



**THE BY-LAWS
OF THE
STUDENT ASSOCIATION OF GEORGE BROWN COLLEGE,
AS AMENDED**

Adopted:

December 2, 1998

Amended:

March 25, 2008, Annual General Meeting

April 6, 2011, Annual General Meeting

November 19, 2013 Annual General Meeting

November 25, 2014 Annual General Meeting

December 3, 2015 Annual General Meeting

March 6, 2017 Spring General Meeting

September 27, 2017, Special General Meeting

February 13, 2018, Spring General Meeting (as would be in force for the May 1, 2018 board)

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Student Association of George Brown College

By-Laws

Be it enacted as a by-law of the Student Association of George Brown College (“the corporation”), which was incorporated under the Canada Not-for-Profit Corporations Act (“Act”), as follows:

Constitution of the Corporation

The corporation shall have a Constitution that shall govern the duties, jurisdiction and mandate of the corporation.

Definitions

“Act” means the *Canada Not-For-Profit Corporations Act* S.C. 2009, c.23 including the Regulations made pursuant to the Act, and any statute or regulations that may be substituted, as amended;

“Ad hoc” describes any committee created for any purpose(s) that does not fit into the purposes of the standing committees and are generally project motivated;

“Articles” means the original or restated articles of incorporation or articles of amendment, amalgamation, continuance, reorganization, arrangement or revival of the Corporation;

“Board” means the Board of Directors of the Corporation;

“by-laws” means these by-laws and any other by-laws of the Corporation as amended and which are, from time to time, in force and effect;

“Committee members” can refer to Board members, members, staff of the corporation, College personnel, or external community partners to the corporation;

“Corporation” refers to the Student Association of George Brown College;

"Director" means a voting member of the Board;

“Meeting of members” includes an annual meeting of members or a special meeting of members;

“Special meeting of members” includes a special meeting of all members entitled to vote at an annual meeting of members;

“Ordinary resolution” means a resolution passed by a majority of not less than 50% plus 1 of the votes cast on that resolution;

“Regulations” means the regulations made under the Act, as amended, restated or in effect from time to time; and

“The College” refers to the post-secondary institution of George Brown College of Applied Arts and Technology.

“Officers” As contemplated by applicable legislation, the Corporation shall have officers, consisting of the Executive Committee

Article 1: Organization of the Corporation

1.1 The corporation’s membership shall consist of all individuals who are either:

- a. Currently enrolled as students of George Brown College (“the College”) and either have paid the student activity fee for the current term of study; (separated for clarity); or
- b. Belong to a category of students in respect of which the corporation has accepted a grant in lieu of such fee; or
- c. The elected members of the Board of Directors of the corporation as defined in these by-laws; or
- d. Currently enrolled students of George Brown College belonging to a category of students, such as full-time students on a reduced course load due to College-approved accessibility accommodations, in respect of which the corporation has acknowledged associated membership and negotiated the terms and conditions of membership fees.

1.2 The property and business of the corporation shall be managed by a Board of Directors that shall be elected and function in accordance with Articles 2 and 3.

1.3 The Board of Directors shall be assisted by committees, which shall be appointed by the Board and function in accordance with the Voting Directors Accountability Manual.

1.4 The Board of Directors shall delegate the ongoing day-to-day operation of the corporation to the General Manager, who will be accountable to the Board at large and report to the Executive Committee on a minimum bi-weekly basis.

Article 2: Board of Directors Composition

2.1 The Board of Directors shall consist of at least eight (8) and not more than 22 voting directors.

2.2 Executive Members:

- a. Director Communications and Internal
- b. Director Operations
- c. Director Campus Life
- d. Director Education
- e. Director Equity

2.3 Voting Directors:

- a. Campus Directors
 - i. St James Campus Director
 - ii. Casa Loma Campus Director
 - iii. Waterfront Campus Director
 - iv. Satellite Campuses Director (Ryerson, Sunnybrook, and Young Centre)

- b. Educational Centre Representatives
 - i. Arts, Design and Information Technology Representative
 - ii. Business Representative
 - iii. Community Services and Early Childhood Representative
 - iv. Construction and Engineering Technologies Representative
 - v. Health Sciences Representative
 - vi. Hospitality and Culinary Arts Representative
 - vii. Preparatory and Liberal Studies Representative

- c. Constituency Representatives
 - i. First Nations, Metis and Inuit Students' Representative
 - ii. Accessibility Representative
 - iii. International Students' Representative
 - iv. LGBTQ Students' Representative
 - v. Women and Trans Students' Representative
 - vi. Black Students' Representative

2.4 The General Manager shall act as the liaison between the Board of Directors and the staff of the corporation.

Article 3: Board of Directors Eligibility

3.1 Each voting director shall be a member of the corporation, at least 18 years of age, with the power under law to contract. Each voting director shall:

- a. Be a member in accordance with Article 1;
- b. Be at least 18 years of age as of the date of ratification; and
- c. Not have an undischarged bankruptcy.

