

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

- 1.1 The name of the organization is the Students' Association of NorQuest College (SANQC).

## **2. PURPOSES OF SANQC**

2.1 As per the Post Secondary Learning Act in Alberta, SANQC shall provide for the administration of student affairs at NorQuest College (NQC), including the development and management of student committees, the development and enforcement of rules relating to student affairs, and the promotion of the general welfare of the students consistent with the purposes of NQC. In addition, and without limiting the generality of the foregoing, the purposes of the SANQC are to:

- a) contribute to the goal of a creating a system of post-secondary education which is accessible, predictable, sustainable and affordable to all;
- b) advance and articulate the interests of the student community;
- c) organize students on a democratic and cooperative basis in advancing student interests;
- d) act as the representative voice of the students of NorQuest College through:
- e) the development and maintenance of a system of student representatives on decision making Boards of NorQuest College;
- f) the development and maintenance of a liaison municipal, provincial and federal governments concerning all areas of education, advanced education and general student welfare;
- g) advancing all official policies, procedures, positions or opinions of the Students' Association to the College Administration or Board of Governors of the College, or to any groups(s) or individual(s) not associated or connected to the College, when it is deemed in the best interests of the Members to do so.
- h) promote the legitimacy of student representation and the validity of student rights;



- i) develop and deliver services and activities which supplement the learning experience, provide support and develop a sense of community;
- j) administer assets or monies generated by the Students' Association, including student fees collected by the College for the Students' Association, in a proper and business- like manner for the benefit and betterment of the Members of the Students' Association;
- k) provide a framework for students to communicate, exchange information, and share knowledge, skills and ideas.

## PART 2 – INTERPRETATION

### 3. CERTAIN RULES OF INTERPRETATION

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



## 4. DEFINED TERMS

4.1 In these Bylaws the following capitalized words and phrases have the meaning ascribed to them, and they will be capitalized throughout these Bylaws to indicate they carry such meaning:

**“Active Member”** means an individual who satisfies the membership criteria set out in section 5.1.

**“Annual General Meeting”** means the yearly meeting of the Active Members of the SANQC, as described in section 14.1(a).

**“NQC”** means NorQuest College.

**“Campaigning”** means any action or activity by any person with the intent of soliciting votes or persuading voters (regardless of the direction of persuasion), or informing persons of any individual’s intent to seek nomination or run in any election of the SANQC, and it includes Personal Campaigning, Public Campaigning, and Online Campaigning.

**“Candidate”** means, with respect to a specific election, an individual approved and officially announced by the CRO to have met the eligibility criteria and successfully submitted a Nomination Package for candidacy in an election for office as a Councillor.

**“Club”** means a group of Active Members gathered together with the purpose of fulfilling a mandate, and which has been ratified by the SANQC in accordance with section 61.1, and is therefore officially recognized by the SANQC.

**“College”** means NorQuest College.



**“Conflict of Interest”** means a conflict between the personal or professional interest of an individual and that of the SANQC and or the Council in respect of any matter upon which that individual may be required to debate or participate in decision making, and it includes any arrangement or affiliation held by an individual that compromises the perception or impartiality of that individual.

**“Council”** means the Students’ Council for the Students’ Association of NorQuest College, which is comprised of the Councillors.

**“Councillor”** means an individual elected to Council

**“CRO”** means the Chief Returning Officer, an individual hired or appointed by the SANQC for election proceedings to ensure compliance with these Bylaws and the policies of the SANQC, and to assist in conducting free and fair elections and Referendums.

**“Eligible Programs”** means those programs delivered by the College in which students of the College who are enrolled are eligible to be Active Members, and, as such, will be levied applicable Membership Fees. Programs not considered Eligible Programs may be determined from time to time by NQC.

**“Executive Director”** means the individual employed by the SANQC as executive director, all as more particularly described in Part 10.

**“Extraordinary Resolution”** means a Resolution requiring not less than a three-quarters (3/4) vote in favour.

**“Ex Officio”** means a person who holds office by virtue of his or her status, and by default possesses no voting rights.

**“Full-time Student”** means a student taking no less than a 60 per cent course load at NQC. (as determined by NQC.)



**"Health and Dental Plan Fee"** means those fees levied on Full-Time Students in accordance with section 12.1.

**"In Camera"** means meetings of Council, or portions thereof, at which only members of Council may attend, without the media, other Members or any other persons present. Discussions are not recorded during this time.

**"Member"** means a student of NQC, but it specifically excludes any student not included in a students' association pursuant to the PSLA.

**"Membership Fees"** means those fees levied on Full-Time Students and Part-Time Students in accordance with section 8.

**"Minutes"** means a summarized record of the proceedings at a meeting.

**"Nomination Package"** has the meaning set out in section 40.

**"Online Campaigning"** means any Campaigning that occurs wholly or partially on, or is facilitated by, the Internet, including social media websites, blogs, email, online forums, etc.

**"Part-time Student"** means a student taking less than a 60 per cent course load at NQC.

**"PSLA"** means the Post-Secondary Learning Act (Alberta).

**"Personal Campaigning"** means in-person Campaigning, including personal conversations, building a campaign team, requesting nomination signatures, and, for greater certainty, it excludes any and all campaigning in a group or public setting or forum, etc.



**“Public Campaigning”** means Campaigning to the general public or student body at large, or in any manner not constituting Personal Campaigning, including engaging in conversation with multiple people; classroom visits or presentations; public speaking; distributing campaign materials, etc.

**“Resolution”** means a decision to do something or not to do something, usually brought forward in the form of a motion that is considered and voted upon by persons eligible to vote on the matter, in person or, where permitted by these Bylaws, by proxy, at a duly constituted meeting called in accordance with these Bylaws.

**“Referendum”** means a general vote by Members, usually performed through a ballot vote that takes place on a single day or over the course of a number of days. This vote must ask a direct question that can be answered with a ‘yes’ or a ‘no’ response.

