

Constitution
Mount Saint Vincent University Students' Union
2011

DEFINITIONS

1. Academic Year: The period commencing with the first day of classes in September to and including Convocation Day in May of the following year.
2. Administrative Assistant: The Administrative Assistant of the Union.
3. Alternate Officer: The Alternate Officer of the Students' Representative Council, who shall take place of the Speaker or Recording Secretary if absent.
4. Board of Governors: The Board of Governors of Mount Saint Vincent University.
5. Full-Time Student: A student taking three or more credits in an academic year.
6. General Manager: The General Manager of the Union.
7. In Camera: Refers to a closed confidential session of the Students' Representative Council where all non voting members (excluding the Speaker and Recording Secretary) can not be present.
8. Part-Time Student: A student taking up to and including 2.5 credits in an academic year.
9. Recording Secretary: The Recording Secretary of the Students' Representative Council.
10. Referendum: The practice of putting a question to a vote by the membership, with the result of such a vote being binding on the Union.
11. Restricted Motions: Motions that cannot be introduced at a regular SRC meeting
12. Roberts Rules of Order: The most recent edition of Robert's Rules of Order as recognized by the Speaker.
13. Senate: The Senate of Mount Saint Vincent University.
14. Speaker: The Speaker of the Students' Representative Council.
15. Students' Representative Council (SRC): The governing body of the Union, which determine policy and regulation for the Union.
16. Union: Refers to Mount Saint Vincent University Students' Union.

ARTICLE I

THE PREAMBLE

- 1.1 Whereas Mount Saint Vincent University has a student population that is in need of effective, equitable and fair representation and whereas such representation is best achieved through organized efforts, this document shall act as the constitution of the Mount Saint Vincent University Students' Union.
- 1.2. The purpose of the Students' Union is to provide effective representation and deliver meaningful services to the students of Mount Saint Vincent University.
- 1.3 This document shall take precedence over all by-laws, regulations, policies and procedures of the Mount Saint Vincent Students' Union.
- 1.4. Notwithstanding Article 1.3 nothing in this constitution shall be interpreted as violating the terms of Act XX of the Government of Nova Scotia (*An Act to create the Mount Saint Vincent Students' Union*) and any provision which does so, shall be considered void.

**ARTICLE II
MEMBERSHIP**

- 2.1 Every registered student of Mount Saint Vincent University, Halifax, Nova Scotia, shall be a member of the Students' Union.
- 2.2 Beginning in 2004, the annual membership fee of the prior year shall increase on September 1 each year by the rate of increase in the national Consumer Price Index during the previous calendar year, as published by Her Majesty in Right of Canada.
- 2.3 Students who are 65 years or older shall pay half of the current annual membership fee per full unit of credit, and collected in trust by Mount Saint Vincent University.
- 2.4 The term of membership shall begin or be renewed on the date of the payment of the Students' Union fees.
- 2.5 The term of membership shall end on August 31st of each year.
- 2.6 All members of the Mount Saint Vincent Students' Union shall be entitled to the following privileges:
- a) The right to vote in Students' Representative Council elections and referenda.
 - b) The right to run for and serve on the Mount Saint Vincent University Students' Representative Council subject to the conditions set out in Article V.
 - c) The right to speak at open meetings of the students' representative council.
- 2.6 At the discretion of the Students' Representative Council, individuals of the outside community may be admitted as honorary members of the Mount Saint Vincent University Students= Union.
- 2.7 Honorary members of the Mount Saint Vincent University Students' Union shall have the same privileges as members with the following exceptions:
- a) They shall be ineligible to vote in student council elections or referenda.
 - b) They shall be ineligible to hold office, be elected to, or serve on the Mount Saint Vincent University Students' Representative Council.

ARTICLE III EXECUTIVE

AUTHORITY

- 3.1 The Executive Committee shall be vested with full authority and responsibility for the day-to-day management of the Students' Union and carrying out the policy directives of the Students' Representative Council.

