

# Students' Union of St. Thomas University, Inc.

## Constitution

### Title I – Name

S.1. This organization shall be called the “Students’ Union of St. Thomas University, Inc.,” hereinafter referred to as the “Students’ Union.”

### Title II – Definitions

S.1. In this Constitution:

- (a) **“Act”** means the Business Corporations Act of New Brunswick and any successor legislation;
- (b) **“General management”** means to ensure that members of the SRC are performing their duties and responsibilities and, in consultation with the SEC, to make decisions that are of concern to the membership of the Students’ Union and the SRC;
- (c) **“Regularly constituted meetings”** means the weekly or monthly scheduled meetings of SRC and SEC;
- (d) **“SRC”** means the Students’ Representative Council of the Students’ Union;
- (e) **“SEC”** means the Students’ Executive Council of the Students’ Union;
- (f) **“Students’ Union”** means the Students’ Union of St. Thomas University, Inc.;
- (g) **“By-laws”** means the By-laws and amendments thereto enacted from time to time by the Students’ Union;
- (h) **“Board of Directors”** means the voting members of the SRC and the members of the SEC who shall serve as the Board of Directors of the Students’ Union;
- (i) **“Operations Manual”** means the policies developed from time to time by the Students’ Union outlining operating procedures pertaining to General Management;
- (j) **“Policy Manual”** means the policies developed from time to time by the Students’ Union regarding official positions of the Students’ Union on external laws, policies, and procedures;

- (k) **“ad hoc committee”** means a committee whose existence and charge comes from the SRC, and unless otherwise stated, ceases to exist once its task is complete;
- (l) **“Absence”** means resignation, impeachment, or absence for three consecutive regularly constituted meetings or more;
- (m) **“Out of office hours”** means time spent away from Students’ Union offices on matter directly related to the activities of the Students’ Union;
- (n) **“University”** means St. Thomas University; and
- (o) **“SRC Project”** means a project that has been planned and executed by a member of the SRC which include but is not limited to: An event, public consultation, creation of a policy principle, or another activity that works to serve the constituency they represent on the SRC.

### **Title III – Mission Statement**

S.1. The Students’ Union is a democratically elected body, whose mission is to effectively represent and provide services to the students of St. Thomas University and to advocate the position of the organization before the University’s administration, municipal government, provincial ministries and federal departments. The Students’ Union strives to enhance the life and experience of students with a positive educational, social and cultural environment while attending St. Thomas University.

### **Title IV – Objects**

S.1. The objects of the Students’ Union are:

- (a) To promote artistic, literary, educational and social activities for the advancement of the various interests of its members in particular and the University community in general;
- (b) To provide for the material, intellectual, cultural, professional, and physical needs of its members and to encourage amongst its members a sense of responsibility and good citizenship;
- (c) To establish relationships with such other associations, bodies, or organizations, national or international, public or private, that may serve to benefit its members;
- (d) To act as the official organization of the students of St. Thomas University in Fredericton, New Brunswick;

(e) To acquire, operate, and maintain any facilities or assets for the use of and in the interest of its members; and

(f) To promote, encourage, coordinate, and direct activities for the students of St. Thomas University, subject to the rules and regulations of the University and all applicable laws.

## **Title V – Powers**

S.1. The Students' Union shall be empowered to:

(a) Take and hold by purchase, grant, lease, gift, donation, and to sell, transfer, lease, mortgage, or otherwise dispose of any such real or personal property as may be deemed appropriate for carrying out the objects of the Students' Union;

(b) Invest any funds received and retain such investments in proper and secure investments, so long as it is not contrary to the best interests of its members;

(c) Enter into arrangements or agreements with the University's administration or any municipal, provincial or federal governmental authority, that may be beneficial to or consistent with the objects of the Students' Union;

(d) Authorise, make, execute, issue and endorse bills of exchange, cheques, drafts, promissory notes, orders and every kind of negotiable instrument and security as may be necessary for the objects of the Students' Union;

(e) Raise money for the objects of the Students' Union by proper means, including but not limited to the granting of concessions to organisations at student activities and other such concessions that are not inconsistent with the operation of the University;

(f) Costs and expenses for a particular purpose or item are to be prudently accrued and a single expenditure shall not exceed \$5,000.00 excepting Welcome Week expenses, without the approval of a majority of the SRC members present at a properly constituted meeting of the SRC; and

(g) All other things as may be ancillary or incidental to the attainment of its objects in the exercise of its power.

