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 and Stong College Student Government 2013. Edited and Reviewed by Giancarlo Onorati,
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Constitution

Preamble

New College, established as the ninth college on July 1st 2009; it is an integral part of the York University College system. New College seeks to offer opportunities for all of its members to develop through active participation. The students of New College formed the New College Council; this Constitution has been documented to demonstrate the commitment to a democratic and responsible student government.

This Student Council commits to providing opportunities for all of its members to participate in organizing and implementing clubs, athletics, social events, political and governing activities, and other events in keeping with the educational and socialization purpose of New College. To promote a united front to advance interests of students, share information, develop a student community; while respecting York University's multicultural identity; and facilitate an active role for its members; the students of New College do hereby establish this constitution to govern the affairs of the New College Council. To these ends, the members of New College which include the students, faculty, fellows, alumni and staff, may participate. New College Council is responsible and accountable to all New College members, and shall provide a forum for each member of the New Community to have an equal opportunity to express her/his views.

Article 1: Name, Head Office

Name

The official name of this organization shall be "New College Council", hereinafter referred to as the "Council" or the acronym "NCC".

Head Office

The head office of the Council will be located within the Atkinson building and at such locations as may be determined from time to time by the Executives.

Article 2: Mission Statement

The Council exists for the purpose of performing the following:

1. To effectively represent our members and their interest by advocating and liaising both with New College and York University administration in all matters affecting students;
2. To enrich the lives and educational experience of the students affiliated with New College through academic, cultural, recreational, social, and artistic programming;
3. To ensure the effective use and distribution of resources of the New College Council;
4. To promote and safeguard the right of all the individual students regardless of 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/mental handicap or invalidity, while further promoting and encouraging social consciousness;
5. To encourage and advocate for academic and intellectual pursuits within the New College community;
6. To organize students on a democratic and cooperative basis with the framework in which students can communicate and exchange information;
7. To assist the university in organizing its resources in support of student learning;
8. To hold the university accountable to its obligations and responsibilities as outlined in the York University Act, 1965, and its various public statements of purpose, goals, and objectives.

Article 3: Definitions

In this Constitution, its Bylaws, and any and all other official documents of the Council;

“AD HOC Committee” shall mean a temporary sub-committee of the Council; and

“Board” shall mean the members of the Council; and

“By-Law” shall mean any By-law of the Council; and

“Club(s)” shall mean any student organization or association recognized by the Council; and

“Council” shall mean the New College Council; and

“CRO” shall mean the Chief Returning Officer of the Council; and

“Executive Member” shall mean a member of the Executive Committee of

the Council; and “Executives” shall mean the Executive Committee of the Council, as set out in by-law 2.2; and

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

“Honoraria” shall mean the financial remuneration as recognition of dedication toward Council activities; and

“Impeachment” shall mean the removal of an individual from office and the complete forfeit of their possible honoraria; and

“Member(s)” or “Constituency” shall mean a member of the New College Community; and “Officer” shall mean any person appointed by the Council; and “Properties” shall mean all properties and business of the Council; and

“Quorum” shall mean a minimum number of Board members that must be present, as set out in **Article 12 c**; and

“Speaker” shall mean the person appointed to Speaker; and

“Standing Committee” shall mean a permanent sub-committee of the Council, as set out in by-law 2.1; and

“Student” shall mean those who are registered as either full-time or part-time undergraduates at the University; and

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

“University” shall mean York University, otherwise specified.

“Valid Excuse” shall, for the purpose of **Article 9.6** and otherwise, be determined by the Council as deemed appropriate.

Article 4: Interpretation

The Council shall be the sole authority for the interpretation of the Constitution and all By-Laws. The Speaker of the Council shall be the final say for the interpretation of the constitution and by-laws. Council shall, however, make all determinations of construction and interpretation with due regard to the following, whichever are directly applicable in given circumstances:

1. Interpretations, if any, set out in the most current edition of Robert's Rules of Order (Newly Revised);
2. Accepted rules of grammatical and lexical construction in Canadian English.

Article 5: Official Languages

The Council shall be a bilingual organization, recognizing English and French as official working languages.