COMPOSITION AND TERMS OF OFFICE

- 3.2 The members of the Executive shall consist of:
- (a) the President, who shall provide leadership, act as an external lobbyist, be the Chief Executive officer, and shall act as a supervisor over the vice presidents;
 - (b) the Executive Vice President, who shall manage human resources, act as an internal lobbyist, upkeep the Union's Constitution, By-Laws, and Policies, and report directly to the president ;
 - (c) the Vice President Advocacy, who shall manage academic matters, and fair treatment/diversity issues, and report directly to the president;
 - (d) the Vice President Student Life, who shall manage all clubs, societies, and events, and report directly to the president;
 - (e) the Chief Financial Officer (Treasurer), who shall manage the Union's budgeting, reporting, and controlling, and shall report directly to the General Manager;
- 3.3 The Executive compensation shall consist of the current hourly minimum wage in the province of Nova Scotia with an additional:
- (a) 29% /hour for the position of President calculated by the number of hours as listed in Policy IV section a;
 - (b) 24% /hour for the positions of Vice President as calculated by the number of hours as described in Policy IV sections b through d as applicable to each position;
 - (c) 24% /hour for the position of Chief Financial Officer as calculated by the number of hours as described in Policy IV section e.
- 3.4 Those listed in section 3.2 shall form the Executive Committee
- 3.5 Each member of the Executive shall hold one (1) vote on the Executive Committee.
- 3.6 The Executive Committee shall have the following responsibilities:
- (f) The Executive Committee shall meet weekly.
 - (g) The Executive Committee shall be chaired by the President.
 - (h) All members of the Executive shall be responsible for presenting oral reports to the Students' Representative Council at the regular Students' Representative Council Meetings.
 - (i) All Executive Committee members shall prepare Annual Reports to be presented at the Annual General Meeting.
 - (j) In the Absence of a General Manager, the Executive Committee will assume the responsibilities of the General Manager until a time when the position has once again been filled.

- (k) The Executive shall attend all regular and special meetings of the Students' Representative Council and any conferences, workshops and retreats that are relevant to his/her position as deemed necessary by the Executive Committee and Students' Representative Council.
- (l) Individual Executive members and the Executive Committee are answerable to the Students' Representative Council.

SUMMER EXECUTIVE

- 3.7 (a) Summer Executive shall be the term used to describe the operation of the Union during May 1 until the first official day of classes in the month of September at which time the Students' Representative Council shall reassume the functions assigned to it under the Constitution and By-Laws of the Union.
 - (a) The Summer Executive shall consist of those outlined in 3.2.
- 3.8 In the event that an individual designated in 3.2(c), 3.2(d), or 3.2(e) is unable to serve, then the SRC shall appoint a representative to fulfill the functions of said individual.
- 3.9 The Summer Executive shall conduct such business as is necessary to ensure the adequate management of the Union's objectives, notwithstanding job description changes.
- 3.10 Section 3.9 of this By-law notwithstanding, the Summer Executive shall have no power to introduce, amend, or disregard any By-Law of the Union.
- 3.11 The President shall prepare a summer report, containing all activities and changes made during the summer, to the first meeting of the Students' Representative Council in the fall.
- 3.12 Section 3.9 notwithstanding, the Students' Representative Council shall have full powers to accept or reject the decisions of the Summer Executive as they relate to the future policy of action on the part of the Union.

ARTICLE IV
STUDENTS' REPRESENTATIVE COUNCIL

AUTHORITY

- 4.1 The Students' Union shall be officially governed by the Students' Representative Council, which shall be comprised of the members of the Union.
- 4.2 The Students' Representative Council shall be responsible to the members of the Union for any matter delegated to it by the Union.
- 4.3 The Students' Representative Council shall be vested with the legislative authority of the Union.

COMPOSITION AND TERMS OF OFFICE

- 4.4 The officers of the Students' Union shall be known collectively as the Executive and consist of those outlined in article 3.2.
- 4.5 The Students' Representative Council shall, consist of:

- (a) The Executive of the Union, excluding the Chief Financial Officer
- (b) Twelve (12) elected councilors
 - i) Arts Representative – one representative enrolled in the Faculty of Arts as defined in the most recent MSVU Academic Calendar.
 - ii) Board of Governors Representative – one representative from the general student body elected by the students of MSVU.
 - iii) Councilor at Large – one representative from the general student body elected by the students of MSVU.
 - iv) Education Representative – one representative enrolled in the Faculty of Education as defined in the most recent MSVU Academic Calendar.
 - v) First Year Students' Representative – one student registered in their first year at MSVU and in their first year of Post Secondary Education.
 - vi) Graduate Studies Representative – one representative who is a graduate student and who shall be a Masters student during his/her term.
 - vii) International Representative – one representative from the International student community, who is not a Canadian citizen and does not have landed immigrant status.
 - viii) Mature Students' Representative – one student enrolled as a mature student as defined in the MSVU Students' Union By-Laws, Article 1, section n.
 - ix) Off-Campus Representative – One representative of off-campus students who shall be living off-campus during the term of his/her office.
 - x) Professional Studies Representative - one representative enrolled in the Faculty of Professional Studies as defined in the most recent MSVU Academic Calendar.
 - xi) Residence Representative – One representative of the residence students who shall be living in residence during the term of his/her office.
 - xii) Science Representative - one representative enrolled in the Faculty of Science as defined in the

most recent MSVU Academic Calendar.

4.6 Members of the Students' Representative Council shall hold office one year subject to the following conditions:

- (a) That the newly elected Students' Representative Council shall take office upon the first day of May in the year of their election.
- (b) That when a person ceases to be eligible for any position, that person will be notified by the Speaker of their automatic removal from office.
- (c) That any member failing to attend two Students' Representative Council meetings during his/her term of office, without giving prior acceptable written or verbal notice of absence to the Speaker or Recording Secretary in each instance, shall be, upon a two-thirds (2/3) majority vote of the Students' Representative Council, shall be removed from office forthwith;
- (d) That if a Students' Representative Council member is not performing his/her responsibilities, as defined by the By-laws, the Students' Representative Council, shall remove said member, by:
 - a. Giving written notification of the reasons for questioning this person's performance.
 - b. After ten (10) academic days, a 2/3 vote of the Students' Representative Council may remove said member.
 - c. The SRC shall, upon removing the member, determine whether the position will be filled in the next elections or whether the position shall be appointed for the interim.
- (e) In the event of an absence in the position of President, Executive Vice President, and/or Board of Governors Representative occurs over the summer period, the newly elected Students' Representative Council shall have the authority to extend the terms of office for those positions, to attend Board of Governors meetings exclusively.

COUNCIL RESIGNATIONS, REMOVALS & VACANCIES

4.7 Should a vacancy occur in the office of the President, at the discretion of the Students' Representative Council, either an election for this position shall be held within one (1) month, or, the Executive Vice President will be appointed the position of President. Should the Executive Vice President receive appointment to the position of President, Council shall then appoint an Executive Vice President. All members of the Union shall be eligible for appointment.

4.8 Should a vacancy occur in any of the Vice Presidents on or after the fall by-election, council shall appoint a Vice President. All members of the Union shall be eligible for appointment.

4.9 Should a vacancy occur in any elected position on or after the fall by-elections other than that of President or a Vice President, an election may be held for the vacant position, or, if time constraints do not allow for an election, Council may appoint a member of the Union to the position. All members of the Union shall be eligible for appointment.

MEETINGS

4.10 There shall be a regular, open meeting of the Students' Representative Council, no less than every third week during the University academic term.

4.10.1 In the event that no meeting of the Student Representative Council has occurred subject to the time-line set out in Article 3.12 it shall be the responsibility of the speaker to call a meeting of the Council subject to Article 3.14

- 4.11 The Speaker of Council shall be responsible for providing notice of Council meetings to all Councilors and to the members of the Union at least 48 hours in advance to the meeting.
- 4.12 A meeting of Council can be called by the following:
- (a) The President of the Union
 - (b) A simple majority of the Executive during an executive meeting
 - (c) A petition signed by no less than one fifth (1/5) of the members of Council
 - (d) Speaker of the Students' Representative Council
 - (e) A majority vote of the Students Representative Council at any council meeting.
- 4.13 Subject to the limits set out in Articles 3.17, 3.18, 3.19 and 3.20 the timing and location of all Council meetings will be at the discretion of the Students Representative Council.
- 4.14 (a) Quorum for a meeting of Council shall consist of 50% plus one of the total Council membership outlined in Article 3.5.
- (c) Vacant positions shall not be included in the number of voting members.
- 4.15 All motions put before a meeting of the Union or the Students' Representative Council shall be decided by a majority vote, fifty percent plus one, with the exceptions of those specified in the Union's Constitution and Robert's Rules of Order.
- 4.16 All meetings of the Union shall be subject to the terms of this Constitution, Rules, Regulations, Policies and By-Laws of the Union. Where no guidelines exist within the Union then the meeting of the Union shall be conducted in accordance with the rules of Parliamentary procedure set out in the most recent edition of the official version of Robert's Rules of Order.
- 4.17 Students' Representative Council meetings shall be open to all members of the Union and invited guests. Should a Council meeting be moved to an "in camera" session, only voting members of Council, the Council Speaker and the Recording Secretary will be permitted access, unless otherwise invited by Council.
- 4.18 An Annual General Meeting of the Students' Representative Council must be held each fiscal year between November 1 and the beginning of Spring Elections. The exact date shall be set by the Students' Representative Council. At this meeting:
- (a) audited statements will be presented for the previous fiscal year;
 - (b) any Constitutional Amendments will be voted on;
 - (c) a report on all Union services will be presented;
 - (d) a presentation will be given of the budgetary figures to date of the current fiscal year.