## **Title VI – Membership and Fees**

S.1. Membership in the Students' Union shall consist of both full-time and part-time registered students at St. Thomas University during the fiscal year.

S.2. Full-time and part-time students shall pay Students' Union fees as prescribed by the SRC, and students withdrawing from the University shall not have their Students' Union fees refunded.

S.3. The SRC may increase Students' Union fees by a maximum of 5% in any given fiscal year, and any increase above this amount shall require a referendum on the increase.

## **Title VII – The Students' Representative Council**

S.1. The affairs of the Students' Union shall be governed and managed by duly elected or appointed representatives from the members of the Students' Union in accordance with this Constitution, the By-laws and Operations Manual of the Students' Union. This body of elected or appointed representatives shall be known as the "Students' Representative Council," hereinafter referred to as the "SRC."

S.2. The SRC shall consist of "The Students' Union Board of Directors," hereinafter referred to as the "Board," as well as non-voting observers.

S.3. Subject to the By-laws and Policy Manual of the Students' Union, all powers of the Students' Union are vested in the SRC.

S.4. The SRC shall consist of voting and non-voting members and its composition shall be as follows:

(a) The following shall be the voting members of the board:

- i. the President of the Students' Union;
- ii. the Vice President Administration;
- iii. the Vice President Education;
- iv. the Vice President Student Life;
- v. the Harrington Hall Representative;
- vi. the Vanier Hall Representative;
- vii. the Holy Cross House Representative;
- viii. the Rigby Hall Representative;
- ix. four (4) Off-Campus Representatives;
- x. three (3) At-Large Representative;
- xi. the Sexuality and Gender Diversity Representative;
- xii. the International Student Representative;
- xiii. the Indigenous Representative; and
- xiv. the Social Inclusion Representative.

(b) The following shall be non-voting observers to the board:

- i. the Off-Campus First-year Liaison;

- ii. the Residence First-year Liaison;
- iii. the Grad Class President;

S.5. All voting and non-voting members of the SRC shall hold office for a term of one (1) year, beginning on 1 May and ending on 30 April of any given year.

S.6. The SRC may at any time remove any person who holds any office, committee membership, or other elected or appointed position within the SRC from such office, membership or position, and any such removal shall be effected by a resolution supported by two-thirds (2/3) of the SRC members entitled to vote at any properly constituted meeting of the SRC.

## **Title VIII – The Students’ Executive Council**

S.1. The SEC shall consist of the following:

- (a) the President of the Students’ Union;
- (b) the Vice President Administration;
- (c) the Vice President Education; and
- (d) the Vice President Student Life.

S.2. Executive responsibilities and decision-making powers for the SRC shall be vested in the “Students’ Executive Council,” hereinafter referred to as the “SEC.”

S.3. SEC shall exercise any powers authorised by the SRC. It shall be empowered to make decisions and take necessary action between SRC meetings when the members of the SRC are not in regular attendance at St. Thomas University. Such decisions and/or actions shall either be ratified at the next regular meeting of the SRC or the SRC shall be provided with adequate information and explanation supporting such decisions and/or actions.

## **Title IX – Responsibilities of Representatives**

S.1. All elected or appointed representatives of the Students’ Union shall carry out the duties of their position as defined in the By-laws in addition to those duties hereinafter defined.

S.2. The President of the Students’ Union shall be the Chief Executive Officer of the Students’ Union and shall preside at all meetings of the SEC, shall be a member *ex officio* on all committees of the SRC, shall represent the Students’ Union, have general supervision over the affairs of the Students’ Union and perform such other duties as may be assigned to the President from time to time.

S.3. The Vice President Administration shall perform the duties and exercise the powers of the President of the Students’ Union in that individual’s absence, inability or refusal to do so, and shall attend all regular and special meetings of the SRC and SEC, shall chair

various committees, oversee the preparation of the annual operating budget and financial affairs, be the general supervisor for all human resources and perform such other duties as may be assigned to the Vice President Administration from time to time.

S.4. The Vice President Education shall attend all regular and special meetings of the SRC and SEC, promote academic issues relevant to students to the relevant organisations, lobby all levels of government and organisations on issues of concern to students of St. Thomas University and perform such other duties as may be assigned to the Vice President Education from time to time.

S.5. The Vice President Student Life shall attend all regular and special meetings of the SRC and SEC, and shall promote student activities and programs, manage student services and perform such other duties as may be assigned to the Vice President Student Life from time to time.

