

Constitution of the Algoma University Students' Union



Preamble

We, the students of Algoma University, recognizing the need to speak with one voice in asserting our legitimate needs and concerns, wish to express our support for one university-wide undergraduate student union whose basic aims will be as follows:

1. To organize students on a democratic, cooperative basis for advancing students interests, and advancing the interests of the students' community;
2. To provide a common framework within which students can communicate, exchange information and share expertise, skills and ideas;
3. To ensure the effective use and distribution of the resources of the student movement;
4. To bring students together to discuss and cooperatively achieve necessary educational, administrative, and legislative change wherever decision-making affects students;
5. To facilitate cooperation 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;
6. To articulate the desires of students to fulfill the duties and be accorded the rights of citizens in Ontario, in Canada, and in the international community; and
7. To achieve the goal of a system of public post-secondary education which is accessible to all, which is of high quality, and which is rationally planned; which recognizes the legitimacy of student representation and the validity of student's rights; and whose role in society is clearly recognized and appreciated.

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Article 1: Name, Head Office and Incorporation

1.1. Name

The official name of this organization is “Algoma University Students’ Union”, hereinafter referred to as AUSU.

1.2. Head Office

The head office of AUSU will be in the City of Sault Ste. Marie, in the Province of Ontario, and at such locations as may be determined by the Executive in the event that a new Head Office is chosen.

1.3. Incorporation

AUSU is an incorporated association. As of April 14, 2005, AUSU was assigned to “Algoma University Students’ Union” a non-profit organisation incorporated under the Ontario Business Corporations Act:

- a. All its assets;
- b. All its contract; and
- c. All property of whatever name, owned or held by AUSU.

In accordance with the instrument of assignment mentioned about, the Algoma University Students’ Union shall assume all liabilities, obligations, and undertakings of whatever nature held by AUSU.

Article 2: Definitions

“Act” shall mean the Ontario Business Corporations Act; and

“Board” shall mean the AUSU body as defined in By-law 3; and

“Board member” shall be any member that serves on AUSU, whether elected or appointed; and

“Business Day” shall mean any day which is not a Saturday, Sunday, a day when classes are not in session at Algoma University, or statutory or civic holiday in Sault Ste. Marie, Ontario; and

“By-election” shall mean any election where the Members have voting rights that is held by AUSU that is not the General Election or held at the Annual General Meeting; and

“By-laws” shall mean the collective set of governing rules of AUSU subordinate to this Constitution and set forth in Article 7, unless identified with a specific number or set of numbers; and

“Campaigns and Special Projects Director” shall mean that Board Member elected by the Members, as set out in By-law 6; and

“CFS” shall mean the Canadian Federation of Students; and

“Chair” shall mean that Board Member or Member appointed by the Board, and shall be a non-voting position; and

“Club” shall mean any student organization or association recognized by AUSU; and

“Constitution” shall mean this foundational governing document of AUSU; and

“CRO” shall mean the Chief Returning Office of AUSU, as set out in By-law 11; and

“Director-at-Large”, or Director, shall mean an elected Board Member who is neither an Executive Member or a Representative; and

“Executive” shall mean the Executive Committee of AUSU, as set out in By-law 7; and

“Executive Officer” shall mean a member of the Executive Committee of AUSU, as set out in By-law 5; and

“Ex-Officio Councillor” shall mean a non-voting member of the Board; and

“Full-time undergraduate student” shall mean any undergraduate student whose registration is considered to be full-time by Algoma University; and

“General Election” shall mean the principal election held by AUSU during the Winter Semester in which the Members elect the following year’s Board Members; and

“General Manager” shall mean the employee(s) hired by the Board to manage the office of AUSU; and

“Member” shall mean a member of AUSU, as set out in Article 3; and

“Ombudsperson” shall mean that Board Member elected by the Members, and shall be an Ex-Officio Councillor; and

“Part-time undergraduate student” shall mean any undergraduate student whose registration is considered to be part-time by Algoma University; and

“President” shall mean that Board Member elected by the Members, as set out in By-law 5; and

“Recording Secretary” shall mean that Board Member elected by the Members, as set out in By-law 5; and

“Referendum” shall mean a question directly voted on by the Members; and

“Representatives” shall mean those Board Members elected by the Members, as set out in By-law 6; and

“Quorum” shall mean the number of individuals with voting privileges who must be present for business to be transacted; and