**“Requisition”** means a formal written demand that something should be performed, carried out or put into operation.

**“SANQC”** means the Students’ Association of NorQuest College.

**“Scrutineer”** means someone who examines the conduct of an election.

**“Simple Resolution”** means a Resolution requiring greater than one-half (1/2) of votes in favour.

**“Special Meeting”** means any meeting of the Active Members of the SANQC that is not the Annual General Meeting, as described in section 14.1.

**“Special Resolution”** means a Resolution requiring not less than a two-thirds [2/3] vote in favour.

**“Students’ Association”** means the Students’ Association of NorQuest College.

**“U-Pass Program Fee”** means those fees levied on Full-Time Students in accordance with section 13.1.



## **PART 3 - MEMBERSHIP**

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

- 5.1 The Active Members of the Students' Association is comprised of those Members who satisfy the following criteria:
- a) The individual is a Full-Time or Part-Time credit student;
  - b) The individual is enrolled in an Eligible Program;
  - c) The individual has paid their respective Membership Fees for the current semester in full;
  - d) The individual is not otherwise excluded from being part of a Students' Association pursuant to the PSLA; and
  - e) The individual is in Good Standing with the Association and has not had their status as an Active Member cancelled in the manner contemplated under section 7.1, or it was cancelled but such cancellation has since been successfully appealed or reinstated as contemplated in section 7.4.

### **6. MEMBERSHIP RIGHTS**

- 6.1 Active members of the Students' Association have the following rights:
- a) The right to access services or be involved in activities of the Students' Association.
  - b) The right to vote in Students' Association elections or resolutions.
  - c) The right to vote in Annual General and Special General meetings.
  - d) The right to serve as a member of any Students' Association committee or any NorQuest College committee when designated by the appropriate authorized body.
  - e) The right to establish and join clubs under the control of the Students' Association.
  - f) The right to use the facilities of the Students' Association within the limits set out by Students' Council.



- g) The right to be a member of the Students' Council, Academic Council, or Board of Governors if qualified and properly elected or appointed.
- h) The right to appear before and speak to Students' Council on any matter within the authority of Students' Council.
- i) The right to exercise any other rights inherent in the bylaws.
- j) The right to attend Students' Council meetings as an observer.
- k) Students wishing to be employed by the Students' Association may have to forfeit some of the rights. Specifically but not limited to when it is deemed that a conflict of interest is present.

## PART 4 - MEMBERSHIP FEES

### 7. MEMBERSHIP FEES

- 7.1 The Students' Association levies a Membership Fee on all Full-Time and Part-Time Students enrolled in Eligible Programs. Membership Fees help support the programs, mandates, plans and objectives of the SANQC.

### 8. SETTING MEMBERSHIP FEES

- 8.1 Students' Council shall set Membership Fees annually during its budgeting process.
- 8.2 Membership Fees may be altered annually by up to 4 per cent by a Special Resolution of Students' Council. Any annual Membership Fee increase above 4 per cent may only be changed by a majority vote at a Referendum or by Special Resolution of Members at an annual general meeting or special general meeting of Members.
- 8.3 Students' Council may add other fees that have passed ~~by~~ through referenda by special resolution.
- 8.4 A portion of Membership Fees shall be allocated to an SANQC Awards fund. Such portion is subject to annual review by the Students' Council, and based on such review, may be amended from time to time.





## **9. COLLECTION OF FEES**

- 9.1 The Students' Association has an agreement with NorQuest College that the Office of the Registrar of NorQuest College will collect Students' Association fees from students. If this agreement was terminated, Students' Association fees could be collected by any means deemed appropriate by Students' Council subject to the terms of the Post-Secondary Learning Act.
- 9.2 Health and Dental Plan Fees and U-Pass Program fees will be collected in the same manner as Membership Fees are collected.

## **10. FEE REFUNDS**

- 10.1 If a credit student withdraws from their program at NorQuest College before the official College drop/add date, the SANQC fee, Health and Dental Plan Fees (if applicable), and U-Pass Program fees (if applicable and subject to the U-Pass sticker not having been administered) will be automatically refunded in full. There will be no refunding of the Students' Association fee beyond this drop/add date, except in extreme circumstances, as determined by Students' Council.

## **11. HEALTH AND DENTAL FEES**

- 11.1 Eligible students will be levied the Health and Dental Plan Fee for the SANQC Health and Dental Plan in effect from time to time.
- 11.2 Any student may opt-out of the Health and Dental Plan by following the prescribed procedure in effect from time to time. Where a student validly opts out of the Health and Dental Plan, the Health and Dental Plan Fee shall be removed from their account or refunded to them.
- 11.3 Students' Council shall set Health and Dental Plan fees annually during its budgeting process, based on input from the third-party provider. Any annual Fee increase above 4 per cent may only be changed by a majority vote at a Referendum or by Special Resolution of Members at Meeting of Members.



## **12. U-PASS PROGRAM FEES**

- 12.1 Eligible students will be levied the U-Pass Program Fee for the SANQC U-Pass Program in effect from time to time.
- 12.2 Limited opt-out of the U-Pass Program is available by following the prescribed procedure in effect from time to time. Where a student validly opts out of the U-Pass Program, the U-Pass Fee shall be removed from his or her account or refunded to him or her.
- 12.3 U-Pass Program Fees are set through referendum and are subject to annual increases as stated in the referendum.

## **PART 5 - MEETINGS OF MEMBERS**

### **13. TYPES OF MEETINGS OF MEMBERS**

- 13.1 There shall be two types of meetings of the Members:
  - a) Annual General Meetings (AGM), for purposes of the following:
    - i. presenting to the Members proposed bylaw changes;
    - ii. presenting to the Members audited financial statements for the previous year;
    - iii. presenting to the Members any fee changes not described in 9.2, 11.3, or 12.3
    - iv. presenting to the Members a report of the activities of Council in the previous year for review by the Active Members, and
  - b) Special Meetings, for purposes of dealing with any and all matters including those matters set out in section 13.1(a)(i), 13.1(a)(ii), 13.1(a)(iii), and 13.1 (a) (iv) all of which is deemed to be special matters.
- 13.2 For greater certainty, a meeting of the Members may be an Annual General and Special Meeting.



