the service.

## **Article VIII- Powers of the BCC**

- 1. The BCC shall be empowered:
  - a. To uphold and enforce the provisions of this Constitution and is required to ensure that none of its deliberations/decisions contravene the Articles or Spirit of this Constitution;
  - b. To play its proper role in holding referenda, including referenda on this Constitution, set out in Article XIV;
  - c. To administer funds accruing to the BCC, and to engage in any undertaking necessary for the achievement of the goals and objectives of the BCC, in the best interests of the Community, and with all due regard to proper book keeping, to fiscal responsibility, and to good citizenship within the wider York context;
  - d. To create and supervise such further BCC bodies, committees, clubs and commissions as may from time to time be deemed necessary for the definition and achievement of the BCC's goals and objectives, in the best interests of the Community, and to delegate representatives to serve on other appropriate Community or York bodies, committees, clubs and commissions;
  - e. To receive, comment and act upon appropriate reports, communications and requests from accredited or recognized spokespersons for other Community, York University, or non-York University bodies, committees, clubs and commissions;
  - f. To grant unto any such bodies, committees, clubs or commissions funds requested for their activities, after taking into account the opinions and recommendations of the Vice-President Finance (refer to Article V (11)), and to retain regulatory control, including the right to withdraw any grant or allocation of funds made to any such bodies, committees, clubs and commissions if in the documented opinion of the Finance Committee or of that of the BCC itself, the monies so granted or allocated

- are being used for purposes for which they were not granted or allocated;
  - g. To set forth financial accounting criteria through the Vice-President Finance and the Finance Committee to which bodies, committees, clubs and commissions applying for BCC funds shall adhere;
  - h. To give further advice regarding the actions of any such bodies, committees, clubs, commissions and spokespersons as the BCC may from time to time deem to be necessary, in the best interests of the BCC and the Community;
  - i. To employ personnel, provide for the remuneration and define their responsibilities, or to discontinue such employment for just cause;
  - j. To appoint a Chief Returning Officer and his/her assistants (as per Article XI);
  - k. To provide for and maintain any assets or facilities shown to be necessary for the furtherance of the goals and objectives of the BCC in the best interests of the Community.
2. To assist BCC members in the exercise of their duties and to ensure that each member is fully aware of their obligations and powers; each member shall be provided with a complete copy of this Constitution, at BCC expense, and by the outgoing or present Council President, no later than at the first meeting held after that member's election or appointment.

## **Article IX- BCC Meetings and Procedures**

1. Meetings:
- a. The BCC shall meet for at least twelve regular meetings during the academic year (i.e. September-April, inclusive), at least five regular meetings being held per term; the number of special meetings is not fixed;
  - b. All such meetings shall be advertised no less than 72 hours in advance, through the posting of signs in prominent locations throughout the College and Residence structures; a large audience for BCC deliberations is to be encouraged; Lexicon should also be informed;
  - c. The BCC shall agree at the beginning of each term as to which day and time in the week shall be the recognized, regular meeting time;
  - d. There shall be at least one joint meeting of the outgoing Council and Council-elect following the elections, to allow the new Council to benefit from the experience, procedures and suggestions of the outgoing one. The Council-elect shall become the official Council at midnight on the first day of May (refer to Article IV (3) (b));
  - e. The new Council shall hold at least three, duly advertised meetings during the summer (May-August, inclusive) to prepare for the fall term and for Orientation Activities.
  - f. The decisions of the meeting may be challenged by presenting to the Chair a petition containing the signatures of one hundred (100) regular members of the Bethune Community (refer to Article II (1) (a)), asking that a Special General Meeting be held.
  - g. This petition must be received by the Chair within one (1) month of the adjournment of the meeting in which decisions are in dispute.
  - h. The Special General Meeting must be held within ten (10) days of the receipt of