3.2 Each campus director shall also be a member registered at their respective campus during their term.

3.3 Each educational centre representative shall also be a member registered in a program at their respective educational centre during their term.

3.4 Each constituency representative shall also be a self-identified member belonging to the constituency represented.

3.5 Each director shall have reviewed and agreed, in writing, to abide by the job descriptions of the Directors as set forth in the governing documents. These signed agreements are to be collected from all Directors during their candidacy at the All Candidates Meeting for the election in which they are running.

3.6 An individual member may hold a position on the executive for maximum of three terms within a five-year period.

3.7 An individual member may hold a non-executive position on the board for maximum of two terms within a five-year period.

3.8 The term of office of each director shall be from May 1st until April 30th of the following year. Each newly elected director is expected to attend a mandatory training within two weeks from the commencement of their term.

3.9 The Director Communications and Internal and Director Operations shall be enrolled in no more than a maximum of one course at the College per semester during the term in which they are serving.

Article 4: Board of Director Duties and Remuneration

4.1 Director Communications and Internal shall:

- a. Be the official spokesperson of the corporation to the general public, George Brown College, campus groups, and at College and external functions where representation of the corporation is required.
- b. Oversee the keeping of records of meetings, policies, membership and any other records required by law.
- c. Receive remuneration of \$17 per hour and meet the obligations of a 37.5-hour work week during the period of May 1 to April 30.
- d. Perform all duties as outlined in the Voting Director's Accountability Manual.

4.2 Director Operations shall:

- a. Oversee and disburse the funds of the corporation under the direction of the executive committee and will report at each meeting of the board and meeting of members on their transactions as director of operations and on the financial position of the corporation.
- b. Receive a remuneration of \$17 per hour and meet the obligations of a 37.5-hour work week.
- c. Perform all duties as described in the Voting Director's Accountability Manual.

4.3 Director Campus Life shall:

- a. Receive a remuneration of \$17 per hour and meet the obligations of a 37.5-hour work week during the period of May 1 to August 31, and meet the obligations of a 24-hour work week during the period of September 1 to April 30.
- b. Perform all duties as described in the Voting Director's Accountability Manual.

4.4 Director Education shall:

- a. Serve as the primary representative to the Canadian Federation of Students.
- b. Receive a remuneration of \$17 per hour and meet the obligations of a 37.5-hour work week during the period of May 1 to August 31, and meet the obligations of a 24-hour work week during the period of September 1 to April 30.
- c. Perform all duties as described in the Voting Director's Accountability Manual.

4.5 Director Equity shall:

- a. Receive a remuneration of \$17 per hour and meet the obligations of a 37.5-hour work week during the period of May 1 to August 31, and meet the obligations of a 24-hour work week during the period of September 1 to April 30.
- b. Perform all duties as described in the Voting Director's Accountability Manual.

4.6 Campus Directors shall:

- a. Receive a remuneration of \$15 per hour and meet the obligations of a 10-hour work week during the period of May 1 to April 30.
- b. Perform all duties as described in the Voting Directors Accountability Manual.

4.7 Education Centre Representatives shall:

- a. Receive a remuneration of \$1000 during the period from May 1 to October 31 and another \$1000 during the period of November 1 to April 30 to be disbursed at the end of each period.
- b. Perform all duties as described in the Voting Directors Accountability Manual

4.8 Constituency Representatives shall:

- a. Receive a remuneration of \$1000 during the period from May 1 to October 31 and another \$1000 during the period of November 1 to April 30 to be disbursed at the end of each period.
- b. Perform all duties as described in the Voting Directors Accountability Manual

Article 5: Board of Directors Vacancies and Pro-term Appointment

5.1 The position of director shall be deemed vacant if:

- a. The director dies, ceases to be qualified or resigns in writing to the Director Communications and Internal, or, in the case of the Director Communications and Internal, to the General Manager;
- b. The director becomes bankrupt or is found by a court to be of unsound mind;
- c. The director commences legal action against the corporation;
- d. d. The Director fails to abide by the roles and responsibilities of the Directors as set forth in the governing documents for a period of one calendar month, as per their written agreement.
- e. At two consecutive meetings of the Board or one general meeting of members, a resolution that the director be removed from office is passed by a two-thirds majority vote; or
- f. At two consecutive meetings of the Board, the director is absent without having provided written regrets to the Director Communications and Internal or the General Manager in advance.

5.2 In the event of a vacancy prior to September 1st in the Directors offices, the Board of Directors shall call a by-election to fill the vacant position. Until the by-election is held, an existing member of the Board shall be appointed, as agreed upon by two-thirds majority vote. If such an office becomes vacant

after September 1st, the Board of Directors may appoint any member, as agreed upon by two-thirds majority vote, of the respective constituency to fill the vacancy with the office's full remuneration paid.