## **14. LOCATION OF MEETINGS**

- 14.1 All meetings of SANQC will be held in the City of Edmonton, with the location of all meetings taking place on campus at the College unless no location on campus is reasonably available.

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

- 15.1 Student's Council shall call an Annual General Meeting each year, and shall set its date and time between October 1 and December 15.
- 15.2 Special Meetings may be called from time to time as follows:
- By Special Resolution of Student's Council; or
  - By delivering a valid Requisition to Students' Council in accordance with section 17.1.

## **16. NOTICE OF MEETING**

- 16.1 The Council will notify Members of any meeting of the Members not less than twenty-one (21) consecutive days prior to the meeting.
- 16.2 Notice of all meetings of Members shall be given by posting notice on not less than three (3) separate digital boards as well as through posting a notice on the SANQC's website. To be valid, such notice must include the following:
- Whether the meeting is an Annual General Meeting, Special Meeting or an Annual General and Special Meeting;
  - The time, date(s), and place of the meeting;
  - The proposed agenda for the meeting;
  - The text of any Resolution to be submitted to the meeting, including whether a decision on such matter requires a Simple Resolution, Special Resolution or Extraordinary Resolution to be valid and effective, and provided however that the text of a Resolution may be amended at a meeting if the amendments correct manifest errors or are not material, as determined by Student's Council; and



- e) In the case of all special matters (being any matter not dealt with solely at an AGM), the nature of the matter in reasonably sufficient detail to permit the Members to form a reasoned judgment on that matter, as determined by Student's Council.

## **17. REQUISITIONS**

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

## **18. QUORUM FOR MEETINGS**

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

## **19. VOTING**

- 19.1 Subject to any provision of these Bylaws respecting matters requiring approval by Special Resolution or Extraordinary Resolution of the Members, in order to be valid and effective a decision of the Members must be approved by Simple Resolution.
- 19.2 Each Active Member present or registered, in the case of an online presentation, for the Annual General Meeting or Special Meeting is entitled to one vote on each matter voted on at any such meeting. Members that are not Active Members do not have a right to vote at any Annual General Meeting or Special Meeting.



- 19.3 For in person meetings, voting may be conducted by a show of hands.
- 19.4 Online voting from a reputable and secure service provider shall be permitted when voting takes place online, via electronic ballots. Each Active Member, registered for the Meeting of the Members, and eligible to vote will receive, via MyNorQuest email account, one voter code and a link to the voting site.
- 19.5 No proxy votes will be permitted at an Annual General Meeting or Special Meeting.
- 19.6 In case of a tie vote, the motion will be defeated.
- 19.7 Results of Resolutions or any decisions of the Members shall be announced to members through the SANQC website, social media, and emails.

## **20. RULES OF ORDER**

- 20.1 Subject to any decision of Council, and to the extent not inconsistent with these Bylaws, the most recent edition of Robert's Rules of Order in effect from time to time shall govern the conduct of all Meetings of Members.

## **PART 6 - REFERENDUM**

### **21. REFERENDUM**

- 21.1 Referendum may be called from time to time between the months of November to April, inclusive, as follows:
  - a) By Special Resolution of Student's Council; or
  - b) By delivering a valid Requisition to Students' Council in accordance with section 21.2.
- 21.2 Referendum shall be called by Student's Council within thirty (30) consecutive days of receiving a valid Requisition for a Referendum. To be valid, such a Requisition must be duly executed by 200 Active Members, containing each such Member's name and student identification number.



- 21.3 Member- initiated referenda may not alter:
- a) the composition of the Association's staff or Students' Council, or
  - b) the membership fees or other financial matters of the Association.
- 21.4 Each Active Member is entitled to one vote on each matter voted on at a Referendum. Members that are not Active Members do not have a right to vote on any matter being voted on in a Referendum.
- 21.5 Online voting from a reputable and secure service provider shall be permitted when voting takes place online, via electronic ballots. Each Active Member, registered for the Meeting of the Members, and eligible to vote will receive, via MyNorQuest email account, one voter code and a link to the voting site.
- 21.6 Referendums require a minimum of 5 per cent voter turnout in order to be valid. A Referendum that produces a voter turnout of less than 5 per cent shall be invalid, and all votes and voting results shall be of no force or effect.
- 21.7 Referendum questions must pass by special resolution in order to be acted on.
- 21.8 Council will notify Members of any Referenda not less than twenty-one (21) consecutive days prior to the date on which voting will open.
- 21.9 Notice of all Referendum shall be given by posting notice on not less than three (3) separate digital boards as well as through posting a notice on the SANQC's website. To be valid, such notice must include the following:
- a) The period during which voting will be open;
  - b) The instructions on how voting will occur;
  - c) The question or matter being voted on;
- The nature of the matter in reasonably sufficient detail to permit the members to form a reasoned judgment on that matter, as determined by Students' Council, or, in the case of a meeting called as a result of a Requisition, the nature of the matter described in such Requisition.
- 21.10 In case of a tie vote, the Referendum decision will be defeated.
- 21.11 The Referendum result shall be announced through the SANQC website, social media, and emails.



## **PART 7 - SANQC COUNCIL**

### **22. DEFINITION OF STUDENTS' COUNCIL**

22.1 The Students' Council is established within the Post-Secondary Learning Act of Alberta and within these bylaws, as the body which governs the business and affairs of the Students' Association. The Students' Council is a policy making body of the Students' Association and has the legislative authority of the Students' Association. Students' Council is a corporate body, working together as a whole for the betterment of the students of NorQuest College through the students' collective organization, the Students' Association of NorQuest College.