**ARTICLE V
ELECTIONS AND REFERENDA**

- 5.1 Any members of the Students' Union with a minimum GPA of 1.7 during his/her last completed period of study shall be eligible for any position on the Students' Representative Council.
- 5.2 (a) Both Executive elections and SRC elections shall be held in the month of March each year on any two (2) consecutive official class days to fill the seats on the Students' Representative Council as defined above by Article III Section 3.5.
(b) A By-Election shall occur during the month of September to elect any position not filled during the spring.
- 5.3 No candidate shall win an election by acclamation. In the event that there is only one candidate for a position the ballot will have the option "yes," "no," and "abstain." The number of yes votes must exceed the number of no votes for the candidate to be declared elected.
- 5.4 In the event of a tie between a contested position or a tie in the number of yes and no votes in an uncontested position, a re-vote will be held within two (2) academic days. In this ballot, campaigning shall remain closed.
- 5.5 The Students' Representative Council is required to hold a Referendum to:
(a) increase student fees by more than five percent of the current level.
(b) decide on an issue considered pressing enough by the Students' Representative Council that it cannot wait until the Annual General Meeting.
- 5.6 Proper notice must be given to all Referendum questions and proper notice shall be deemed given when:
(a) the proposed referendum is submitted for first reading to the Students' Representative Council at a Council meeting at least ten (10) academic days prior to the Council meeting at which the proposed Referendum is to be considered.
(b) no later than five (5) academic days prior to the date on which the Students' Representative Council is to consider the question, a notice of consideration of the proposed Referendum and date and time of the meeting shall be displayed in prominent places on the campus.
(c) the Referendum is supported by a two thirds (2/3) majority vote in a Students' Representative Council meeting.
(d) the referendum voting shall be held on any two (2) academic days.
- 5.7 The Speaker, hired by the President or Executive Vice President, shall act independently of the Students' Representative Council and all employees of the union in the running of the elections and/or referendum. Any member of the Students' Representative Council may

challenge the hiring of the Speaker;

(a) if there is a challenge to the appointment of the Speaker, the Students' Representative Council may replace the appointed Speaker with a new Speaker of their selection;

(b) the Speaker must be selected from the general membership;

(c) a Speaker must be appointed no later than ten (10) academic days after the commencement of the Academic year.

ARTICLE VI
RESTRICTED MOTIONS

- 6.1 The following motions will be known as “Restricted Motions”;
- (a) Any motion that would increase student fees by five percent or less;
 - (b) Any motion that would alter the Union’s membership status in external organizations;
 - (c) Any motion that would increase or decrease the amount of pay for a member of the Students’ Representative Council;
- 6.2 Restricted Motions may be adopted by a majority vote (50% + 1) at an Annual General Meeting
- 6.3 Any member of the Students’ Representative Council may introduce a restricted motion at an Annual General Meeting, provided proper notice had been given.
- 6.4 Proper notice shall be deemed given when:
- (a) The Students’ Representative Council has been advised, at a duly called SRC meeting, of the member’s intent to introduce the motion.
 - (b) A notice that contains the motion, date, time and location of Annual General Meeting where it will be considered, and signature of the mover, has been posted for the ten (10) academic days that precede said Annual General Meeting.
 - (c) Said notice has been posted on the MSVU campus in all buildings where classes are presently held, and in the entry of all on-campus student housing.