5.3 In the event of a vacancy in the Executive offices prior to September 1st, the Board of Directors shall call a by-election to fill the vacant position. Until the by-election is held, an existing member of the Board shall be appointed, as agreed upon by two-thirds majority vote. If such an office becomes vacant after September 1st, the Board of Directors shall appoint any member, as agreed upon by two-thirds majority vote, to fill the vacancy with the office's full remuneration paid to the appointed member, no later than 30 days following such vacancy. Until the vacancy is filled, whether the vacancy has occurred before or after September 1st, the Executive Committee shall appoint another member of the Executive Committee to fill the vacant office with, in addition to their own remuneration, half of the vacant position's remuneration. Failure of any appointed member to fulfill the responsibilities of the vacant position will result in full repayment of the additional remuneration.

Article 6: Committees

6.1 The Board shall maintain Standing Committees as outlined in the Constitution.

6.2 The membership and mandate of these committees is set forth in the Voting Directors Accountability Manual.

6.3 The Board may establish *ad hoc* committees for such purposes and on such terms as it deems appropriate.

6.4 The Board shall appoint an individual to chair each *ad hoc* committee of the Board.

6.5 Each standing committee shall be called, as needed, by the Chair of said committee.

6.6 The Chair of each *ad hoc* committee shall attend and submit a report of the committee's activities at a meeting of the Board whenever given notice of the meeting in accordance with these by-laws and accompanied by a request to attend from the Director of Communications and Internal or a majority of the Board. The Board may impose such further requirements on any committee as it deems appropriate.

6.7 Committee members shall receive a reasonable stipend as determined by the Board from time to time for reasonable expenses and for serving the corporation in another capacity.

Article 7: Officers

7.1 The officers of the Association shall consist of the Executive Committee.

7.2 The Executive committee is made up of the following five (5) Executive Members:

- a. Director Communications and Internal
- b. Director Operations
- c. Director Campus Life
- d. Director Equity
- e. Director Education

Article 8: Meetings of the Board and Committees of the Board

8.1 The Director Communications and Internal shall call one meeting of the Board to be held each month during the fall and winter semesters, and other meetings of the Board at the Executive Committee's discretion and whenever requested to do so in writing by a majority of the other directors. In the event that no Board meeting is scheduled during a period longer than one month an ordinary resolution of Board members may request in writing to the Director Communications and Internal to call a meeting of the Board.

8.2 The Chair of each committee shall call meetings of the committee at the Chair's discretion and whenever requested to do so in writing by the Executive Committee, the Board or a majority of the other members of the committee.

8.3 The Director Communications and Internal shall cause notice of a meeting of the Board to be given to all committee members at least five (5) business days prior to the meeting. Such notice shall disclose the date and time of the meeting and at which office of the corporation within the City of Toronto the meeting shall be held.

8.4 A meeting of the Board may be held at any time without notice if all members of the Board are present and consent to the holding of the meeting, or those who are absent have consented, in writing, to the Director Communications and Internal, to the meeting being held in their absence.

8.5 The Board shall appoint a Chair at each meeting of the members and of the Board of Directors.

8.6 If all individuals entitled to vote at a meeting of the Board have consented, any individual may participate in the meeting by means of conference telephone or other communications equipment that allows all individuals in the meeting to communicate with one another. Any individual participating in such a manner shall be deemed present at the meeting.

8.7 Quorum for a meeting shall be fifty percent (50%) plus one (1) of filled Board positions.

8.8 The Director Communications and Internal, or such other individual as appointed by the Board, shall serve as secretary at each meeting of the members or of the Board, with the exception of *in camera* sessions of the Board, provided that no minutes shall be effective until approved at a subsequent meeting.

8.9 The minutes of all meetings of the Board, once approved, shall be available for inspection by members through the website of the corporation within ten (10) days of approval.

8.10 All matters to be decided at a meeting of the Board of Directors or a committee shall be decided by majority vote of those in attendance and entitled to vote, including the individual chairing the meeting, unless the Act, the Student Association of George Brown College Policies and Procedures Manual or these By-laws otherwise provide. In the event of a tie, the motion shall be considered defeated.

Article 9: Meetings of Members

9.1 The Board shall call an annual general meeting of the membership to be held in or around the fall of each year, at which the corporation's financial statements and reports of the directors and of the auditor shall be presented.

9.2 The Director Communications and Internal shall call special meetings of the members and whenever requested to do so in writing by a majority of the Board or at least five percent (5%) of the members, provided that such writing also discloses the special business requested to be conducted at the meeting and enough information to allow the members to make a reasoned decision on the matter.

9.3 The Director Communications and Internal shall cause notice of a meeting of the members to be posted on all the corporation's notice boards and published in the corporation's newspaper and website at least ten (10) days, excluding statutory holidays prior to the meeting, indicating the date and time of the meeting and at which office of the corporation within the City of Toronto the meeting shall be held. Notice of a meeting of the members shall remind members of the right to vote by proxy. In the case of a special meeting of the members, such notice shall also disclose the special business to be conducted at the meeting and enough information to allow the members to make a reasoned decision on the matter. Pursuant to subsection 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendment to the By-laws of the corporation to change the manner of giving notice to members entitled to vote at a meeting of members.