### **23. STUDENTS' COUNCIL PRINCIPLES OF GOVERNANCE**

- 23.1 In its governance role, Students' Council:
- a) Articulates and communicates the vision of the Students' Association,
  - b) Focuses on strategic planning and direction,
  - c) Focuses on the organization as a whole,
  - d) Speaks with one voice,
  - e) Directs the Students' Association work in the Students' Association's pursuit of both its mission and vision,
  - f) Is responsible for its own governance.
  - g) Avoids making day-to-day management and operational decisions



## 24. COMPOSITION OF COUNCIL

- 24.1 Council will be comprised of the following individuals elected by Active Members at elections held pursuant to these Bylaws:
- a) A general Council made up of no more than sixteen (16) Councillors consisting of:
    - i. Four (4) Councillors per each NorQuest College Faculty
    - ii. One (1) Regional/Distance Councillor
  - b) Any student may run for the regional/distance position, with the understanding that part of their role will be to represent the interests of those students.
  - c) Students running for faculty positions must be in that faculty at the time they are seeking nomination.
  - d) If the number of NorQuest Faculties exceeds three (3) the numbers of councillors per faculty will be adjusted to maintain a total maximum of no more than sixteen (16) Councillors.
  - e) The minimum number of Councillors is six (6). If the membership of Council drops below six (6), the first order of business shall be to restore membership to at least this minimum threshold.
- 24.2 Of the elected Students' Council Members:
- a) At least One (1), shall be appointed as the Board of Governors representative;
  - b) At least six (6) shall be appointed as Academic Council representatives;
  - c) At least Two (2) shall be appointed as signing authorities for the Students' Association;
- 24.3 Where Council determines it is in the best interest of SANQC to do so, Council will appoint one or more representatives to government, NQC, SANQC or any other internal or external committees and boards, and through such representative(s), actively participate on such committees and boards on behalf of SANQC, provided it has the right to participate on such committee or board.





## **25. ROLE OF COUNCIL**

- 25.1 Council shall be familiar and comply with the provisions of the PSLA and these Bylaws, and all other bylaws and policies of SANQC in effect from time to time.
- 25.2 Council is the official channel of communication between the Members and the Board of Governors of NQC, as per section 95(4) of the PSLA. Council is also the recognized medium of communication between SANQC and each of the following:
  - a) the Board of Governors of NQC;
  - b) other constituent groups within NQC;
  - c) other students' associations recognized under the PSLA;
  - d) the municipal, provincial, and federal levels of Government and other governmental authorities; and
  - e) the general public and other third parties.
- 25.3 Council shall communicate with the board of NQC through one or more representatives selected by Council from time to time.
- 25.4 Council shall oversee the business and affairs of SANQC through participation in the development of the Students' Association of NorQuest College's organizational plan and with assistance from the Executive Director.
- 25.5 Council has the right to receive, budget, administer and audit all monies, properties, and securities of whatever nature that may be placed in the custody of, or that may become, the property of SANQC.
- 25.6 Council shall, with the assistance of the Executive Director, prepare and approve the SANQC's budget.
- 25.7 Council, with the assistance of the Executive Director, shall present at the Annual General Meeting a report detailing the activities undertaken by SANQC during the previous year.
- 25.8 Council, with the assistance of the Executive Director, shall review and present any bylaws amendments for approval at the Annual General Meeting.
- 25.9 Council, with the assistance of the Executive Director, shall present at the Annual General Meeting the audited financial statements of the previous year.
- 25.10 Council will review and maintain all policies approved by Council in order to ensure they remain contemporary to the organization's current operations and goals, as amended, revised, supplemented or repealed from time to time.



- 25.11 Council will approve, where appropriate, policy and other recommendations received from its standing committees and Executive Director.
- 25.12 Approve all unbudgeted financial commitments and expenditures in excess of \$500.
- 25.13 Council shall promote the general welfare of students consistent with the purposes of NorQuest College.
- 25.14 Council shall liaise with the administration of the College along with the Executive Director, meeting with key administration as necessary;
- 25.15 Council shall be responsible for monitoring the performance of the Executive Director. This includes completing annual performance reviews, approving vacation time, and if necessary taking disciplinary actions.
- 25.16 Council shall be responsible for promoting participation in all SANQC activities.
- 25.17 As per 25.2 Council will appoint one or more representatives to committees to represent the interests of SANQC.
- 25.18 Council may, from time to time, delegate any of its responsibilities to the Executive Director in an effort to achieve efficiency regarding the affairs of SANQC, provided however that Council remains responsible to ensure any such delegated responsibility is fulfilled.

## **26. TERMS OF OFFICE**

- 26.1 Councillors elected by the SANQC take office October 1st. All other Councillors take office in accordance section 26.4
- 26.2 Terms will end August 31st of each year regardless of when a Councillor takes office.
- 26.3 Subject to early removal or resignation in accordance with these Bylaws, all Councillors shall be eligible to serve up to a maximum of three (3) continuous terms on Students' Council.
- 26.4 Councillors that are elected through a by-election process will take office at the next regularly scheduled Council meeting preceding the by-election.

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

- 27.1 In the event that a member of Council (a) fails to maintain their status as an Active Member



- of SANQC during their entire term as a member of Council or (b) their cumulative Grade Point Average for their then current program at NQC falls below 2.0 or 65 per cent, such member shall provide notice of such occurrence to Council along with a resignation as a Councillor within ten days, failing which they shall be deemed to have been removed from Council.
- 27.2 A member of Council will be removed from Council as a Councillor in the circumstances described in Part 11
- 27.3 Notwithstanding section 28.1 and notwithstanding section 5.1, Councillors need not be registered in a NQC course over the spring/summer semester (May-Aug) to fulfill the requirements of maintaining Active Membership status.

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

- 28.1 If the membership of Council will drop below six (6) at the end of a semester, the first order of business shall be to restore membership to at least this minimum threshold within that semester.
- 28.2 Council may initiate either an appointment or by-election process to fill vacant position(s).