Article 6: Powers and Authorities

Authority

The jurisdiction and power assumed by the Council 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 the Council itself;

The Constitution shall be the highest governing document of the Council.

Powers

The governing body and legislative authority of the Council shall be responsible for all matters of policy and for government and regulation of the Council. The financial authority of the Council and its properties is the voting members of council, which shall be responsible for rights and obligations.

The administrative authority of the Council is the Executive, which shall be responsible for implementing any and all decisions of the Council.

Article 7: Amendatory Procedure

Constitutional Amendments

1. Any member or constituent may propose an amendment to this Constitution;
2. Proposals for amendments to this Constitution shall be received by the Chair of the Ad hoc Committee and shall be referred to the Amendments Committee and reviewed, once reviewed, the Amendments Committee shall present the proposal(s) to the Council for further review;
3. Following the passage through Council, a motion to amend the Constitution shall be put before the next Annual General Meeting of the Council;
4. Notwithstanding the above, constitution amendments may be put on the agenda of the

General Meeting by petition (presented to the Speaker) of 25 members of the constituency, such petition must contain the exact wording of each proposed amendment.

5. The Constitutional amendments are not effective until they have been confirmed by at least two-thirds (2/3) of the votes cast at a General Meeting duly called for that purpose.

By-Law Amendments

1. The By-Laws are complementary to, and not part of, this Constitution.
2. Providing quorum exists, a two-thirds majority of all voting members of the New College Council present at the meeting shall be required to adopt, rescind, or amend the by-laws of New College Council.

Article 8: Membership

8.1 Membership

a. Membership of New College shall be all registered undergraduate students enrolled in at least 3.0 credits per fall and winter semester at York University during the current academic year;

- i. Declared affiliation with New College (the Registrar's or Master's Office shall rule in cases where questions are raised);
- ii. The Pond Road Residents are New College Affiliates.

b. No person shall be excluded from the Council 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 the Council.

8.2 Expiration of Membership

a. Individuals shall cease to be members of the Council when they cease to meet the requirements of Article 8.1.

8.3 Rights, Freedoms and Responsibilities of Membership

Members of the Council shall have the following rights and freedoms:

- a. Every member is equal under and before the constitution of New College Council, and has equal rights to benefits under this constitution without discrimination, based on sex, gender, race, colour, creed, nationality, ancestry, place of origin, sexual orientation or ability; and
- b. To have their interests represented collectively in the Council through their constituency representatives, but will not themselves have voting rights at Council Meetings, or Executive Meeting; and
- c. To attend meetings of all decision-making bodies of the Council, with the exception of in camera sessions and other situations in which confidentiality is required; and
- d. To speak and vote at Annual General Meetings; and
- e. To speak, at the discretion of the Chair at Board Meetings; and
- f. To run office where deemed eligible by the Elections Committee; and
- g. To vote in Council elections, by-elections, recalls and referenda; and
- h. To access all minutes of the Council's Board of Directors, and Executive Committee, subject to restrictions in these By-Laws; and
- i. To access the services, research, information, materials, and other resources of the Council; and
- j. Any member whose rights or freedoms as guaranteed by these Bylaws and Constitution have been infringed or denied may apply to the Executive Committee of the Council who shall then consult the Board in order to obtain such remedy as the Board considers appropriate and just in the circumstances.

Members of the Council shall have the following responsibilities:

- a. Payment of the designated Council membership fees; and
- b. The membership fee shall consist of \$0.95 per enrolled credit for the current academic year; and

- c. To respect the goals and objectives as they are specified in the Preamble of the Constitution, the rules of the present Constitution and By-Laws, as well as any legal agreement adopted by the Council in their name.

Article 9: Members of Council

9.1 Composition of Members of Council

The affairs of the Council shall be managed by the Members of Council of no more than twenty (21) persons, and one of those person will be appointed to act as a non-voting Speaker. The composition of the Council will be:

President

Vice President Operations

Vice President Finance

Vice President Athletics

Vice President Social

Vice President Promotions

Vice President Academics

Director Athletics

Director Social

Promotions Assistant

Commuter Representative

Social Representative

Athletic Representative

First year Representative

Pond Road Residence Representative

Ex-Officio Officers

YFS Representative

Speaker of the Council

Secretary of the Council

Master of New College

Orientation Chair (/s)

Any other person appointed by the Board with Ex-Officio officer status.