9.4 Quorum for a meeting of the members shall be thirty (30) current members present in person or by proxy. The individual chairing any meeting for which quorum is not obtained within thirty (30) minutes after the meeting is scheduled to begin, or for which quorum ceases to exist, shall adjourn such meeting to another day and time of which no further notice need be given.

9.5 All matters to be decided at a meeting of the members shall be decided by majority vote of those in attendance and entitled to vote, including the individual chairing the meeting, unless the Act, the Student Association of George Brown College Policies and Procedures Manual or these By-laws otherwise provide. In the event of a tie, the motion shall be considered defeated.

9.6 Members shall be entitled to attend and vote at a meeting of members by proxy, by providing a written proxy to another member in the form prescribed by the Board. Any one member may hold not more than two (2) proxies. Pursuant to subsection 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendment to the by-laws of the Corporation to change this method of voting by members not in attendance at a meeting of members.

9.7 A motion intended for a meeting of the members from any individual member shall be placed on the agenda of a meeting of the Board if fifteen (15) members sign a petition in support of it. The full text of the motion must be included on the petition and the text of the motion and signed petitions must be submitted to the Director of Communications and Internal a minimum of ten (10) business days before the meeting of the Board."

Article 10: Legal and Financial

10.1 The head office of the corporation shall be in the city of Toronto, in the province of Ontario.

10.2 The seal, an impression of which is stamped in the margin, shall be the seal of the corporation. The seal shall remain in the custody of the Director Communications and Internal, or such other director as the Board may designate, and shall be affixed by such individual documents requiring it.

10.3 The fiscal year of the corporation shall be from June 1 to May 31.

10.4 Contracts, cheques and other documents to be executed by the corporation shall be signed by two individuals: the General Manager, and in that person's absence or unavailability, the Operations Manager or Equity and Advocacy Manager `` and one of either the Director of Operations or the Director Communications and Internal.

10.5 The corporation may borrow funds whenever authorized to do so by a two-thirds majority vote of the Board of Directors.

10.6 The Board shall be cause all proper accounts, books and records to be regularly and properly kept on behalf of the corporation.

10.7 An external auditor shall be appointed at each annual general meeting of the members to audit the corporation's financial statements and report to the members. The auditor shall serve as such until the next annual general meeting unless in the meantime another auditor is appointed by the members or the auditor resigns. If the auditor resigns, the Board shall appoint another auditor to serve until the next annual general meeting.

10.8 All directors, officers and other employees and their respective heirs, executors and administrators shall at all times be indemnified and saved harmless by the corporation from and against all liability incurred as a result of the execution of duties owed to the corporation, except to the extent that such liability results from the individual's willful neglect or default.

10.9 The corporation is committed to providing a fair wage to all students employed in part-time positions. As such, the minimum wage of the corporation will be \$15 per hour. The Student Association Board in consultation with part time staff will review the minimum wage annually to make sure they are providing a progressive living wage.

10.10 Each fiscal year, a minimum of 5% of the General Operating Budget will be distributed evenly amongst the constituency centres for programming and student staff.

Article 11: Adoption and Amendment of By-laws, Policies and Procedures

11.1 These By-laws may be amended or replaced by a majority vote of the Board and a subsequent majority vote of the members, provided that the full text of such amendment or replacement is included in the respective notices for such meetings. This section does not apply to a By-law that requires a special resolution of the members according to subsection 197(1) (fundamental change) of the Act.

11.2 Notwithstanding paragraph 11.1, no amendment or replacement of these By-laws shall be effective until approved by the Ministry of Industry Canada.

11.3 These by-laws may be corrected by Director Communications and Internal, the By-laws Committee and/or the Communications and Internal Committee, to be approved by the Board, for the purposes of rectifying:

- a. Spelling, punctuation, and grammatical errors.
- b. Incongruences of language, including the names, titles and positions of documents and persons elected or hired by the Board, as well as other language and terms used throughout governing documents.
- c. Errors and changes in the numbering of provisions or other portions of these by-laws, other governing documents, and the Act.
- d. An error to a correction that is identified with the appropriate correction also identified.
- e. The Board shall be notified in writing when a correction has been made, and the updated by-laws published upon approval.

11.4 The Board shall produce such policies and procedures as are required by these By-laws, and may produce such other policies and procedures not inconsistent with these By-laws as it deems appropriate. The Board shall cause the policies entitled Student Association of George Brown College Policies and Procedures Manual.

11.5 Policies and Procedures may be amended or replaced by majority vote of the Board, provided that the full text of such amendment is available not less than ten (10) business days prior to the meeting at which the amendment or replacement is to be considered and the amendment or replacement is included in the respective notices for such meetings.