- the petition.
- i. The quorum for the Special General Meeting is (50) regular members of the Bethune Community and, if quorum is present, the meeting may review any decision of the disputed meeting and confirm or reject it.
  - j. If no quorum is present by the advertised start time of the meeting, the Special General Meeting cannot convene and the decisions of the disputed meeting become binding.
2. Quorum:
- a. Quorum shall consist of fifty (50) percent of Voting Members of the BCC including the President or his/her representative; summer quorum shall consist of any twenty- five (25) percent of Voting Members, including the President or his/her representative.
3. Proxy Votes:
- a. A voting member of the BCC unable to attend or remain at a meeting may cast a vote by proxy, provided that they informs the Speaker (or another member of the BCC if Speaker isn't present) and/or Administrative Assistant of this prior to the commencement of the meeting concerned and in hand-written or email format, indicating how they would vote on the various motions in the agenda; that proxy expires at the end of that particular meeting;
  - b. The Minutes of the meeting shall reflect the use of proxy votes.
  - c. Proxy votes can only be exercised to motions as a part of the agenda and shall be exercised by the Speaker.
4. Rules of Procedure:
- a. The BCC adopts the **Bourinot's Rules of Order**, as the rules of its procedure, except in such circumstances where it shall have duly adopted its own rules which nevertheless may not be such as to conflict with the Articles, and Spirit of this Constitution;
  - b. No meeting of the BCC shall be greater than two and one-half hours in duration, unless a motion to continue past this time is made and receives a two-thirds majority affirmative vote;
  - c. All votes of the BCC shall be by a public show of hands, counted by the Chair of the meeting, unless a motion asking for a secret ballot is carried by a two-thirds affirmative vote. The Minutes shall record the rationale for the rarely used secret ballot vote;
  - d. Motions shall be passed by a simple majority vote of the voting Members unless otherwise prescribed in this Constitution.
  - e. The Chair of the meeting will only vote in the event of a tie and will be the tie-breaking vote.
5. The Minutes:
- a. Minutes are to be sent out to BCC within 2 business days of the previous meeting by the Administrative Assistant.

## **Article X- BCC Elections**

1. All BCC Elections shall be coordinated by the Chief Returning Officer. If the Chief

Returning Officer is a candidate in the election then another member who is deemed fit by Council shall take his/her place;

2. The Chief Returning Officer shall:

- a. The Chief Returning Officer, hereby referred to as the CRO, shall oversee the online voting process;
- b. Be in charge of all matters pertaining to the holding of BCC elections (e-Vote or by ballot), By-elections, or referenda, including the checking of the Voters List (Community Regular Members) from the Head's Office; the receiving and certification of nominations; the posting of notices; the establishing of polls; the counting of ballots; the declaration of spoiled ballots; the declaration of successful candidates and all results; the declaration of successful referenda questions; the making of all such results known both to the outgoing Council and to the Community. They will be responsible for contacting e-Vote to set up the elections, getting the votes and providing York with the newly elected members. They shall also arrange for All-Candidates, public meeting for the Community after the closing of nominations and in the campaign week (except where a post/posts is/are filled by acclamation);
- c. Conduct the elections, By-elections, or referenda on days established by the Constitution, or by motion of the BCC;
- d. Have their own vote counted only in the case of a tie and with respect to each such office;
- e. Otherwise maintain complete impartiality; they may take any complaints or charges of undue pressure or influence before the BCC for investigation and resolution;
- f. Have final authority to enforce all electoral regulations; or decide matters of contention or to take them before the BCC for resolution; they may disallow nominations or force the withdrawal of any candidate for documented just cause, and such a rejected person may appeal to the BCC for reconsideration; Be eligible to run for office in the BCC elections or By-elections only if written notice of his/her resignation is given to the BCC President at least a week prior to the Opening of all nominations for such elections or By-elections; Be replaced, in the event of his/her resignation by such deputy as is designated by the outgoing or present Council;
- g. Will have a meeting with all nominees before the start of the Campaign Period to determine their eligibility and commitment to run for office;
- h. Receive a salary or honorarium for the performance of their duties, in the amount set and agreed upon in a regular meeting of the BCC.
- i. Once the voting period has concluded just prior to the votes being counted the CRO shall cast his/her vote. This vote shall be concealed and locked away under the watch of the Head of Bethune College and only be revealed in the case of a tie will it be used to break the tie.