9.2 Term of Office

- a. Each Member of Council, except those declared ex-officio, shall hold office from the first (1st) day of May of current year until such time as her/his rightfully elected successor takes office on the first (1st) day of May of the following year or until her/his duly appointed replacement has been selected in accordance with the by-laws of the Council.
- b. Each Member of Council shall be active throughout her/his term of office, which includes but is not limited to, summer session.

9.3 Executive Qualifications

At all times, every Member of Council shall;

- a. Be a registered student at York University at the time of election;
- b. Be affiliated with New College;
- c. Be nominated by no less than twenty-five (25) members of the College;
- d. Must be in good academic standing;
- e. The President must have previously served a full term from May 1 to May 1 on council prior to the term as President;
- f. Must have previous Council experience, to be approved by The Election Committee.

9.4 Member of Council Qualifications

At all times, every Member of Council shall;

- a. Be a registered student at York University at the time of election;
- b. Be affiliated with New College or a Pond Road resident;
- c. Be nominated by no less than twenty-five (25) members of the College;
- d. Must be in good academic standing.

9.5 General Duties of Members of Council

Each Council Member shall:

- a. Attend all meetings of the Council, any Committees to which they are elected, and of their respective Constituency Council, unless other arrangements approved by a majority of that Council have been made; and
- b. Act in the best interests of the Council in respect of matters for which The Council has the authority to act; and
- c. Maintain regularly scheduled and publicized office hours weekly, which are to be set and decided upon at the start of each term by the Vice President Operations.
- d. Participate actively in New College's Orientation week as a leader; and
- e. Attend a minimum of one (1) Large and three (3) Small social events; and
- f. Attend at least two (2) athletic events per semester; and
- g. Assist with all social media for New College Events when necessary.

9.6 Reprimanding Council Members

The Council shall have the right to reprimand its Council Members. Grounds for disciplinary action include, but are not limited to the following:

- a. Poor attendance to Council Meeting;
- b. Theft, fraud, or embezzlement of funds;
- c. Failure to disclose a significant or obvious conflict of interest;
- d. Breach of confidentiality;
- e. Failure to attend New College Council Retreat without a valid reason;
- f. Misuse of Council property;
- g. Poor attendance of office hours;
- h. Willful violation of the spirit of the Constitution or By-Laws; or
- i. Failure to perform their duties as specified by the Constitution or By-Laws or poor performance without a valid reason.

The disciplinary action may be taken against any Council member. Such action(s) shall be decided on a case-by-case basis in an in-camera session of the Council. Any disciplinary action must be approved by a two-thirds majority of the Council present. Disciplinary action can include, but is not necessarily limited to, verbal reprimand, letter of censure, revoked honorarium, and impeachment or removal from the Council.

9.7 Resignation of a Council Member

A Council Member shall be considered resigned by informing the President and the Speaker of the Council in writing of their decision ten (10) days before their last day.

9.8 Appointment of a Council Member

For the purpose of Article 9.6 and 9.7, the following shall be considered:

- a. In the event that a position becomes vacant for any reason, that position may be filled by a person who meets the qualifications as set forth in Articles 9.3 and 9.4 and who is approved by a simple majority vote of The Council.
- b. Should the President resign, the Executive is required to appoint an interim President no later than ten (10) business days following the resignation.
- c. Should a Vice President resign, the Executive is required to appoint an interim Vice President no later than fifteen (15) business days following the resignation.

9.10 Appointment of Speaker

At the first meeting of The Council within the elected term, The Council shall appoint a Speaker who is fluent in Roberts Rules of Order. This Speaker shall be hired by the incoming President and Vice President Operations.