Article 12: Policy of the Student Association

12.1 Establishment of Policy

- a. Policy for the Student Association may be established from time to time by the Board in accordance to the following guidelines:
 - b. Operational Policy:
 - i. Operational Policy consists of policy that outlines the framework of managing the operations of the Student Association.
 - ii. To adopt, amend, or rescind Operational Policy, a majority of two-thirds (2/3) of the Board must vote in favour.
 - c. Issues Policy:
 - i. Issues Policy consists of policy that the Student Association takes a stance on. It is policy that either opposes, supports and/or condones, but not limited to, actions that the Student Association or a third-party carries out. An example of such policy is taking a stance on international, national and domestic issues, such as tuition fees.
 - ii. To adopt, amend, or rescind Issues Policy, ordinary resolution of the Board must vote in favour.

12.2 All policy remains the policy of the Student Association until changes, or retracted by a vote of the same or higher authority as that which established the policy.

12.3 All policy of the Student Association shall be maintained in the Policy Booklet of the Student Association.

Article 13: Elections

13.1 Administration of Elections

The Student Association of George Brown College is committed to an elected leadership, chosen from and by its student membership. The Student Association, by way of these By-laws, seeks to ensure that the election process is conducted in a fair, consistent and accessible manner. The students of George Brown College are entitled to full representation at all levels of the Student Association. The Student Association is strongly committed to the ideals of safety, equity and accessibility and encourages students of diverse backgrounds and from traditionally underrepresented groups to run in elections.

The Student Association shall govern all the elections of the Student Association. Procedures for elections shall be found in the By-Laws of the Student Association. An Operations Manual for the Elections Committee (OMEC) will be maintained by the elections committee to ensure consistency in annual elections and codify practices that enhance the transparency and strength of the Elections Process. In circumstances where there is no contradiction between the By-Laws and the OMEC, the By-laws shall supersede the OMEC. A fact sheet, based upon the OMEC, will be drafted in accessible language to assist students' understanding of the Elections Processes.

13.2 Election Committee and the Chief Returning Officer

a. The Elections Committee will be as follows: --General Manager (or designated manager) -Two Members of the Board, as determined through a nomination and vote taken by the Board of Directors, requiring a two-thirds majority vote. -Chief Returning Officer (CRO) of the Elections.

i. The General Manager shall be the Chair of the committee until a Chief Returning Officer is appointed.

ii. Upon the appointment of a Chief Returning Officer, the Chief Returning Officer shall be the chair of the committee; and

iii. The General Manager shall ensure that administrative practices and procedures of the student association is carried out by the Chief Returning Officer, and shall be the principal contact and supervisor of the Chief Returning Officer.

b. The Elections Committee will be empowered to:

a. Hire the Chief Returning Officer (CRO).

b. Recommend election dates to the Board.

c. Publicise important election dates and information.

d. Oversee logistics of the elections.

e. Solicit feedback from members regarding the Elections Process in each year.

- f. To study the recommendations of the CRO and ensure they are fully considered; review good practices from previous elections and be responsible for implementing any recommendations approved by the Board.
 - g. Maintaining and updating the BPM;
 - h. Secure office space for the CRO to work.
 - i. Members of the Elections Committee are not permitted to seek office with the Federation and must remain neutral during the election process.
- c. The CRO is responsible for the overall administration of the Student Association Elections. The CRO's responsibilities will include the following:
- a. The hiring and training of Deputy Returning Officers (DROs).
 - b. The hiring and training of polling clerks.
 - c. Obtaining a voters list from the George Brown College Administration in order to verify a voter's identity as well as the voter's Faculty and College.
 - d. Securing voting spaces on campus to set up polling stations as well as obtain tables and chairs.
 - e. Prepare and maintain the voter registration database.
 - f. Obtain all materials for the elections.
 - g. Promoting the elections.
 - h. Organize and run the All Candidates Meeting(s).
 - i. Approval of all campaigning material
 - j. Adjudicate and provide rulings on complaints filed by candidates during the electoral process.
 - k. Overseeing the ballot counting process.
 - l. Publishing voting results.
 - i. Prepare the CRO's report to be presented to the Board of Directors for ratification.
 - m. All other elections materials and communications.
 - n. Where in the opinion of the Chief Returning Officer, by reason of mistake, miscalculation, emergency, or unusual or unforeseen circumstances, a situation for which there is no provision made under this by-law, election policy or other regulation exists and the Chief Returning Officer is satisfied that if adaptations is not made a substantial number of voters would not be able to vote or for those who have voted would not have their votes counted. Then the Chief Returning Officer with the advice and consent of the Elections Committee chaired by the General Manager, shall give such directions as he or she considers proper, for the sole purpose of enabling electors to exercise their right to vote or enabling the counting of votes. Such directions includes but are not limited to changing the dates of voting, timeframes of the election, the method of voting, or the place where voting may take place. The Chief Returning Officer shall immediately give notice of any such direction to all candidates and post such directions on the doors of the student association. Such direction shall not be subject to appeals to the Elections Appeals Committee.
 - o. The Chief Returning Officer shall designate the exercise of his or her authority to the Deputy Returning Officer on such conditions and limitations as deemed appropriate by the Chief Returning Officer with the advice and consent of the elections committee.

