

THE CONSTITUTION OF THE CARLETON UNIVERSITY STUDENTS' ASSOCIATION

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Preamble

The Carleton University Students' Association has many rules under which it is required to operate. There are four separate types of regulations: 1) the Constitution, 2) the By-laws, 3) the Policies, 4) the motions which are passed by CUSA Council.

The **Constitution** is comprised of "Articles" and is the most binding document of all those listed above. The Constitution contains the most basic and most primal tenets of the organization. It states the aims of the Association, who the members of the Association are. It explains how By-Laws and policies are enacted and amended as well as how the Constitution itself is amended.

The **By-laws** were created to act in furtherance to the Articles of the Constitution. They are secondary to the Constitution and are more specific in nature. They are also much easier to create, repeal or amend but they must not in anyway conflict with the Constitution itself. The By-Laws gives direction to the Association about how to go about the day to day business.

Policies are least difficult to alter under CUSA law. They are divided into procedural and operational guides for the Association.

The individual **Motions of Action** passed at Council are the legislation of the Association. Such legislation must also not conflict with the Constitution, By-laws or Policies of the Association. Council motions are given the lowest priority of any type of rule of the Association. The CUSA Office has a complete set of all the Council motions passed each year by Council.

THE CONSTITUTION OF THE CARLETON UNIVERSITY STUDENTS' ASSOCIATION

This document shall be the Constitution of the Carleton University Students' Association and shall take precedence over any and all Bylaws, rules, regulations, and policies enacted by the Carleton University Students' Association.

ARTICLE I - THE ORGANIZATION

- 1.0 The Organization shall be known as the Carleton University Students' Association and shall act as a representative of the entire undergraduate student body attending Carleton University which is located in the City of Ottawa, Province of Ontario, Canada.

ARTICLE II - AIMS OF THE ORGANIZATION

- 1.0 The aims of the organization are:
- a. To facilitate co-operation among students in organizing services which supplement the learning experience, provide for human needs, and which develop a sense of community with our peers and with other members of society.
 - b. To represent the students of Carleton University to the University Administration, to the public and public officials, to other Centres of learning, and to other organizations.
 - c. To advance the cause of higher learning at Carleton University, and in the Province of Ontario, and the Dominion of Canada, and,
 - d. To promote and assist in maintaining an academic and social environment free from prejudice, exploitation, abuse or violence on the basis of, but not limited to, sex, race, language, religion, age, national or social status, political affiliation or belief, sexual orientation or marital status.

ARTICLE III - INTERPRETATION AND DEFINITIONS

- 1.0 In this Constitution, the definition of any word shall be that contained in The Oxford Paperback Dictionary, latest edition, except as otherwise defined in this Constitution
- 2.0 Definitions:
- a. The terms "CUSA" or "Association" may be used in this document to refer to the organization.
 - b. Prejudice shall be defined as any bias for or against any object or party resulting in any differential treatment.
 - c. Exploitation is defined as taking unfair advantage of a party for one party's advantage or another party's disadvantage.
 - d. Abuse is to be defined as improper practice and/or to make a bad or wrong use of one party and/or object by another party.
 - e. Disability is defined as a physical, psychiatric or learning dysfunction, which may create social, environmental and/or educational disadvantages.
 - f. The term "Council" may be used to refer to Students' Council and "Councillor" to a member of the Students' Council.
 - g. "The Association's Service Centres" shall include but not be limited to: The Carleton GLBTQ Centre for Sexual and Gender Diversity, The Womyn's Centre, The Race Ethnicity & Cultural Hall, The Carleton Disability Awareness Centre, The Bill Ellis Centre for Mature and Part-Time Students, The International Students' Centre, The Carleton University Foot Patrol and the Aboriginal Service Centre (ASC).
 - h. "RRRA" refers to the Rideau River Residence Association.
 - i. "GSA" refers to the Graduate Students' Association.
 - j. A Student shall be any person who registers at Carleton University in any credit course.

- k. A Member shall be as described in Article V of the CUSA Constitution.
- l. Public Notice shall be notice to the membership, given a minimum of ten (10) days prior to the specified event, via email, posters, and notification on the CUSA website, and when possible via radio, newspaper, and classroom announcements.
- m. Proper Notice shall be the written notification to Council of any upcoming piece of legislation ten (10) days prior to the council meeting at which it will be considered.
- n. Summer Session shall be the period between May first (1) and August thirty-first (31).

ARTICLE IV - ORGANIZATION OF THE CARLETON UNIVERSITY STUDENTS' ASSOCIATION

1.0 The structure of the Carleton University Students' Association is arranged according to the following general categories:

- a. The Electorate shall be all Members of the Association.
- b. The Legislative Body shall be the Students' Council.
- c. The Administrative Body shall be the Executive.
- d. The Judicial Body shall be Constitutional Board.
- e. The Advisory Bodies shall be the Standing and Ad-Hoc Committees of the Association.
- f. Organizations Funded and Administered by CUSA shall include but not be limited to: Service Centres, Businesses, Clubs and Societies, Programming Office, and the Special Projects Office.

2.0 Authority of the Electorate

The Electorate:

- a. Shall be entitled to vote in any election or referendum held by the Association, subject to any restrictions in the Constitution and further subject to any Bylaws and Policies governing elections and referendums.
- b. Shall be able to attend, propose motions, amendments, and have full speaking rights, at meetings of the Students' Council, and attend, by invitation only, meetings held In-Camera.
- c. Shall be employable by the Associations' Businesses and Services.
- d. Shall be eligible to run in CUSA elections subject to any restrictions in the Constitution and further subject to any Bylaws and Policies governing elections and referenda.
- e. Shall be entitled to sit and vote on any of the Association's committees.
- f. Shall have the right to challenge any act of Students' Council, its members, its officers, or its agents, which contravenes the CUSA Constitution, Bylaws, or Policies, by submitting a written challenge to the Chair of Students' Council.
- g. Shall have the power to enact amendments to the Constitution by referendum.
- h. Shall have the ability to propose a policy, an amendment to a policy, or repeal of a policy, through a motion at any meeting of Students' Council.