Article 10: Powers of The Council

10.1 Powers

- a. The Council Members shall administer the affairs of the Council in all things and may make or cause to be made for the Council, in its name, any kind of contract, which the Council may lawfully enter into.
- b. The Council shall have the power to authorize expenditures on behalf of the Council and may delegate, by resolution, to Executive Committee the right to make such expenditures on such terms and conditions, as it deems appropriate.
- c. The Council may appoint such agents and engage such employees as it may deem necessary and such persons shall have such authority and shall perform such duties as shall be prescribed by The Board at the time of such appointment.
- d. The Council is expressly empowered, to purchase, lease or otherwise acquire, sell, exchange or otherwise dispose of shares, stocks, rights, warrants, options, and other securities, lands, buildings and other property, movable or immovable, real or personal, or

any right or interest therein owned, for such consideration and upon such terms and conditions as The Board may deem advisable.

e. The Council shall have the authority to establish committees to exercise any function of the Council.

f. No one person or Member of the College can hold more than one position related to Council, when a clear conflict of interest exists. If there is uncertainty regarding whether or not a conflict exists, the situation shall be mediated by the Speaker. This includes all voting positions. Furthermore, the seat of any Member who does not comply with this article is vacated.

g. The Constitution and all subsidiary regulations shall be interpreted, in the first instance by the Speaker, subject to an appeal to the Council

h. The Executive Committee shall exercise general supervision over all the disbursements of the members' money to all members' clubs and generally exercise supervision over financial operations.

i. The Executive Committee shall consider the budgets of all committees, operations, and services, and approve the annual operating budget for the Council no later than June 30 of the current fiscal year.

j. The Executive Committee shall have the power to inspect and audit any activity sponsored by the Council.

k. The Executive Committee shall set down and implement any financial programs and procedures, including the method of requisition of funds, which shall govern the operations of the Council and its committees.

Article 11: Responsibilities of the Board

11.1 Executive Officers

The Executive Committee shall be comprised of:

a. The President, the Vice President Finance and the Vice President Operations shall be the sole signing authorities unless an extenuating circumstance occurs in which case any other Council member may be approved by a majority vote of Council; and

b. Executives shall receive an annual honorarium of up to the specified amount as set out in Article 11.6 for compensation upon successfully fulfilling their duties and roles.

Council Members are entitled to:

a. Be dismissed from duties during official examination period, which is set out annually by York University.

- b. Be dismissed from duties during Reading Weeks, and Winter Holidays unless put in charge of an event during the specified period or assigned tasks by the President or Vice President Operations.
- c. Shall Maintain and budget a carryover Bank Balance of at least \$10,000.00.

11.2 Responsibilities of Executive Officers

A. President

- i. Shall be available on a daily basis and active during the Summer session; and
- ii. Shall be the chief spokesperson for the Council and represent the Council to College Communities, York University meetings and functions, and the general public; and
- iii. Shall be responsible, along with the Vice President Operations, for ensuring that all contracts entered into by the Council are with due authority and in the best interests of the Council; and
- iv. Shall coordinate and implement the objectives and/or campaigns of the Council; and
- v. Shall report to the Council and the Membership; and
- vi. Shall be a signing authority of the Council and be responsible for the financial well-being of the organization; and
- vii. Shall draft the Council's Annual Budget in conjunction with the Vice-President, Finance; and
- viii. Shall act as Speaker at the any and all meeting where the Speaker is not present; and
- ix. Shall Chair the Executive Committee and the By-Laws Committee; and
- x. Shall oversee the operation of the Council's services in conjunction with the Vice President Operations; and
- xi. Shall ensure that the Vice Presidents carry out their assigned duties in accordance with their constitutional duties, the by-laws and as directed by council; and
- xii. Shall act as the Council's liaison to the College Presidents' Association (CPA); and
- xiii. Shall act as the Council's representative to the Student Representative Roundtable (SRR) and the Council of College Communities;(COCC); and
- xiv. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xv. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xvi. Shall take a proactive role in all NCC matters; and
- xvii. Shall attend all meetings of the Council and Executive Committee unless a valid excuse is presented; and
- xviii. Shall create a transition binder for the incoming President; and
- xix. Shall submit to the incoming President a list of Speaker candidates for the next term; and
- xx. Shall train and advise the incoming President.