13.3 Eligibility of Candidates

All members who meet the qualifications as outlined in By-law 1.1. shall be eligible to run.

An individual member may hold a position on the executive for a maximum of two terms within a five-year period to commence upon the last day of their second term.

No candidate shall run for more than one position during the same election.

Voting Positions on the Board shall be filled as follows:

- a. Five (5) Executive Members who shall be elected by the members.
- b. Each of the four (4) Campus Directors shall be elected by the members registered in an academic program in their respective campuses.
- c. Each of the seven (7) Educational Centre Representatives shall be elected by the members registered in an academic program in their respective educational centres.
- d. Each of the six (6) Constituency Representatives shall be elected by the members of the constituency from among all campuses.
- f. The sole Non-voting Position on the Board shall be filled as follows the Board of Governor's position shall be elected by the members among all campuses.

13.4 Nomination of Directors

Candidates for the Executives, Campus Directors, Educational Centre Representatives, Constituency Representatives, and Board of Governor's Student Representative positions shall be nominated pursuant to a nomination form found in the BPM, and submitted to the CRO. Candidates for the Campus Directors and Educational Centre Representatives must obtain signatures from individuals in their faculty, from their campus or their constituency respectively, who are also members of the corporation (e.g. Waterfront Campus Director Candidates can only be nominated by Waterfront Campus students, Business Representative Candidates can only be nominated by Business students, etc.). The Executives, Constituency Representatives and Board of Governor's Student Representative positions may obtain signatures from any of the members of the corporation. To the extent possible, candidates will be notified if their nomination form is deficient or incomplete to permit re-submission before the nominations deadline. It is the responsibility of the candidates to submit a bona fide nomination or application form.

Candidates are required to obtain the following valid signatures:

- a. Executive Members – 100 valid signatures
- b. Campus Directors – forty (40) valid signatures
- c. Educational Centre Representatives – Thirty (30) valid signatures
- d. Constituency Representatives – Three (30) valid signatures
- e. Board of Governor's Representative – One (1) valid signature

13.5 Withdrawals of Candidates

A candidate may withdraw from the Student Association elections so long as their withdrawal is in writing via a completed withdrawal form, which can be obtained from any Student Association office front desk, and is submitted to and accepted by the Chief Returning Officer at any time before 2:00 p.m. local time on the the business day following the All Candidates Meeting. Any campaign expenses incurred by the candidate will not be reimbursed upon withdrawal. Upon withdrawal, if the candidate's name cannot be removed from the ballot, the CRO must post a notice around the polling station to inform voters of the candidate's withdrawal. The Poll Clerks must also verbally inform the voters of the withdrawal.

13.6 All-Candidates meeting

- a. All nominees, or an authorized representative of each nominee, must attend the All-Candidates Meeting in its entirety or arrange to meet with the CRO in person within twenty-four (24) hours of the meeting.
- b. For an authorized representative to be valid, they must possess a signed statement from the nominee that the representative has the authority to act on their behalf for the duration of the meeting.
- c. Any candidate who fails to attend or send an authorized representative to the All-Candidates meeting, or fails to meet with the CRO, shall be disqualified from the election.
- d. A candidate's eligibility is not official until the CRO has verified the entire set of applicable nomination forms and posted an "Official Candidates List" on which the potential candidate's name appears. The Official Candidates List must, at a minimum, be posted on the doors of all Student Association offices.
- e. The topics at the all-candidates meeting shall include, but not limited to:
 - I. The elections process established in By-law 4;
 - II. The Election schedule;
 - IV. The duties and functions of the Election officials.
- f. Each candidate, or authorized representative, will sign a statement before leaving the meeting that indicates s/he understands the rules and regulations governing the Election.
- g. It is the responsibility of each candidate to understand all information provided at the All-Candidates meeting.

13.7 Nomination Period

The nomination period will be at least five (5) business days and will be advertised on all Student Association bulletin boards and in the campus newspaper.

There shall be no campaigning during the nomination period. Candidates may only tell individual students that they intend to run in the election for the purpose of being nominated.

If the number of nominated candidates certified for an office is less than the total number of persons to be elected to that office, the Chief Returning Officer may extend the nomination period for those offices only for a period of three to five days, or otherwise as approved by the Elections Committee. The additional nominations shall be received and treated as if they were part of the original nomination period and a second all candidates meeting, or in depth briefing shall be held at the close of the extended nominations period for those candidates who were nominated during the extension period.

13.8 Campaigning

All candidates must abide by the following rules relating to conduct and behavior of candidates during campaigning and assume responsibility for those campaigning on behalf of candidates. Campaigners are bound by the same rules as candidates. Those acting on behalf of candidates are subject to all elections rules as the candidate. Before anyone is working on behalf of a candidate, the CRO shall be notified.