3. Hired Positions

- a. It is noted that no person shall apply for a hired position and run for an elected position at the same time;
- b. If it is found that a candidate has done so this may be grounds for disqualification from the election.

## **Article XI - BCC Nominations and Election Procedures**

### **1. Nominations:**

- a. Candidates for office must be regular Members of the Community (as per Article II (1) (a)), and the other provisions in this Constitution;
- b. Nominations shall close seven (7) days prior to the day of the election or By-election;
- c. No candidate may be nominated for more than one office in any one election or By- election;
- d. Nomination, and all items of Article XI, fall under the authority and supervision of the CRO, as in Article X;
- e. To be valid as well, all nominations shall be in writing, shall be signed by the nominee and by ten (10) nominators, and shall be delivered to the CRO prior to the announced deadline;
- f. For the position of President all nominations shall be signed by the nominee and by twenty (20) nominators
- g. Nominees must meet with the CRO before the start of the Campaign Period to determine if their eligibility and commitment to run for office are satisfied.

### **2. Voter Eligibility:**

- a. Any Regular Member of the Community as defined in Article II (1) (a) (i-iii), and only such persons, may vote in BCC elections, By-elections and referenda;
- b. Each such voter is entitled to cast one vote for each position with the following restrictions;
- c. Only Regular Members who are also Student Members (Article II (1) (a) (ii)) and who are in the first year of study in their program may vote for the First-Year Representatives

### **3. Procedure for Elections:**

- a. BCC elections shall be held on dates in March or October, or as otherwise indicated in the Constitution as set by the BCC or the outgoing Council, but never on Saturday, Sunday or a University Holiday, and these dates shall be duly advertised; voting dates shall be set by the CRO in consultation with the BCC;
- b. There shall be one ballot provided at a general (March) BCC election: This will be for all elected positions on Council with the exception of the First Year Representatives; All voting shall be done by E-Vote and only those members of the Community who are deemed eligible to participate will be able to vote;
- c. There shall be 2 ballots at a Fall By-election (October): This will be for the positions of First Year Representative and any vacant position that needs to be filled by Council due to resignation or impeachment;
- d. Each voter must vote only once per election; any irregularity must be reported by a deputy to the CRO and/or by himself/herself to the BCC for prompt resolution;

## **Article XII- Referenda and Impeachment of Council**

1. Referenda/Impeachment:
  - a. Upon receipt of a petition signed by ten percent (10%) of the Regular Members of the Community (refer to Article II (1) (a)) or by a motion approved by a two-thirds majority of the current Council, the President must call a Referendum within ten days and with all due publicity if the matter at issue involves:
    - i. Any change to the Constitution (refer to Article XIV);
    - ii. Alleged loss of confidence in the BCC in entirety by most of the Community, or attempted impeachment for grave and documented cause;
    - iii. A desire by the BCC to test the will of the Community on an important matter facing the College;
  - b. Any such referendum shall involve the BCC in consultation with the CRO (refer to Article X) and shall be held under his/her supervision and authority;
  - c. The referendum, to be successful, or binding, must: Be voted in favour of by two-thirds (2/3) of the regular members of the community (refer to Article III (1)(a)) present at the meeting (refer to Article XIV (3)(b)); with due posting of the results;
  - d. The decision of the referendum shall be binding on the BCC.