B. Vice President Operations

- i. Shall be available on a daily basis and active during the Summer session;
- ii. Shall be a signing officer of the Council; and
- iii. Shall be responsible, along with the President, for ensuring that all contracts entered into by the Council are with due authority and in the best interest of the Council; and
- iv. Shall be responsible for setting up office hours, sending notice for meetings to The Board, coordinating the creation of Board meeting agendas, keeping a record of attendance at Board meetings, arranging proxies for General meeting when necessary, and in all other ways acting as the secretary of the Council; and
- v. Shall create and monitor a weekly office cleaning schedule for council office and ensure the schedule is followed; and
- vi. Shall be responsible for maintaining the Council's Policy Manual and Operational Policy in accordance with the motions passed, amended or repealed by the Council or General Membership; and
- vii. Shall create and maintain a binder designated for complaints, which will include all valid complaints in text. Each complaint must be followed up by the Vice-President Operations in a timely fashion, and inform the Executive Committee and Council when necessary; and
- viii. Shall be responsible for the development, hiring and coordination of any volunteer/paid positions for the Council; and
- ix. Shall keep a full set of books and records in proper order, including records of all business contacts in the NCC Business Contact Log-Book; and
- x. Shall be responsible for ensuring that the Council uphold all responsibilities in relation to the operation and delivery of any business initiatives; and
- xi. Shall be responsible for carrying out the duties of the President in the absence of the President; and
- xii. Shall be responsible for ordering office supplies as needed and maintain the general upkeep of the Council Office; and
- xiii. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xiv. Shall be responsible for the distribution of emails and communication to the members of the Council; and
- xv. Shall assist in creating one (1) action plan during each session (summer, fall, winter) of all members of Council; and
- xvi. Shall plan a Council Retreat during the Summer term; and
- xvii. Shall hold an up to date list of inventory; and
- xviii. Shall be responsible for creating a performance appraisal outlining current performance and ways to improve for each Council member during each session; and
- xix. Shall be responsible for meeting with each Council member at the end of each session discussing the performance appraisal; and
- xx. Shall be responsible for planning the Annual General Meeting; and
- xxi. Shall hold weekly office hours; and
- xxii. Shall take a proactive role in all NCC matters; and
- xxiii. Shall attend all meetings of The Board and Executive Committee unless a valid excuse is presented; and
- xxiv. Shall assist the NCC in the defining and achievement of its goals, in the best

interests of the Community, and shall engage in other such duties as may from time to time be assigned to him/her by the NCC; and

- xxv. Shall create a transition binder for the incoming Vice President Operations; and
- xxvi. Shall train and advise the incoming Vice President Operations.

C. Vice President Finance

- i. Shall be available on a daily basis and active during the Summer session; and
- ii. Shall develop, recommend and present the annual budget to The Council in consultation with the Executive Committee; and
- iii. Shall liaise regularly with the Executive Committee during the yearly audit of the Council and the preparation of the Council's audited financial statements; and
- iv. Shall prepare and present monthly financial reports to The Council; and
- v. Shall present financial reports and audited statements to the membership at a duly called membership meeting; and
- vi. Shall monitor the financial status of New College Council including budget variances and make recommendations to Council regarding major expenditures; and
- vii. Shall update all members of Council on their budget and financial position monthly; and
- viii. Shall assist with the co-ordination of fundraising endeavors; and
- ix. Shall be responsible for processing of all club funding requests received by the Council and co-ordinate with the Vice President Operations and the Vice President Academics; and
- x. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other duties as assigned to him/her by the NCC; and
- xi. Shall take a proactive role in all NCC matters; and
- xii. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xiii. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xiv. Shall attend all meetings of The Board and Executive Committee unless a valid excuse is presented; and
- xv. Shall create a transition binder for the incoming Vice President Finance; and
- xvi. Shall train and advise the incoming Vice President Finance.