“Semesters” shall mean the three (3) academic time periods at Algoma University (Fall, Winter and Spring); and

“Service” shall mean an on-campus, student-run organization that provides an essential service; and

“Service Provider” shall mean an external body that provides an essential service; and

“Simple majority” shall mean a vote supported by fifty (50) percent plus one (1) of those voting; and

“Students” shall mean those individuals defined by Algoma University; and

“Term” shall mean the period of time that a board member is elected or appointed to a position; and

“Two-thirds (2/3) majority” shall mean a vote supported by two-thirds (2/3) of those voting; and

“University” shall mean Algoma University, unless otherwise specified; and

“Vice-Presidents” shall mean those Board Members elected by the Members, as set forth in By-law 5.

Article 3: Membership

3.1. Membership

- a. Members of AUSU shall be all students registered at Algoma University.
- b. No person shall be excluded from AUSU for reasons related to age, gender, race, nationality, ancestry, citizenship, marital status, illness or results from medical tests, sexual orientation or preference, place of residence, school of thought, beliefs, religious affiliations or activities, criminal record, any physical handicap or invalidity, or participation or non-participation within AUSU.

3.2. Cessation of Membership

- a. Individuals shall cease to be members of AUSU when they cease to meet the requirements of Article 3, Section 1.

Article 4: Statement of Purpose

AUSU exists to perform the following functions:

- a. To further the goals of AUSU as outlined in the Preamble; and
- b. To be the official representative body for the Members as students in their relationships with:
 - i. Algoma University and committees thereof.
 - ii. Governments at the municipal, provincial and federal levels and committees thereof.
 - iii. Any other organization or forum where the Members' interests or well-being is affected and where otherwise directed by the Members themselves or by the Elected Members.
- c. To promote and support the interest and activities of Clubs and Services; and
- d. To bring together students from across the campus to discuss and take common, democratic positions on questions affecting students; and
- e. To formulate a collective programme that will serve as a framework for coordinating the efforts of student associations throughout Algoma University. This programme will:
 - i. Summarise a long-term strategy for achieving the objectives of students at Algoma University.
 - ii. Describe general ways of reaching those objectives.
 - iii. Be revised periodically as new objectives and approaches become appropriate.
- f. To do all other things that are incidental or conducive to these purposes.

Article 5: Powers and Authorities

5.1. Powers and Authorities of AUSU

a. Authority

The jurisdiction and powers assumed by AUSU in this Constitution and any amendments thereto arise from autonomous self-governing authority and do not require the approval of any authority other than that of AUSU itself.

b. Government

- i. The governing body and legislative authority of AUSU is the Board, which shall be responsible for all matters of policy and for government and regulation of AUSU.
- ii. The financial authority of AUSU and its properties is the Board, which shall be responsible for rights and obligations granted under By-law 16.
- iii. The administrative authority of AUSU is the Board, which shall be responsible for implementing any and all decisions of the Board and the Members.

c. By-laws

- i. By-laws attached to this Constitution arise from the self-governing authority within the Constitution.
- ii. All decisions of the Board, General Meeting, or referenda intended to stand as having the force of law within the Federation, rather than merely having the force of a resolution expressing an opinion of AUSU, shall be enacted and recorded as By-laws.
- iii. The Board shall enact a By-law which shall define the procedure for the enacting, repealing, or amending of all By-laws including .
- iv. The Board shall task the Policy Review Committee to review all Constitutional and By-law changes and make recommendations to the Board, as set out in By-law 7.

5.2. Powers and authorities of the Members

a. Member's Right to Information

- i. Every document, record, or other instrument recording the actions or operations of AUSU that is not designated classified or confidential as set forth in Article 5, Section 2.1. b must be opened for inspection, in an unaltered state, to any Member upon request. This information shall be made available as soon as possible, with only the most extenuating circumstances requiring more than one (1) week.

b. Information that qualifies as one of the following shall only be accessible by individuals or bodies given special and specific authority in this Constitution or By-laws:

- i. Personnel, client and volunteer files and evaluations.
- ii. Items under negotiation or litigations.
- iii. Business's operation records.
- iv. Contract terms.
- v. Preliminary research results.
- vi. In-camera minutes.

c. Every Member has the right to witness the proceedings of the Board and any body created by AUSU provided that their presence is not unduly disruptive and the body has not moved in-camera.