## **29. COUNCIL OATH OF OFFICE**

- 29.1 All Councillors must, at the beginning of their first Council meeting, recite aloud, either alone or in unison with other members of Council, the following oath:

As an elected member of Council I most sincerely promise and solemnly swear: to actively honour the obligation of duties outlined within SANQC's bylaws and policies; to strive to keep myself informed of developments in the field of post-secondary at NQC and beyond, and to seek opportunities to inform my fellow members of these developments; to behave and perform in line with the spirit and letter of the law, SANQC policy, and the NQC Student Code of Conduct; to be governed by the principals of honesty, justice and fair play, and to promote and safe guard the best interest of the Students' Association of NorQuest College, the high purpose of our Council, and the welfare of our members.

All this I do swear without any equivocation, mental evasion or secret reservation



29.2 The above oath and the names of those who have recited it aloud will be recorded permanently in the minutes of the meeting.

### **30. COUNCILLOR DUTIES**

30.1 Each Councillor shall:

- a) ensure they are making the best decisions possible on behalf of the membership and in line with the SANQC mission, values, and strategic plan;
- b) To review information about the Students' Association and its operations as part of their fiduciary responsibility, including insurance coverage, regular financial reports, budgets, audit reports, and contractual obligations.
- c) actively work to support each other in the performance of their duties;
- d) conduct themselves with the highest level of integrity and exemplify the expectations set out in the SANQC Code of Conduct policy;
- e) Must represent the Students' Association in a positive manner at all times;
- f) perform all duties outlined for Councillors in policy;
- g) Complete a minimum of ten (10) hours per month;
- h) assist in the coordination and implementation of local, provincial and national campaigns relating to educational affairs;
- i) To be involved with or aware of all external committees of the Students' Association and all external activities of the Students' Association;
- j) attend the Annual General Meeting and any Special Meetings;
- k) attend committees they have been assigned to by Council;
- l) attend all Council meetings;
- m) be accountable to the membership for the conduct of the affairs of the Students' Association;



- n) receive and review Students' Council meeting minutes;
- o) foster positive working relationships between Councillors and Students' Association staff;
- p) recruit Candidates to fill vacancies on Students' Council;
- q) submit reports to Students' Council outlining the status of individual position duties, projects and official communications as requested;
- r) serve assigned office hours;
- s) support and participate in SANQC fundraising initiatives;
- t) promote the organization's purpose in the community and to the media;
- u) accept additional responsibilities as delegated by Students' Council;
- v) declare any potential conflict of interest that may prevent them from acting in the best interest of students.

### **31. MEETINGS OF COUNCIL**

- 31.1 Council shall meet a minimum of twice per month from and including October to and including April.
- 31.2 The times and places of Students' Council meetings will be determined by a simple resolution of the Students' Council.
- 31.3 The agenda for each Council meeting shall be made available the SANQC website no later than two (2) business days prior to the start of each meeting.
- 31.4 Quorum required for the transaction of business of Council shall be 60 per cent of Students' Council members.
- 31.5 Subject to any provision of these Bylaws respecting matters specifically requiring approval by Special Resolution or Extraordinary Resolution of the members of Council, in order to be valid and effective a decision of Council must be approved by Simple Resolution.
- 31.6 Meetings of Council shall be open to all Active Members of SANQC, provided that Council be allowed to move In Camera in extraordinary circumstances, as determined by Council in their sole discretion.
- 31.7 Prior to adjourning a meeting of Council, Council shall schedule its next meeting.
- 31.8 Voting by proxy at Council meetings is not permitted.
- 31.9 Online voting will be permitted when meetings are held virtually.



- 31.10 Subject to any Extraordinary Resolutions of Council, and to the extent not inconsistent with these Bylaws, the most recent edition of Robert's Rules of Order in effect from time to time shall govern the conduct of all meetings of Council.
- 31.11 Members of Council shall disclose any Conflict of Interest that may arise in respect of any matter being discussed or any decision to be acted upon by Council, and shall abstain from voting on any Resolution with respect to any such matter.
- 31.12 The minutes of Council meetings will be made available not less than seven (7) business days on the SANQC website.

## **PART 8 - COMMITTEES OF SANQC**

### **32. ESTABLISHMENT**

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

### **33. ELECTORAL STANDING COMMITTEE**

- 33.1 SANQC shall have an Electoral Committee.
- 33.2 The Electoral Committee is responsible for administering elections as outlined in Part 9 of these Bylaws, and in SANQC policy in effect from time to time, and for fulfilling such other duties and responsibilities set out in these Bylaws or applicable policy of the SANQC in effect from time to time.



## **PART 9 - ELECTION OF MEMBERS TO COUNCIL**

### **34. ELECTIONS GENERALLY**

- 34.1 Council shall be elected from time to time during elections called by the SANQC in accordance with these Bylaws.
- 34.2 Council shall set electoral policy to govern the elections of Councillors, as well as Referendum policy to govern Referendum.

### **35. ELECTION SCHEDULES**

- 35.1 Election schedules shall be determined as per SANQC policy and shall consist of a nomination period and a Campaigning period, both of which shall allow for reasonable time to encourage election awareness and Member involvement.
- 35.2 An election for Councillors shall take place in the Fall semester, by September 30.

### **36. NOMINATION AND NOMINATION PACKAGE**

- 36.1 To be Candidate, a Member must first be nominated by not less than ten (10) Active Members, they must meet the eligibility requirements of a Candidate set out in section 37, and they must successfully submit a nomination package, as more particularly described in section 36.2 (a "Nomination Package").
- 36.2 A Nomination Package shall, among other things, include:
  - a) A statement that the person seeking nomination is willing and able to perform the duties and responsibilities of a Councillor.
  - b) A statement that the person seeking nomination is bondable, and disclosure of any criminal record.
  - c) A list with minimum of ten (10) Active Members' names and signatures nominating the person as a Candidate;
  - d) Information verifying that the person satisfies the criteria of a Candidate set out in



section 41.2; and

- e) Such other information as may be required in the prescribed form of Nomination Package in effect from time to time.
- f) Requirements may be modified or waived by the CRO to accommodate online submissions of nomination packages as long as the change doesn't interfere with the integrity of the process.