D. Vice President Promotions

- i. Shall be available on a daily basis and active over the Summer Session; and
- ii. Shall coordinate advertising for all Council operations and events including the responsibility for the printing of posters and tickets for all Council operations and events; and
- iii. Shall overlook all duties of the Promotions Assistant; and
- iv. Shall overlook the promotional duties of the First Year, Commuter and Residence Representatives; and
- v. Shall be familiar with WordPress and be responsible for the maintenance and appearance of the Council Web Site; and
- vi. Shall be responsible for the maintenance and appearance of all Council social media channels; and

- vii. Shall be familiar with Adobe Photoshop, After Effects or any other image editing tools required, must be able to create vector files and create and maintain websites; and
- viii. Shall be responsible for the distribution of information on the New College List-Serve; and
- ix. Shall be responsible in obtaining pictures after each event held by Council; and
- x. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xi. Shall delegate duties, to other Members, where expedient, and where the delegation of such duties is allowed by the Constitution, and any other subsidiary regulation; and
- xii. Shall be responsible to work with the Vice President Social and other members of the Council to ensure that programming information is posted at least two weeks prior to the program(s) or event(s) in the absence of time constraints; and
- xiii. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xiv. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xv. Shall take a proactive role in all NCC matters; and
- xvi. Shall create a transition binder for the incoming Vice President Promotions; and
- xvii. Shall train and advise the incoming Vice President Promotions; and
- xviii. Shall attend all meetings Council Meetings unless a valid excuse is presented.

E. Vice President Social

- i. Shall be available on a daily basis and active over the Summer Session in the planning, coordinating and overseeing of NCC events; and
- ii. Shall present to Council a portfolio of events and records with respect to Social Orientation; and
- iii. Shall overlook the duties of the Director Social and Social Representative; and
- iv. Shall respond to requests for and promote all activities and events deemed cultural and socially enriching to members of New College; and
- v. Shall ensure monthly events are being organized and executed; and
- vi. Shall create an action plan along with the Executive Team outlining events taking place throughout the year; and
- vii. Shall produce and maintain a budget with the assistance of the Vice President Finance; and
- viii. Shall communicate with the Vice President Promotions in order to successfully promote events throughout the college; and
- ix. Shall submit an event budget at least one month prior to each event to the Vice President Finance; and
- x. Shall oversee, investigate and report to Council on all aspects of events including but not limited to, finances, event reconciliations, ticket prices and delegated Member's responsibilities; and
- xi. Shall ensure the major events for the fall term are planned and booked by September 1st; and
- xii. Shall ensure events for the winter term are planned and booked by December 1st; and

- xiii. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xiv. Shall take a proactive role in all NCC matters; and
- xv. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xvi. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xvii. Shall submit a written report to the Council, prior to the completion of his/her period of tenure, outlining the events along with recommendations for the consideration of the succeeding Council to be passed at the last Council Meeting in April; and
- xviii. Shall train and advise the incoming Vice President Social; and
- xix. Shall attend all meetings Council Meetings unless a valid excuse is presented.

F. Vice President Athletics

- i. Shall be available on a daily basis including during the Summer session; and
- ii. Shall be the individual responsible for the promotion and administration of intramural and recreation programs within New College; and
- iii. Shall communicate with the Vice President Promotions in order to successfully promote athletics throughout the college; and
- iv. Shall produce and maintain a budget with the assistance of the Vice President finance; and
- v. Shall send bi-weekly sports updates out to the listserv and the classroom reporter program with the Master's Office; and
- vi. Shall ensure each team has the appropriate attire as mandate by the Intramural Program before their game; and
- vii. Shall maintain any NCC sports equipment; and
- viii. Shall serve as the official representative and/or liaison for College at all Student Intramural Recreation Council (SIRC) meetings; and
- ix. Shall ensure that the timely completion of all team rosters, bond forms, team forms, but not limited to those mentioned; and
- x. Shall co-ordinate intramural athletic activities on behalf of the NCC, including any necessary policies and procedures; and
- xi. Shall make an appearance to at least one game per sport or send a representative in their place; and
- xii. Shall co-ordinate with the Commuter Representative for overnight tournaments; and
- xiii. Shall inform the Residence Representative of all sports that can create house teams; and
- xiv. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xv. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xvi. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to

- time be assigned to him/her by the NCC; and
- xvii. Shall take a proactive role in all NCC matters; and
- xviii. Shall create a transition binder for the incoming Vice President Athletics; and
- xix. Shall train and advice the incoming Vice President Athletics; and
- xx. Shall attend all meetings of the Council unless a valid excuse is presented.