Campaigning is any action designed to influence the elector, this includes verbal and non verbal ways designed to get the elector to vote in a certain way. The definition of campaigning includes:

- Verbally soliciting a students' vote
- Handing out materials soliciting a student's vote
- Making announcements concerning an individual's candidacy in an election, including in hallways or classrooms.

The CRO shall have the authority to determine the rules of the election and in doing so the CRO shall consult with the Elections Committee.

- a. No campaigning shall take place before the nomination period and before the start of the campaigning period.
- b. The campaign period shall last for a period of a minimum of ten (10) business days including a five (5) business day overlap with the voting period.
- c. Any members of the board, staff, volunteers, or committee members shall take a leave of absence from the day designated as the start of campaigning period until the end of voting should they decided to run for a position in the elections. For the greater certainty, members may perform duties of their office during the campaign period, if those duties are essential for the continued operations and governance of the student association (including: signing cheques, promissory notes, contracts, and other documents; meeting with the general manger and other staff on important and essential matters; and anything else incidental to the continued operations of the student association). Should the candidate be acclaimed, then the leave shall end on the day which the Chief Returning Officer certifies the acclimation.
- d. All campaign material and/or advertisement need approval by the CRO in advance of posting or distribution. All submissions made to the CRO shall be returned with or without approval within two (2) business days.

e. Restrictions regulating campaigning, that are unique to the following, shall be followed. It is the responsibility of the candidates to familiarize themselves with the different rules that govern each of the aforementioned entities such as:

I. No campaigning of any form is permitted in the Student Association offices, or any area that can be perceived to be under the jurisdiction of the Student Association unless otherwise stated by the CRO.

II. Campaigning within a classroom is forbidden without the expressed permission of its presiding faculty member(s). To campaign in a classroom, a candidate must obtain consent from the professor/lecturer before the start of class.

III. Campaigning is not allowed within Student Residence, except for any area agreed upon by the Chief Returning Officer and the College.

IV. Campaigning is not allowed within the Library except for any area agreed upon by the Chief Returning Officer and the College.

III. Campaigning is not allowed within computer labs.

f. Candidates are not entitled to use in their campaign, any service or monies, conferred onto them by virtue of holding any position in any campus organization unless such services would still be available to them otherwise. This includes, but is not limited to, office supplies, equipment, advertising space and staff.

g. Campaigning during voting period will be permitted.

13.9 Campaign Expenses and Campaign Financing

a. The spending limit for all positions shall be as follows:

Executive positions	\$300.00
All other positions	\$100.00

The spending limits shall increase by the CPI index annual with a base calculation for CPI increases being January 1, 2017. The spending limits shall be rounded to the nearest increment of twenty-five dollars, as determined by the Chief Returning Officer.

b. All candidates shall submit to the CRO original receipts of all campaign expenditures within seventy-two (72) hours of the close of voting. The CRO may at any time request from any of the candidates original receipts for expenditures prior to the close of voting.

c. All campaign donations must be brought to the attention of the CRO and included in the campaign expense report to be submitted by each candidate. Donated materials shall be assigned a dollar value based on fair market value by the CRO and shall be calculated as campaign expenses but will not be considered in the calculation of a refund against election campaign expenditures.

d. Candidates are not entitled to use in their campaign, any service or monies, conferred onto them by virtue of holding any position in any campus organization unless such services would still be available to them otherwise. This includes, but is not limited to, office supplies, equipment, advertising space and staff.

e. Funds for the purpose of elections shall be provided for in the operating budget of the Student Association.

f. Failure by a candidate to submit a campaign expense form and original receipts by the deadline may result in disqualification upon decision of the CRO. Any candidate who exceeds the campaign limit shall be disqualified by the CRO. Disqualification may be appealed only to the Election Appeals Committee whose decision shall be considered final and binding as per By-Law 10.22(e).

g. Each candidate, except those who are declared ineligible for refund or disqualified by the CRO, shall receive a full refund from the Student Association against election campaign expenditures as prescribed herein.

h. A sample budget form shall be provided in the BPM for all candidates to review.

i. Any candidate who does not submit the required documents by the deadline imposed or misrepresent campaign expense is disqualified and the said election is null and void.

13.10 Violation of Campaign Rules

a. CRO shall have the sole authority to administer the provisions of these By-laws and the elections regulations made under this by-law by the CRO, Board, or Elections Committee. The CRO may for violations of these by-laws:

- i) assign demerit points, including assign multiple demit points for where violations encompasses more than one offence;
- ii) disqualify the candidate from running in the election; and
- ii) declare the election of a candidate null and void.

When a candidate for executive office is assigned more than 35 demerit points the candidate shall be disqualified.