5.3. Election of Members

a. All Board Members shall have their term limited to one (1) year, ending on April 30th, after which the position must be re-contested directly by the Members.

5.4. Recall of Elected Members

- a. In addition to any other provisions in this Constitution or the By-laws, the Members may remove any Board Member through a referendum.
- b. A referendum to remove any Board Member must meet all of the following conditions:
 - i. Petitioned by at least five (5) percent of the Members.
 - ii. Voted on by at least ten (10) percent of the Members.
 - iii. Passed by at least two-thirds (2/3) of the valid ballots cast.
- c. The referendum procedure as set out in By-law 12 shall be followed for the recall of elected members.

5.5 Annual General Meeting and Semi-Annual General Meeting

a. The Annual General Meeting (“AGM”) and the Semi-Annual General Meeting of AUSU shall be held at Algoma University on a day that the Board shall determine. At these meetings, in addition to any other business that may be transacted, there shall be a report from the President, the Finance Commissioner and each Vice-President.

Article 6: Seal, Documents and Records

6.1. Custodian of the Seal and Records

- a. The General Manager will be responsible to be the custodian of the seal of AUSU and for its properties, and all of the books, papers, records, correspondence, contracts, and other documents belonging to AUSU.
- b. If more than one (1) General Manager is employed by AUSU at any given time, AUSU will appoint one (1) to act as the custodian.
- c. The Executive will at all times be able to have access to the seal, properties, books, papers, records, correspondence, contracts and other documents belonging to AUSU upon request.

6.2. Execution of Document

- a. Deeds, transfers, licenses, contracts, and engagements on behalf of AUSU will be signed by the President and at least one (1) other Executive as set out in **By-law 16: Financial Policy** and, where required, will have the seal of AUSU affixed.
- b. The President and at least one (1) other Executive as set out in **By-law 16: Financial Policy**, may transfer or accept the transfer of any and all shares, bonds, or other securities in the name of AUSU; may affix the seal and deliver under the seal of AUSU all documents for such purposes, including the appointment of attorneys.
- c. Notwithstanding any other provision in the Constitution or the By-laws, the Board may at any time direct the manner in which any contract, obligation or instrument of AUSU is executed.

6.3. Books and Records

- a. The Board is responsible for ensuring that all books and records required by law, or by this Constitution and the By-laws, are regularly and properly kept.

Article 7: Amendments of Constitution and By-laws

7.1. Amendments to the Constitution and By-laws by Members

- a. The Members shall be empowered to amend this Constitution and the By-laws independent of the Board:
 - i. By referendum, as per By-law 12:
 1. Petitioned by at least ten (10) percent of the Members; and
 2. Voted on by at least ten (10) percent of the Members; and
 3. Passed by at least two-thirds (2/3) of the valid ballots cast.
 - ii. By resolution at an AGM or Semi Annual General Meeting:
 1. Attended by at least two (2) percent of the Members; and
 2. Voted on by at least two (2) percent of the Members; and
 3. Supported by at least two-thirds (2/3) of the valid ballots cast.

7.2. Amendments to the Constitution and By-laws by the Board

- a. The Board shall be empowered to amend this Constitution, the By-laws and the Policies unilaterally.
 - i. In order to promote due process and present ample opportunity for diligent discussion, debate and decision-making, amendments to this Constitution, the By-laws and the Policies shall be:
 1. Approved in principle by the Board with support of a two-thirds (2/3) majority;
 2. Reviewed and approved by the Policy Review Committee;
 3. Approved as presented by the Policy Review Committee with support of a two-thirds (2/3) majority at a meeting held no less than one (1) month following the decision of 7.2(a).i(1);
 4. Reviewed by AUSU legal counsel and Algoma University legal counsel;
 5. Approved in their final form by the Board at a meeting held no less than three (3) months following the decision of 7.2(a).i(3).
- b. Public notice of the Board meetings must be made widely accessible to the Members, including through on-campus media, in which special and specific note is made of the consideration of proposed amendments to this Constitution.

Article 8: Former Constitution and By-laws Revoked

- a. This Constitution and its By-laws, once in force, precede all previous Constitution and By-laws written or implied.

Article 9: Winding Up

- a. Upon the winding up of AUSU, all assets of AUSU will be left to another non-profit organisation promoting the interests of students at Algoma University, which has policies, aims and goals congruent with those of AUSU.