3.0 Authority of the Legislative Body

The Legislative Body:

- a. Shall take precedence over all of the organizations of the Association, excluding the Constitutional Board. In this respect, Council is empowered to settle all disputes that come before it, which are within the jurisdiction of the Association.
- b. Shall initiate, approve, or reject any of the Association's expenditures, and entrepreneurial activities.
- c. Shall determine the number of Vice-Presidents and Directors, and the responsibilities of each.

- d. Shall not eliminate a vice-presidential position that is not vacant.
- e. Shall have the power to enact amendments to the Constitution, Bylaws and Policies.
- f. Shall be the sole body with the power to ratify the budget. Students' Council may amend the budget at any time.
- g. Shall have legislative jurisdiction over all Advisory Bodies and Organizations Funded and Administered by CUSA.
- h. Shall have the authority to repeal any Policy of the Association at any meeting of Students' Council, by a majority of all council members.

4.0 Authority of the Administrative Body

Advisory Bodies and Organizations Funded and Administered by CUSA shall be the administrative responsibility of the Executive.

5.0 Authority of the Judicial Body

The Constitutional Board shall have the authority to rule that any act of Students' Council, its members, its officers, or its agents is in contravention of the Constitution, any Bylaw or Policy of the Association.

6.0 Advisory Bodies

CUSA shall maintain a structured committee system.

ARTICLE V - MEMBERSHIP

1.0 Members of the Student Association

Active members of the Student Association shall be:

- a. Members of the Student' Association shall be all currently registered undergraduate students at Carleton University in Ottawa who have paid their association fees. All undergraduate students who have not paid their membership fees are considered to not be in good standing.
- b. Members not in good standing shall not be entitled to vote in membership meeting, hold office of the Students' Association or receive any other privileges, benefits or discounts accorded to members.
- c. The term of membership shall end on the first September thirtieth (30) following the date of payment of the Association's fee such that at least two (2) months of membership have elapsed.

2.0 Honourary Members

- a. Honourary Members of the Students' Association shall be any individual deemed to have made an outstanding contribution to the Students' Association and upon whom Honourary Membership may be conferred. The duration of each Honourary Membership and any associated privileges shall be at the discretion of the Students' Council.
- b. Honourary Membership may be granted by a three quarters (3/4) affirmative vote of the Students' Council of the Students' Association.
- c. Honourary Members shall have no voting rights within the Association, nor hold office in the Association or student jobs within the Service Centres or businesses.

ARTICLE VI - AMENDMENTS TO THE CONSTITUTION

1.0 Authority

Amendments to the Constitution shall have the full force of the Constitution.

2.0 Proposal of Amendments

- a. Any member of the Association may propose an amendment to the Constitution at any meeting of Students' Council, through a motion.
- b. In the event that a proposed motion to amend the Constitution fails to pass through Students' Council, a petition signed by at least one fortieth (1/40) of the members of the Association (approximately 500 students) shall require Students' Council to reconsider the proposed amendment, as worded in the petition, within two meetings of Students' Council.

3.0 Enactment by Referendum

- a. Students' Council may, by a majority of all members of Students' Council, submit a proposed amendment to a referendum.
- b. To change or alter the Constitution through a referendum vote requires a simple majority of those voting in the referendum to vote in favour of the amendment, with those voting in favour constituting at least one-twentieth (1/20) of the membership of the Association.

4.0 Enactment by Council

- a. An amendment may be enacted at a meeting of Students' Council by a five-ninths (5/9) majority of all members of Council, provided that proper and public notice has been given.

ARTICLE VII - BYLAWS

1.0 Authority

The Bylaws shall take precedence over all rules, regulations, or Policies enacted by the Association barring any provisions in the Constitution.

2.0 Enactment

- a. A Bylaw may be enacted at any meeting of Students' Council by a simple majority of all members of council, provided that proper and public notice has been given.
- b. A Bylaw shall be effective immediately upon enactment by Students' -Council.

3.0 Amendments to Bylaws shall be enacted in the same manner as Bylaws are enacted.

ARTICLE VIII - POLICIES

1.0 Authority

- a. Policies shall not conflict with, or attempt to vary, any provision of the Constitution or Bylaws of the Association.
- b. Any Policy is binding upon all Members and staff of the Association

2.0 The Policies of the Association are divided into two categories:

- a. Operational Policies give direction to all organizations of the Association on how to conduct their operations.
- b. Issue Policies outline the attitude and public stance of the Association.

3.0 Enactments, Amendments and Repeals

- a. A Policy can be proposed, amended or repealed through a motion at any meeting of Students' Council.
- b. A motion to amend, repeal, or enact a policy can be passed by Council by a majority of members present provided public and proper notice has been given.
- c. In the event of an 'Emergency Motion' public and proper notice can be waived by a five-ninths (5/9) majority of all members of Council. Provided notice has been waived an 'Emergency Motion' to

amend, repeal or enact a policy can be passed by a vote in favour of five-ninths (5/9) of all members of Council.

- d. Introduction, amendment, or repeal of a policy shall be effective immediately upon enactment by Students' Council.