S.6. The Harrington Hall, Vanier Hall, Holy Cross House, and Chatham Hall Representatives shall be duly and democratically elected or appointed by the House Committee of each respective residence to attend all regular and special meetings of the SRC and to act as official liaisons between the SRC and the respective residence, and perform such other duties as may be assigned to their respective positions from time to time.

S.7. The Off-Campus Representatives shall attend all regular and special meetings of the SRC, and act as official liaisons between the SRC and residents of the off-campus community, and perform such other duties as may be assigned to their respective positions from time to time.

S.8. The At-Large Representatives shall attend all regular and special meetings of the SRC and act as official liaisons to the student body as a whole, and perform such other duties as may be assigned to their respective positions from time to time.

S.9. The Off-Campus First-Year Liaison and Residence First-Year Liaison shall attend all regular and special meetings of the SRC, shall be the official liaisons between the SRC and first-year students at St. Thomas University, and perform such other duties as may be assigned to the First-Year Liaisons from time to time.

S.10. The Grad Class President shall attend all regular and special meetings of the SRC and shall be the official liaison between the SRC and the graduating Bachelor of Arts and Bachelor of Applied Arts classes at St. Thomas University, and perform such other duties as may be assigned to the Grad Class President from time to time.

S.11. The Sexuality and Gender Diversity Representative shall attend all regular and special meetings of the SRC, and act as official liaison between the SRC and the

LGBTQIA+ community, and perform such other duties as may be assigned to the Sexuality and Diversity Representative from time to time.

S.12. The International Student Representative shall attend all regular and special meetings of the SRC, and act as official liaison between the SRC and the international community, and perform such other duties as may be assigned to the International Student Representative from time to time.

S.13. The Indigenous Representative shall attend all regular and special meetings of the SRC, and act as official liaison between the SRC and the Indigenous community, and perform such other duties as may be assigned to the Indigenous Representative from time to time.

S.14. The Social Inclusion Representative shall attend all regular and special meetings of the SRC, and act as official liaison between the SRC and various minority groups, including those that are under represented and those that are not specifically represented by a member of the SRC, and perform such other duties as may be assigned to the Social Inclusion Representative from time to time.

## **Title X – Annual and Special General Meetings**

S.1. An Annual General Meeting of the members of the Students' Union shall be held before the end of the winter academic semester of each academic year at a time and place as fixed by the SRC.

S.2. The Annual General Meeting shall present the reports of the SRC, SEC, SRC committees, the Financial Statements of the Students' Union, and any other relevant business.

S.3. Notice of an Annual General Meeting shall be given in the University paper, posted on all main bulletin boards on the University's campus, and shall be distributed in any other form deemed appropriate no less than fourteen (14) days before the date fixed for the meeting.

S.4. The SRC may call a Special General Meeting of the members of the Students' Union at such time and place may be fixed by the SRC for the purpose of considering such matters which are articulated in the notice of meeting.

S.5. Notice of a Special General Meeting shall be given in the same manner as specified in S.3. of this Title.

S.6 Quorum for the Annual General Meeting shall be either 100 students or 5% of the membership of the Union, whichever is less.

## **Title XI – Meetings of the SRC**

S.1. The SRC shall meet weekly during the months of September through March, except for the months of December and April, when at least one monthly meeting shall be held, and shall meet as may be necessary, at such times and in such places as shall be determined.

S.2. Notice of all meetings of SRC shall be electronically delivered to each member at least twenty-four (24) hours before the time fixed for such meeting.

S.3. The President of the Students' Union may call a special meeting on twenty-four (24) hours' notice by telephone or any of the above methods.

S.4. A majority of voting positions filled, that is 50% plus one (1), shall form a quorum for the transaction of business at all meetings.

S.5. With the consent of a majority of members of the SRC or of a Committee, as appropriate, a member of the SRC or of the Committee which is conducting a meeting, may participate in that meeting by means of telephone or other communication facility that permits all persons participating in the meeting to hear each other simultaneously.

S.6. All meetings shall be open to members of the Students' Union, the University community and interested persons.

S.7. The voting procedure and other procedures and requirements of SRC meetings shall be set forth in the Students' Union By-laws.

## **Title XII – Meetings of the SEC**

S.1. The SEC shall meet weekly at a time and place to be determined by the members of the SEC.

S.2. SEC meetings are private and confidential.