## **Article XIII – Impeachment**

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1. Council may, for any reason(s) it considers appropriate, impeach a Member of Council. A motion of impeachment must be passed by a two-thirds majority vote of those present and voting.
  - a. In the case of hired positions, a motion of impeachment may be passed by a simple majority of those present and voting.
  - b. Any member of Council must be given at least 14 days' notice of a motion to impeach.
  - c. In the case of a motion to impeach in the case of severe dereliction of duty, or if a member is deemed to be hazardous to the integrity of the council, the council can expedite the proceedings. Reasons for expediting the proceedings must be given and supported by the Speaker. Then, through a vote of consensus (excluding the accused) the notice can be given a minimum of 7 days before the meeting of impeachment.
  - d. When, by general consensus, Council is of the opinion that a motion of impeachment should be considered, a formal motion need not be moved by any particular Member but shall be deemed to have been moved and seconded.
  - e. Every motion of impeachment shall be considered in camera unless Council, by a two-thirds vote, determines that consideration should be public.
  - f. The Speaker shall present a list of offences against the Member to which a motion of impeachment applies or, if the person is absent, shall state the offences to Council.
  - g. The Member of Council to which a motion of impeachment, applies may make a statement and answer questions posed by the council, and thereafter shall withdraw during the time the matter is in debate.
2. Grounds for impeachment.

- a. Incompetence;
  - b. Misappropriation of Council funds;
  - c. Flagrant abuse of powers and responsibilities of a member's position;
  - d. Acting in any manner detrimental to the intent, image, and direction of the BCC;
  - e. Failure to attend two (2) consecutive meeting without advance notice;
  - f. If any Council member is habitually late for meetings of Council, consistently misses office hours, or consistently fails to perform his/her duties;
  - g. Any Member who is deemed by the Speaker to create a disturbance, fail to abide by motions, procedure or rulings of the Speaker, or does not respect other Members of Council; may be removed by the Speaker immediately for the duration of that meeting.
  - h. Any Member who is censured or suspended more than once shall immediately be considered for impeachment.
3. Impeachment
- a. If a member of council violated two of more of the listed offenses, they shall be put up for impeachment;
  - b. If a member of council is impeached, then the potential honoraria for that member shall be forfeit and a By-election shall be called for (refer to Article X);
  - c. Any motion of impeachment, by two-thirds majority vote, may be amended to a motion of censure or suspension;
  - d. Upon receipt of a petition signed by two percent (2%) of the Regular Members of the Community (refer to Article II (1)), any member may be dismissed from the BCC for documented failure to live up to the duties and public expectations of their office. Before voting on an impeachment, the BCC shall summon the person(s) concerned to explain and clarify the matter and witnesses may be called. If impeached, a By-election shall be called for (refer to Article X);
4. Dismissal of Hired Positions
- a. The Vice-President Finance or any other hired position may be dismissed by the BCC with a two-thirds majority vote if it is found that they have been negligent in his/her duties or if there is documented mismanagement of BCC funds. (refer to Article V (9)).
  - b. Seven (7) days' notice must be given to the member in question;
5. Honoraria penalties are cumulative.

## **Article XIV- Amendments to the Constitution**

1. Amendments, which are actions taken through a vote by the entire community, to delete, alter or revise the language or spirit of this Constitution, may be proposed by a motion of the BCC which is approved by two-thirds of the Voting Members at that regular meeting, or by a petition signed by not less than ten percent (10%) of the Regular Members of the Community, as per Article II (1) (a) and Article XII (1) (a) (i);
2. Proposed amendments must be conspicuously posted on all College Bulletin Boards and like places prior to the commencement of voting on the amendment(s), and notice must also be given to Regular Members by an additional reasonable means of communication (e.g.

Lexicon, the BCC website, social media pages, digital signage on Campus), this whole process being supervised by the Vice-President Communications.