### **37. ELIGIBILITY TO RUN FOR COUNCIL**

37.1 Candidates may only run for one position.

37.2 Candidates must:

- a) Not be currently employed by SANQC.
  - b) be an Active Member of SANQC, and have an honest intention of remaining an Active Member for the duration of the term for the office or seat for which they are seeking election;
  - c) be one of the following:
    - i. a new student of NQC;
    - ii. a returning student of NQC who has not been enrolled in a program or course at NQC for a full calendar year; or
    - iii. a returning student with a cumulative grade point average (GPA) at NQC of at least 65 per cent or 2.0 and who shall not have been on academic probation for at least one (1) full calendar year prior to their nomination; and
  - d) Be willing and able to fully participate in meetings via video conference.
  - e) in the case of a Candidate running for office as a Member of Council, not have served as a Member of Council for three (3) or more terms, whether consecutive or otherwise, unless or until five (5) years has passed. since the end date of their most recent term.
- 37.3 The successfully elected Candidates for all Students' Council positions must supply an enhanced criminal record check which includes the vulnerable at the start of their term and no later than Nov. 1 of each year. -





### **38. CONDUCT OF CANDIDATES**

- 38.1 Candidates for all positions shall not commence any form of Public or Online Campaigning until the start of the Campaigning Period. Personal Campaigning is permitted prior to commencement of the applicable Campaigning period.
- 38.2 Candidates are responsible for and shall ensure that all their campaign information and material is removed from public display by 4:00 pm on the day following the last day of polling.
- 38.3 No Candidate or Member shall distribute material or information in any form during the Campaign period, nor shall any Candidate permit any of their supporters to distribute any such material or information, that:
- a) offends or demeans a person, or group of persons, on the basis of race, colour, ancestry, place of origin, nationality, religion, family or marital status, physical or mental disability, age, sex, sexual orientation, or conviction for a criminal charge; or seriously threatens or intimidates a person.
- 38.4 Candidates shall abide by all policies of SANQC in effect from time to time, including without limitation, any electoral policy and the Code of Conduct Policy.

### **39. VOTING**

- 39.1 All Active Members will have the right to one vote for each position being run for in an election of the members of Council.
- 39.2 The Electoral Committee and CRO shall work together, and shall have the right, to establish policies and or procedures, in either case not inconsistent with these Bylaws or any other policy of the SANQC, with respect to the following:
- a) for determining eligibility of voters to help ensure ballots are only cast by Active Members; and
  - b) to help ensure reasonably free and fair elections and Referendum occur within the SANQC.



- 39.3 Voting shall take place online for two (2) business days during the Campaigning Period.
- 39.4 Online voting from a reputable and secure service provider will be utilized when SANQC elections take place online, via electronic ballots.
  - a) Each Active Member eligible to vote will receive, via MyNorQuest email account, one voter code and a link to the voting site.

#### **40. COUNTING OF BALLOTS**

- 40.1 When applicable, sealed ballot boxes are to be returned to the office specified by the Students' Council at the close of each voting day. Counting of ballots will be overseen by the CRO after the polls close on the last day of voting.
- 40.2 In case of online voting, the CRO and the Executive Director are responsible for announcing the results provided by the online system report in the presence of minimum of two (2) witnesses.
  - a) Witnesses can be any Active Members of SANQC.
- 40.3 Each Candidate may appoint a scrutineer to oversee the counting of ballots
  - a) Item 41.3 is not applicable in case of online voting.
- 40.4 The Candidate receiving a plurality or majority of votes cast with respect to the position being run for shall be declared validly elected and shall take office on the date indicated in section 27.1 or section 27.4, as the case may be, and subject to taking oath of office, as specified in these Bylaws.
- 40.5 In the event only one nomination is submitted for a position, Active Members vote to approve or disapprove the Candidate; in which case the Candidate must receive the approval of the majority of ballots cast to be declared elected.
- 40.6 In the event of a tie, the ballots shall be immediately recounted. If a tie vote is confirmed, the CRO shall determine the winning Candidate by a coin toss. Item 41.6 is not applicable in case of online voting.



## **41. APPEALS**

- 41.1 Decisions of the Electoral Committee or the CRO may be appealed within twenty hour (24) hours following the results being posted, by any SANQC Member to the Appeals Committee, which shall be established prior to each Election as per applicable SANQC policy.
- 41.2 To appeal a decision of the Electoral Committee or the CRO, appellants must follow all the procedures outlined in applicable SANQC policy.
- 41.3 All decisions of the Appeals Committee are final and binding, and not subject to any further appeal.

## **42. CHIEF RETURNING OFFICER SELECTION**

- 42.1 The Executive Director shall be responsible for seeking nominations for the position of the CRO. Final approval of the appointment of CRO shall be made by Council.
- 42.2 The CRO shall be an individual with no apparent interest in the outcome of the election, and who does not have any actual or perceived Conflict of Interest in respect of the election, all as determined by the Executive Director and Council, acting reasonably.

# **PART 10 - THE EXECUTIVE DIRECTOR**

## **43. Executive Director Generally**

- 43.1 The Students' Association of NorQuest College shall employ an Executive Director to support the Students' Council and manage the organization in alignment with the Resolutions of Council.
- 43.2 The Executive Director generally shall:
  - a) not undertake any activity that is deemed imprudent, illegal, or unethical by Council;



- b) administer the Students' Association business operations and functions in alignment with the vision, mission, and strategies approved by Council;
- c) assist Council in carrying out of duties;
- d) perform all the duties and responsibilities and provisions detailed in the Executive Director's contract with the Students' Association of NorQuest College;
- e) report, in writing, to the Council on an as required basis with regard to his/her activities and job responsibilities;

43.3 The Executive Director shall in addition to the duties outlined in 39.2, shall also be responsible for:

**Strategic Planning:**

- f) provide assistance and guidance in the development of short and long- range plans of the SANQC and the Students' Council;
- g) make recommendations for policy changes as necessary to ensure long-term sustainability of SANQC;