S.3. Quorum for a meeting of the SEC shall be three (3) members of the SEC.

## **Title XIII – Execution of Documents**

S.1. All contracts, documents or any instruments in writing which have affixed thereto the corporate seal of the Students' Union shall be signed by any two of the President, the Vice President Administration and/or the General Manager, as the case may be. All contracts,

documents and instruments in writing properly executed shall be binding upon the Students' Union. Any contracts that financially bind the Students' Union to an amount that exceeds \$1,000.00 shall be approved by the board prior to it being signed. The SRC shall have power from time to time, to direct the manner in which any specific contracts, documents and instruments in writing may or shall be signed on behalf of the Union.

## **Title XIV – Fiscal Year**

S.1. The fiscal year of the Students' Union shall begin on 1 June and end on 31 May of any given year.

## **Title XV – Conflicts of Interest**

S.1. Voting members of the SRC shall avoid conflicts of interest with respect to their fiduciary duty.

S.2. There shall be no self-dealing or business by a member with the SRC.

S.3. When the SRC is to decide upon an issue about which a member of the SRC has an un-avoidable conflict of interest, that member shall absent themselves without comment from deliberation and vote on the issue.

S.4. Members of the SRC shall not use their position to obtain employment in the organisation for themselves, family members or close associates. Members of the SRC applying for employment must first resign from the SRC.

S.5. A member of the SRC, simultaneously serving as an executive member of an organisation requesting funding from the Students' Union, shall absent themselves without comment from deliberation and vote on the issue.

S.6. Members of the Union may not be elected to more than one position on the SRC, but may be appointed to a second position, on a permanent or temporary basis, in case of a position becoming vacant.

(a) Members of the SRC may not simultaneously serve as an employee of the Students' Union.

S.7. Voting members of the SRC shall not receive direct monetary gain from an SRC business transaction, including a salary, excepting those positions held during the summer months for which salaries are paid.

S.8. No voting member of the SRC shall serve on the CHSR-FM Executive Committee or the Aquinian, Inc. Board of Directors.

S.9. Members of the SRC shall not use the Students' Union's time, money, facilities, or equipment, etc. for purposes other than carrying out the business and objects of the Students' Union.

S.10. No member of the SEC shall actively involve themselves with any political party during their term in office.

## **Title XVI – By-laws**

S.1. The SRC may, from time to time, enact, repeal or amend the By-laws of the Students' Union. No enactment, repeal or amendment shall be effective unless the provisions of Title XVIII have been met.

## **Title XVII – Amendments**

S.1. Amendments to the Constitution or By-laws shall require a two-thirds (2/3) majority vote of the SRC.

S.2. Amendments to the Constitution or By-laws shall be given two (2) weeks' written notice of motion to the SRC of the intended amendment before it may be considered and voted upon by the SRC.

S.3. Amendments to the Policy Manual shall require a majority vote of the SRC.

S.4. Non-substantive grammatical and spelling errors may be corrected by the Vice President Administration, who shall notify the members of the SRC in writing of the changes.

S.5. All proposed amendments shall be presented to the legal counsel of the Union for review and recommendations before the consideration of an amendment, and the recommendations of counsel shall be given in their entirety to the SRC.

## **Title XVIII – Suspension of Constitution and by-laws**

S.1. The SRC may, as deemed necessary by its membership, temporarily suspend any governing document, inclusive of the constitution, by-laws, operations manual, and policy manual, in whole or in part by a unanimous vote at any properly constituted or special meeting of the SRC.

## **Title XIX – Voting**

S.1. A member of the SRC must be present in some form of real-time communication in order to vote. The definition of real-time communication shall be at the discretion of the Chair of the Students' Union.

## **Title XX – General**

S.1. In this Constitution, the By-laws and Policy Manual, the singular shall be construed as plural, the plural as the singular, and any reference to gender shall include all other genders.

S.2. Where any appointment has been made by the SRC or the SEC, such appointment shall include the power of dismissal, suspension, replacement, reinstatement, and/or the varying or fixing of remuneration for the term of office for proper cause.

S.3. Every provision in this Constitution, the By-laws and the Policy Manual shall receive such fair, large and liberal construction and interpretation as best ensures the attainment of the objects and mission of the Students' Union.

## **Title XXII – Enactment**

S.1. This Constitution is hereby enacted by the Students' Representative Council of the Students' Union of St. Thomas University, Inc. on the 30<sup>th</sup> day of August, 2018.