- a. All amendments must be voted in favour of by two-thirds (2/3) the regular members of the community (refer to Article II (1)(a)) present at the Constitution Meeting; no proxy votes allowed;
- b.
  - i. Changes to the constitution must be voted on at a Constitution Meeting meeting, to be held only once in February of every year;
  - ii. Notice of this Constitution Meeting and any proposed constitutional changes, must be given at least fourteen (14) days prior to the Community;
  - iii. To have a Constitution Meeting with the Community advising of passages in the Constitution to be amended prior to being voted upon by Council;
  - iv. All regular members present at the Constitution Meeting, have the right to vote at this meeting (refer to Article II (1)(a));
  - v. Quorum for this Constitution Meeting comprises of fifty (50) regular members of the Community (refer to Article II (1)(a));
- c. Changes to the constitution do not take effect until the following years' council assumes office.

## **Article XV - Bethune College Council Bylaws**

1. Amendments to the Bylaws require a two-thirds majority vote of the Bethune College Council;
2. Bylaws must be voted into effect by two-thirds majority vote by the Bethune College Council by August 15th of the fiscal year;
3. It shall be the responsibility of the Constitution Committee to overlook the Bylaws and bring it up to the Bethune College Council to see any recommended changes for the fiscal year;
4. The Bethune College Council Shall Abide by the Bethune College Council Bylaws.

## **Appendix I – Bethune College Council Financial Policies**

1. The fiscal year of the Council shall be from the first day (1<sup>st</sup>) of May of any given year and terminate on the thirtieth day (30<sup>th</sup>) of April in the following year.
2. Council shall establish additional policies concerning financial procedures of Council, provided such rules and regulations do not conflict with the requirements of this Article, or any other Article of the Constitution.
3. All monies authorized, allocated, and spent by Council are the sole gift of the Council, as representatives of the students of Norman Bethune College; and it is the right of Council to direct, limit, and appoint in all such decisions, the ends, purposes, considerations, conditions, limitations, and qualifications of such allocations.
4. Council continues to retain authority over all monies until they are spent, notwithstanding that a budget has been approved or that monies have been allocated to any member of Council or Committee of Council, or other person or organization deriving its authority and existence from the Constitution or Council, and who/which is directly responsible to Council.



5. In accordance with subsection (a), Council may with the recommendation of the Vice-President Finance
  - a. increase or decrease the amount of; enact, amend or repeal conditions or regulations governing the spending of; or
  - b. revoke, suspend or re-allocate all or any monies budgeted or allocated.
6. In order to aid subsequent councils, at the end of every year BCC will ensure that there is a minimum of \$20,000 is allocated as a Contingency Fund; this will aid in summer planning and events;
7. At the end of every year the BCC will allocate a minimum of 1% of the council levy to be put towards the 50<sup>th</sup> Anniversary celebrations of the College;
8. The Student Ombuds Services will be allocated a minimum of 15% of the council levy on a yearly basis;
  - a. A yearly comprehensive report must be presented to Council no later than April 30<sup>th</sup> detailing all that the Student Ombuds Services has done;
9. Council shall not pass any motion to spend or allocate monies, or to amend any such motion passed at a previous meeting, or to amend the budget of Council, unless notice of approval and recommendation has been given by the Finance Committee at a previous meeting;
10. Notwithstanding that a budget has been approved or that monies have been allocated, no Member of Council may authorize the spending of monies, without the express consent of Council, in excess of seven hundred and fifty dollars (\$750), or a lesser amount which is one of a series of related transactions involving an expenditure by Council in excess of seven hundred and fifty dollars (\$750). In the event of uncertainty, Council shall determine the matter.
11. All cheques, bills of exchange, or other orders for the payment of money, shall be signed by two of the following:
  - a. the President;
  - b. the Vice-President Finance; or
  - c. the Executive Vice-President.
12. All contracts, agreements, instruments, or other documents requiring the signature of Council shall be signed by the Vice-President Finance is one signature if needed and both the Vice-President Finance and the President or the Executive Vice-President if two (2) signatures are needed;
13. It is affirmed that Council may at any time by resolution, direct the manner in which any particular contract, agreement or other obligation(s) of Council may or shall be executed by two-thirds majority vote;
14. Each year, during the Winter semester, Council shall appoint the auditor(s) to be utilized until the following year, and if an appointment is not made, the auditor currently in use, shall continue in until a successive auditor is appointed
  - a. The auditor's report shall be presented to Council for approval.
15. If a vehicle is used for council business, council shall reimburse the owner of the vehicle with the established and agreed upon rate by the updated Reasonable per-kilometer allowance set by the government of Canada driven for Council business