**Governance & Advocacy Support:**

- h) attend Council, internal Students' Association committees, and various College meetings as requested by Council on a regular basis as an Ex Officio;
- i) participate in the review and development of all policies and bylaws of the Association providing advice and support to the Council in policy and procedures development and implementation;
- j) Assist Students' Council in establishing and meeting their lobby goals

**Business Management:**

- k) Prepare draft budgets, financial statements and other relevant documents



for presentation to Students' Council;

- l) ensure that the financial records of the Students' Association are maintained in good condition for the annual audit at the end of each fiscal year;
- m) Manage the administration of the Students' Association business office; ensuring that up-to-date financial, policy, and Students' Council records are kept for SANQC;
- n) Be a signing authorities of the Students' Association, with all financial obligations of the Students' Association requiring the signature of the Executive Director (or in their absence their designate);
- o) To monitor the operations of all assets and financial activities of the Students' Association in conjunction with the Students' Council;
- p) obtain and review SANQC's operations such as, but not limited to, insurance coverage, regular financial reports, budgets, audit reports, contractual obligations, and to report any potential organizational risk to Council;
- q) Ensure the preparation of honoraria, payroll processing, accounts payable and receivable documentation for processing;
- r) be responsible for the management of the employees of SANQC and all related personnel matters including:
  - i. the hiring, motivating, recognizing, disciplining, and dismissing of SANQC staff, within certain parameters and policies as defined by Council,
  - ii. drafting and interpreting personnel policies governing the employment of SANQC personnel,
  - iii. reviewing benefits or remuneration for SANQC personnel; and
  - iv. negotiating the terms and conditions of employment for all personnel of SANQC;
- s) inform and advise the Council on legal matters, and to seek legal and/or professional advice should the need arise;



- t) delegate temporary authority to another staff person in the event of the Executive Director's absence from work;
- 43.4 In the prolonged or permanent absence of the Executive Director, the Council shall appoint a staff member to assume the responsibilities of the Executive Director as an interim acting Executive Director until the position is filled. The Council shall make every reasonable effort to fill the Executive Director position as soon as reasonably practicable.

## **PART 11 - ABANDONMENT OF OFFICE AND REMOVAL OF COUNCILLORS**

### **44. LEAVES OF ABSENCE**

- 44.1 Each Councillor shall be permitted to take a leave of absence for a maximum of one (1) semester per term of office to facilitate a co-op, work, or any school related activity that prevents the Councillor from being able attend and participate fully.

### **45. ABSENCES FROM COUNCIL MEETINGS**

- 45.1 With the exception of leaves of absence, as outlined in section 40.1, a Councillor who has missed more than two (2) regularly scheduled Council meetings per semester, with the exception of cases of pre-approved requests to accommodate school-related requirements, illness, or emergency, shall be deemed to have resigned from their position as a Councillor, as the case may be, upon conclusion or adjournment of such third meeting from which they are absent. Proof of illness or emergency must be provided to be considered an excused absence.
- 45.2 A member of Council shall be considered absent from a meeting of Council if the meeting is validly called and held, but such member was not present for purposes of determining whether quorum was met for such meeting.
- 45.3 Council will adhere to the following provisions in working with an absentee member of Council, provided however that failure to adhere to such provisions shall not



invalidate a deemed resignation pursuant to section 41.1:

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

## **46. IMPEACHMENT POLICY & PROCEDURE**

46.1 A member of Council may be removed from office in the following circumstances:

- a) The member is in violation of any criminal law of Canada that may directly or indirectly impact SANQC or SANQC's public image;
- b) The member breached their fiduciary duties to the SANQC;
- c) The member is in persistent failure to perform duties of office to an acceptable standard including, without limitation, failure to attend to duties associated with their position such as, but not limited to, attendance at meetings, representation on committees, and/or other required duties, and following written notice of such failure(s) in accordance with section 41.3 and a reasonable opportunity to improve and/or cure any failures, the member has failed to do so; and/or
- d) The member's conduct is persistently inconsistent with any of the established purposes of the SANQC, and following written notice of such misconduct in accordance with section 48.2, and a reasonable opportunity to improve, the member has failed to do so.

46.2 A suspended member of Council shall be paid based on the expected number of hours that he/she would be expected to work for the duration of their suspension.

46.3 A suspended member of Council shall refrain from involvement in any SANQC business except when requested to attend Council Meetings as per the proceedings in section 51.4.



## 47. IMPEACHMENT PROCEEDINGS

- 47.1 In order to protect SANQC, a member of Council may be immediately suspended from Council by a Simple Resolution of the Council prior to the proceedings in section 48 through to section 50.5 for potential breaches of 48.1(a) or 48.1(b).
- a) A suspended member of Council shall be paid based on the expected number of hours that he/she would normally be expected to work for the duration of their suspension.
  - b) A suspended member of Council shall refrain from involvement in any SANQC business except when requested to attend Council Meetings as per the proceedings in section 48.4.
  - c) A suspended member of Council shall be notified of his/her suspension immediately alongside the required notice described in section 48.2.
- 47.2 Prior to making any determination pursuant to section 48.1, the failure or misconduct, as the case may be, must be brought to their attention by the Executive Director, at the direction of Students' Council in the form of a written notice describing such failure or misconduct in reasonable detail.
- 47.3 Any member of Council who believes that another member of Council has committed any of the prohibited acts listed in section 47.1 may provide a written request to the Executive Director to notify the member in question in accordance with section 51.2,
- 47.4 Any member of Council who believes that another member of Council has committed any of the prohibited acts listed in section 50.1 may bring forward a motion to adopt an Extraordinary Resolution to remove that member of Council, provided however that:
- a) The notice contemplated in section 51.2 has been delivered to the member of Council in question;
  - b) The motion to impeach must be submitted to Council, including the member of Council in question, in writing no less than ten (10) days prior to the meeting of Council at which the motion is proposed to be brought forward, and it must set out in reasonable detail the wrongdoing alleged;





- c) The motion to impeach must be signed by not less than one-third (1/3) of all members of Council;
  - d) During the Students' Council meeting in which the motion to impeach is to be brought forward and voted on the motion must:
  - e) Be made, discussed, and voted on In Camera;
  - f) Allow for the member of Council in question and the Councillor who made the motion to present their respective positions prior to the vote; and
  - g) Be voted on by secret ballot.
- 47.5 Should a motion to impeach be submitted to Council pursuant section 51.4 requesting the removal of a Councillor, and should that Councillor not already be suspended pursuant of section 51.1, that Councillor must take a leave of absence from their position with pay until the motion is settled.