G. Vice President Academics

- i. Shall be available on a daily basis including during the Summer session; and;
- ii. Shall report to the Vice President Operations; and
- iii. Shall represent Council in any matter of Academic importance, and keep Council Informed of any pertinent Academic information or decisions; and
- iv. Shall work with the representative of the Master's Office and the Master's Office in the implementation of Academic Orientation, Re-orientation, any other Academic workshops, and lecture series; and
- v. Shall take lead on the New Beat Magazine as required; and
- vi. Shall organize and chair a committee for all student clubs affiliated with New College Council, and maintain a network of communication between such clubs and Council and the College in general; and
- vii. Shall assist with the co-ordination of fundraising endeavors; and
- viii. Shall act as a liaison between the College Clubs, other campus groups and the Council; and
- ix. Shall organize a Clubs Fair during welcome week; and
- x. Shall be responsible for keeping an accurate account of all club funding requests received and granted by the Council; and
- xi. Shall ensure that Members are familiar with the various Academic resources available on the campus, and the pertinent contact information, such as names, office locations, e-mail, and phone numbers; and
- xii. Shall maintain a network of communication with faculty student governments, and inform Council of all pertinent information from that correspondence; and
- xiii. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xiv. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xv. Shall be responsible for their respected Council e-mail account, and ensuring that it is regularly checked and that and questions or concerns arising from it are responded to, in a timely fashion; and
- xvi. Shall coordinate with other Members to ensure that relevant information is included in any upcoming issue of New Beat, or any other relevant student publication; and
- xvii. Shall take a proactive role in all NCC matters; and
- xviii. Shall create a transition binder for the incoming Vice President Academics; and
- xix. Shall train and advice the incoming Vice President Academics; and
- xx. Shall attend all meetings Council Meetings unless a valid excuse is presented

H. Director Social

- i. Shall be available on a daily basis including during the Summer session; and
- ii. Shall report to the Vice President Social; and

- iii. Shall present to Council a portfolio of events and records with respect to social orientation; and
- iv. Shall ensure that New College has at least one (1) small (free) event per Semester; and
- v. Shall plan one (1) medium and one (1) small event per semester; and
- vi. Shall represent the Vice President Social at the Vice President Social Roundtable in case him/her cannot attend; and
- vii. Shall assist in planning one (1) night of Welcome Week; and
- viii. Shall assist in planning one (1) night of Frost Week; and
- ix. Shall ensure the master's office has an update list of events to give to their class room reporters; and
- x. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xi. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xii. Shall take a proactive role in all NCC matters; and
- xiii. Shall attend all meetings Council Meetings unless a valid excuse is presented.

I. Director Athletics

- i. Shall be available on a daily basis including during the Summer session; and
- ii. Shall report to the Vice President Athletics; and
- iii. Shall present to Council an athletic event during orientation week to ensure the First Years are aware of the intramural program; and
- iv. Shall ensure that New College has clean jerseys; and
- v. Shall be the second voting member on the Student Intramural Recreational Council (S.I.R.C); and
- vi. Shall ensure the Master's Office has an up to date list of all active teams to give to their class room reporters; and
- vii. Shall create and distribute a monthly calendar of all sports taking place throughout the year; and
- viii. Shall assist the VP Athletics in updating New College Students on upcoming sports and intramural events; and
- ix. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- x. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xi. Shall take a proactive role in all NCC matters; and
- xii. Shall attend all meetings Council Meetings unless a valid excuse is presented.

I. Promotions Assistant

- i. Shall be available on a daily basis as soon as they are ratified after the by-elections; and
- ii. Shall report to and assist the Vice President Promotions; and
- iii. Shall be responsible for taking and uploading pictures at all New College Council events unless a valid excuse is presented; and
- iv. Shall assist the Vice President Promotions in obtaining pictures of events they are unable to attend; and

- v. Shall assist the Vice President Promotions in the appearance and maintenance of all Council social media; and
- vi. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- vii. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- viii. Shall take a proactive role in all NCC matters; and
- ix. Shall attend all Council Meetings unless a valid excuse is presented.