When a candidate for any officer other than executive office is assigned more than 20 demerit points the candidate shall be disqualified.

b. The CRO reserves the right to make rulings on issues and events not otherwise covered in this code, or to add in such rulings to supplement existing sections.

c. Allegations of violations of these By-laws shall be submitted to the CRO in writing. Such allegations must be made within 48 hours after the incident occurred.

d. The CRO may lay charges of violations of campaign rules at her/his own initiative.

e. The CRO shall render a decision in writing to the candidates in questions and the complainant, within a reasonable time, this is usually within 48 hours, but may be longer should there be additional information needed from candidate, witnesses, or legal counsel.

f. Where the CRO finds there has been a violation of these By-laws, the CRO must publish the details of the violation in a designated elections space in the Student Association office. Published notification of violations will only take place once all appeals have been exhausted.

g. In the event a winning candidate in any election is disqualified, the runner-up will take the place of the disqualified winner.

h. The computation of time is subject to the rule as set forth in the Interpretation Act (R.S.C. 1985, c.I-21). Further, should because of causes beyond the control of the parties involved the time limits cannot be followed, the Chief Returning Officer shall have the authority to modify the time limits in this section, as long in the opinion of the Chief Returning Officer and having regard to all the facts of the matter doing so would not bring the electoral process into disrepute.

i. All rulings regarding matters surrounding candidate discipline are to be made with the burden of proof being beyond a reasonable doubt. All other rulings of the Chief Returning Officer shall be made using the balance of probabilities.

13.11 Voting, Counting, and the elections of Candidates

a. The Board shall determine the method of election.

b. The Chief Returning Officer shall determine places for polling stations and limits on campaigning near those polling station.

c. The Chief Returning Officer shall appoint, train, and oversee poll officials.

d. Each candidate shall have the right to appoint a candidates representative at the polls to witness the operations of the polls and to ensure compliance with the standards as established by the Chief Returning Officer.

e. The counting of the ballots shall occur in such ways as the Chief Returning Officer shall direct, with the consent of the Elections Committee.

f. Candidates may appoint a representative to witness the count.

g. An official validation shall take place the next business day after counting. The Chief Returning Officer may delay the validation for sufficient cause.

h. The Chief Returning Officer shall publish invalidated results at the earliest opportunity but until the results have been validated the results are considered invalidated official.

i. When validation has taken place the Chief Returning Officer shall forthwith certify the results and forward the results to the board.

j. Once the board has accepted the results, the Chief Returning Officer shall swear an affidavit of Election before a Commissioner of Affidavit, duly licensed in the province of Ontario. The Chair of the Elections Committee shall keep a copy of the Affidavit for the official records of the corporation.

k. If at the close of nominations, the number of certified candidates for an office is the same as or less than the number to be elected, the Chief Returning Officer shall place on the ballot the following question regarding that candidate:

Should NAME OF CANDIDATE be elected for the POSITION OF CANDIDATE?

Yes

No

If when more than fifty percent of the valid votes cast are votes no, then the candidate shall not be deemed to be elected and the position shall remain vacant.

l. The Chief Returning Officer shall, as soon as possible after the counting of the ballots, declare the candidate or candidates, as the case may be, who received the highest number of votes to be elected.

13.12 Equality of Votes

In the event of a tie, the winner will be decided in a run-off election held two-weeks (14 days) after the closing of the voting period.

13.13 Elections Appeals Committee

The Elections Appeals Committee will be as follows

- The chair of the Board (or designate)
- Two (2) general members not elected to the Student Association or ~~hired~~ employed by the Student Association.

13.14 Methodology for appointing the Elections Appeals Committee

The request for applications for the Elections Appeals Committee will be publicized on the Student Association website. The request will include the Elections Appeals committee duties and the necessary qualifications. The Elections Committee will review applications appoint members of the committee without the CRO present.

Should there not be sufficient qualified applicants to sit on the elections appeals committee, the elections committee shall appoint such person as they feel fit to sit on that committee. Those person may not necessarily be students and may be students which are employed by the Student Association.

13.15 Appeals of Election Results

a. The Elections Appeals Committee has jurisdiction to review all discipline decision made by the Chief Returning Officer, and shall automatically review any discipline decision that resulted in the disqualification of a Candidate. The notice of such appeal shall be given to the Chair of the Committee within 48 hours of the decision being given by the Chief Returning Officer.

b. Any candidate may challenge the validity of the his/her election result in a written submission containing his/her reasons to the Elections Appeals Committee no later than 72 hours after the close of the voting period.

c. The Elections Appeals Committee shall investigate any appeal and make a recommendation to the Board on the appropriate action.

d. The Board, at its discretion, may refuse to ratify any singular Director or Executive office election, upon the recommendation of the Elections Appeals Committee. The Board may not amend rulings of the CRO or Elections Appeals Committee.

13.16 Recounting Ballots

If there is a difference of 5 per cent or less between candidates an automatic recount shall take place. The CRO at their discretion reserves the right to call a recount.

13.17 Ratification

a. Candidates shall not be deemed elected until they have:

i. Been ratified by the Student Association's Board at the subsequent meeting following the election results with the condition that there are no outstanding appeals involving a candidate.

ii. Attained the age of majority of eighteen (18) years of age.

b. Upon ratification by the Board all ballots will be destroyed.