ARTICLE VII
CONSTITUTIONAL AMENDMENTS

- 7.1 The Constitution of the Students' Representative Council may be amended by a 50% plus one majority vote of the Union members in attendance at the Annual General Meeting.
- 7.2 Proper notice must be given for all Constitutional Amendments and proper notice shall be deemed given when:
- (a) the proposed Constitutional Amendments are submitted for first reading to the Students' Representative Council at a Council meeting at least ten (10) academic days prior to the Council meeting at which the proposed Constitutional Amendments are to be passed;
 - (b) no later than five (5) academic days prior to the date on which the Students' Representative Council is to consider the Constitutional Amendments, a notice of consideration of the proposed amendments and date and time of the meeting shall be displayed in prominent places on campus;
 - (c) the Constitutional Amendments must be supported by a 50% plus one majority vote in a Students' Representative Council meeting;
 - (d) notice of the Constitutional Amendments, which received a 50% plus one majority vote of the Students' Representative Council, is given ten (10) academic days prior to the date of the Annual General Meeting.

ARTICLE VIII
BY-LAWS

- 8.1 The Students' Representative Council shall have the power to enact By-Laws.
- 8.2 By-Laws shall take precedence over any, and all rules, regulations, or policies enacted by the Union except for those provisions of the Constitution.
- 8.3 A By-Law may be enacted at any meeting of the Students' Representative Council by a 50% plus one majority of those present and voting, provided that proper notice and public notice have been given.
- 8.4 Proper notice shall be the first reading of the proposed By-Law at a meeting of the Students' Representative Council no less than ten (10) days prior to the meeting at which the proposed By-Law will be considered.
- 8.5 Public notice of the proposed By-Law shall be prominently displayed at least five (5) academic days prior to the Students' Representative Council meeting at which the By-Law will be discussed. The time, date, and location of the meeting shall be included in this notice.
- 8.6 A By-Law shall be in effect immediately upon enactment of the Students' Representative Council.
- 8.7 Amendments to By-Laws shall be enacted in the same manner as By-Laws are enacted.

ARTICLE IX
POLICY

- 9.1 The Students' Representative Council shall have the authority to enact policies.
- 9.2 Policies shall not conflict with or attempt to vary any provision of the Constitution, or any provision of any By-Laws of the Union.
- 9.3 Policy shall be defined as direction given to the Executive, Councilors, appointed positions, or staff of the Union which instructs the individual(s) concerned to conduct the business of the Union as to what public attitude will be adopted by the individual(s) concerned on any matter that the Students' Representative Council may deem appropriate.
- 9.4 A motion of Policy shall be moved and seconded by a voting member of the Students' Representative Council and requires a simple majority of those voting members present.
- 9.5 A Policy shall be in effect immediately upon enactment of the Students' Representative Council.

ARTICLE X
DISSOLUTION

- 10.1 In the event that the Students' Representative Council is dissolved, all monies and possessions shall be held in trust by the University until such a time as another Students' Representative Council is activated.

Article XI
CFO/GM seal
Environmental

- 11.1 The MSVUSU recognizes the importance of ensuring quality of life for future generations. We strive to do our part to create a sustainable and equitable future for all. As a part of this goal, we acknowledge the current environmental crisis and feel obligated to act in any way possible to ensure our environments sustainability.
- 11.2 The MSVUSU commits to improving the sustainability of operations, promoting responsible consumption to its members and to lobbying the university to follow suit. If it is within our sphere of influence, eventually we will lobby various levels of government and other organizations. The MSVUSU will lead by example in promoting responsible global citizenship to the campus community by adhering to basic sustainability principles. The MSVUSU recognizes and accepts that sustainability will have initial costs but may save money in the long term.
- 11.3 This policy is to be recognized as a first step by the MSVUSU towards implementing sustainability practices. It shall act as an ethical guide for the MSVUSU operations and business transactions, including but not limited to: purchasing, corporate partnerships, day to day operations and lobbying.
- 11.4 This policy shall be implemented and enforced by all MSVUSU staff responsible for day to day operations and ordering and purchasing goods for the Students' Union.
- 11.5 The practices and procedures of the MSVUSU will reflect what our environmental impact actually is and rectify those areas that need improvement. For this purpose we will divide our practices and procedures into categories where we can then judge how best to act on them.