## PART 12 - POLICY OF SANQC

### 48. ESTABLISHMENT OF POLICY

- 48.1 Policy of SANQC may be established, amended, supplemented or repealed from time to time by:
- a) Special Resolution of Council;
  - b) Simple Resolution of Members at a Special Meeting; or
  - c) Majority vote through a Referendum of SANQC,
  - d) provided that any such policy is not inconsistent with or in conflict with these Bylaws.

## PART 13 - FINANCES OF SANQC

### 49. THE FISCAL YEAR

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



## **50. FUNDS OF SANQC**

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

## **51. SIGNING OFFICERS OF SANQC**

- 51.1 The signing officers of SANQC shall be:
- a) Executive Director, SANQC
  - b) Staff designate
  - c) 2 Council members designated as signing authorities

## **52. AUDITORS**

52.1 The auditors of SANQC shall be appointed by Council annually.

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

## **53. BORROWING**

53.1 Subject to the PSLA, in order to carry out the purposes of SANQC, Council may, on behalf of SANQC, issue short or mid-term debt instruments or secure short or mid-term loan facilities such as lines of credit or loans in order to assist the SANQC with short to medium term operating or capital costs.

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

## **54. HONORARIA OF COUNCILLORS**

54.1 Councillors shall receive an honoraria for services rendered during their term of office.



- 54.2 The honoraria awarded to each Councillor shall be established yearly.
- 54.3 Members of the Students' Council shall not receive any benefits, monetary or otherwise, other than honorarium or items received that are in line with the gift acceptance policy, as established by Students' Council from time to time.
- 54.4 The criteria for receiving Honorarium are:
- a) Regular meeting attendance;
  - b) Attending participation in assigned committees
  - c) Attending and participating in events of the Association
  - d) Contributing a minimum of ten (10) hours each month.
  - e) Fulfillment of the duties as established in these bylaws, compliance with the Students' Association's policies and procedures;
  - f) Completion of assigned duties to the satisfaction of the Students' Council

## **PART 14 – RECORDS OF SANQC**

### **55. LOCATION OF RECORDS**

- 55.1 The minutes of Council meetings, Annual General Meetings and Special Meetings, and other books and records of SANQC, shall be kept in SANQC's office or archives.
- 55.2 Policies respecting the storage and security of physical and digital files may be established from time to time by the SANQC, provided that any such policy is not inconsistent with or in conflict with these Bylaws.

### **56. INSPECTION BY MEMBERS**

- 56.1 The books and records of SANQC shall be made available to any Member for inspection at the offices of SANQC within five (5) days of a written request submitted to Council.



## PART 15 – CLUBS

### 57. CLUBS

- 57.1 SANQC Members shall be allowed to establish Clubs from time to time in accordance with these Bylaws and applicable club policy of the SANQC.
- 57.2 Policies respecting Clubs may be established from time to time by the SANQC, provided that any such policy is not inconsistent with or in conflict with these Bylaws.
- 57.3 Students' Council members shall not hold positions on SANQC student clubs.

### 58. RECOGNITION OF CLUBS

- 58.1 A group of students of the SANQC may form a Club through a ratification process, which requires the following:
  - a) That the proposed club have a written constitution providing for, among other things:
  - b) aims and objectives which are consistent with those stated in these Bylaws or any other bylaws or policies of the SANQC;
  - c) the purpose of the club is not to act in a representative or advocacy role;
  - d) a functioning, elected representatives;
  - e) meetings that are advertised and open to all its members;
  - f) open membership to all Active Students; and
  - g) any other provision prescribed by policy of the SANQC, provided it is not inconsistent with these Bylaws; and
  - h) That its proposed constitution be submitted to and approved by Council;



## **59. NAMES OF CLUBS**

59.1 The name of the club must not include the terms “association”, “union” or “council” so as to avoid confusion with the Students’ Association of NorQuest College and to avoid purporting itself as a separate entity.

## **60. CLUB FINANCES**

60.1 Clubs shall maintain an account for their finances with SANQC and follow all Club finance policies and guidelines of the SANQC.

## **61. CLUB LIABILITY**

61.1 SANQC shall have no liability or responsibility whatsoever for any group or club that has not been ratified by the SANQC.

61.2 SANQC policy shall outline liability and responsibility of Clubs, including as it relates to SANQC's policies of insurance in effect from time to time.

61.3 SANQC policy shall set out the pre-approval process for club events. Any such event will only be pre-approved if, among other things, it is covered by the SANQC's insurance policy in effect from time to time.

# **PART 16 - AMENDMENTS TO THE BYLAWS OF SANQC**

## **62. AMENDMENTS**

62.1 These Bylaws may only be amended by an Extraordinary Resolution of the Members at an Annual or Special General Meeting.

62.2 Housekeeping changes, such as grammatical or spelling changes or names changes, to those bylaws may be made and approved through special resolution by Students’ Council along as such changes do not alter the meaning or substance of these bylaws.



## **PART 17 - COMING INTO FORCE**

### **63. COMING INTO FORCE**

63.1 These Bylaws shall come into force the January 1, 2022.

## **PART 18 - DISSOLUTION**

### **64. DISSOLUTION**

64.1 The Students' Association may be dissolved according to the provisions of the Post-Secondary Learning Act of Alberta.