## **Appendix II – Honorarium Protocols**

1. In this Article, "Honoraria" means financial remuneration as recognition for dedication toward Council activities.
2. As a principle, the BCC believes in the use of honoraria as a way of ensuring responsible and accountable student government and to recognize the contributions made by its Council Members
3. The total amount of Honoraria awarded to all elected members of Council each year shall be no greater than 10% of the total Council Operating Budget, unless Council Members have their Honoraria decreased as a sanction.
4. Council shall disperse honoraria in the following way:
  - a. Within the first month of the Summer session, Council must divide the honoraria into three (3) equal sections, each to be awarded upon the end of the Summer, Fall, and Winter sessions for the executives and associates of council. In this case, the honoraria for the directors and representatives will be divided into (2) equal sections; to be awarded upon the completion of the Fall and Winter Sessions.
  - b. Council may decide to reduce the amount awarded by a two thirds majority of those present and voting.
  - c. If a Council Member has their Honoraria decreased, then the remaining funds are carried forward as a surplus for the next council.
5. The honorarium meeting will be held roughly at the end of the term, given that all honoraria-entitled members are able to attend. This meeting will be on camera. The process is as follows:
  - a. All honoraria-entitled members are to present a write up of what they have done in the term. This will include the following:
    - Did you meet your goals for the semester? If not, why?
    - What went well during the term?
    - What can be improved during the term?
    - List out the changes that you have implemented. Did it work? Why or why not?

***Failure to produce the said documentation will lead to a reduction in the maximum honorarium by 10% per term.***

- b. The Action Plans will be used as a basis of preliminary assessment. Also, the participation of each individual in: intramurals, events and other college initiatives will be taken into account. The preliminary assessment will be a list of their goals, what was accomplished and how it was accomplished, and their attitude towards the rest of the council.
- c. Each honoraria-entitled member will present/talk about the things that they have done for the council, and any special or exemplary actions outside of their responsibilities. Any extenuating circumstances which may have affected his/her performance can be raised here. After this presentation, the rest of council will be allowed to ask questions for clarifications. A professional attitude must be maintained during the meeting, and personal 'attacks' or accusations will not be tolerated.
- d. The member being assessed will be asked to leave the room and the council members will deliberate. Within this discussion, the following will be decided:
  - i. Whether the member will be allowed their full honorarium. This will be valid if the member in discussion (1) partook in intramurals, BCC events & Head's office events regularly, (2) assisted other council members with their work when

needed, and (3) performed above and beyond their responsibilities as stated by the constitution.

- ii. Whether the member's honorarium will be deducted from the maximum amount that is originally assigned. This will be valid if the member under discussion was (1) unable to or ineffectively performed their duties and showed little motivation in doing so, (2) did not partake in council related activities such as events and intramurals, (3) failed to attend meetings without a valid excuse, (4) failed to communicate with the council with important matters.

***NOTE: Any comments negatively addresses the member's performance will only be taken into account if efforts have been made to communicate to the council member that they are not performing their duties effectively.***

## **Appendix III - The Bethune College Poster Policy**

Postering within Bethune College must follow these guidelines:

1. Postering on windows, doors, and walls is not allowed;
2. Posters must be approved by BCC and be hung only on bulletin boards which must be suitably posted for community information and consideration;
3. Unless the Bethune College Council makes an exception, postering within Bethune College will be limited in each area by the discretion of the council;
4. After two infringements, a specified person/group will lose postering privileges within Bethune College; Any persons/groups not adhering to this restriction will have all their posters removed. The Bethune College Council may also conducted follow-up action in regards to non-compliance with this policy.