K. Social Representative

- i. Shall be available on a daily basis as soon as they are ratified after the by-elections; and
- ii. Shall report to the Vice President Social; and
- iii. Shall present to Council a portfolio of events and records with respect to social aspects of the College; and
- iv. Shall ensure that New College has at least one community building (free) event per month; and
- v. Shall represent the Vice President Social at the Vice President Social Roundtable in case him/her or the Director Social cannot attend; and
- vi. Shall ensure the Master's Office has an up to date list of events to give to their class room reporters; and
- vii. Shall, prior to the completion of his/her period of tenure, submit a written report to the Vice President Operations outlining the events along with recommendations for the consideration of the succeeding Council to be passed at the last Council Meeting in April; and
- viii. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- ix. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- x. Shall take a proactive role in all NCC matters; and
- xi. Shall attend all meetings Council Meetings unless a valid excuse is presented.

L. Athletic Representative

- i. Shall be available on a daily basis as soon as they are ratified after the by-elections; and
- ii. Shall report to the Vice President Athletics; and Shall present to Council an athletic event during frost week to ensure the First Years are aware of the intramural program; and
- iii. Shall ensure that New College has clean jerseys; and
- iv. Shall be the proxy voting member on the Student Intramural Recreational Council (S.I.R.C) incase either the Vice President or Director Athletics isn't available; and
- v. Shall ensure the Master's Office has an up to date list of all active teams to give to their class room reporter; and
- vi. Shall, prior to the completion of his/her period of tenure, submit a written report to the Vice President Operations outlining the events along with recommendations for the consideration of the succeeding Council to be passed at

- vii. the last Council Meeting in April; and Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- viii. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- ix. Shall take a proactive role in all NCC matters; and
- x. Shall attend all meetings Council Meetings unless a valid excuse is presented.

M. Commuter Representative

- i. Shall be available on a daily basis as soon as they are ratified after the by-elections; and
- ii. Shall ensure that Council events and activities are held in such a manner as to promote the involvement of New College students who do not live on campus and as such to represent the best interests of commuting students in general; and
- iii. Shall be responsible for the uphold and tidiness of The Lounge; and
- iv. Shall be responsible with the assistance of the President and VP Operations for the recruitment and scheduling of Lounge Monitors; and
- v. Shall be responsible, along with the Vice-President Promotions, for the distribution of information on the New Council List-Serve and/or any other methods of communicating with the off-campus student body; and
- vi. Shall organize an event or series of events, such as but not limited to an open forum, which are designed to bring commuting students to New College, and promote their involvement in College events and facilities; and
- vii. Shall ensure that all Council events and activities are properly advertised to the commuting students of New College, to ensure they are properly informed of all such events and activities; and
- viii. Shall, prior to the completion of his/her period of tenure, submit a written report to the Vice President Operations outlining the events along with recommendations for the consideration of the succeeding Council to be passed at the last Council Meeting in April; and
- ix. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- x. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xi. Shall take a proactive role in all NCC matters; and
- xii. Shall attend all meetings Council Meetings unless a valid excuse is presented

N. First Year Representative

- i. Shall be available on a daily basis as soon as they are ratified after the by-elections; and
- ii. Shall be a student enrolled in their first year at York University and be affiliated with New College; and
- iii. Shall promote the involvement of First Year students in New College events, activities, and facilities; and
- iv. Shall represent the best interests of First Year students to Council, and ensure

- v. Shall put on an event, such as an open forum, which is intended to increase the participation of First Year students in College events, and garner opinions and concerns about Orientation Week, such that it can be improved in the future; and
- vi. Shall liaise with the Vice President Social when necessary, and will report directly to the NCC on the status of any projects; and
- vii. Shall assist the NCC with promotions and awareness; and
- viii. Shall, prior to the completion of his/her period of tenure, submit a written report to the Vice President Operations outlining the events along with recommendations for the consideration of the succeeding Council to be passed at the last Council Meeting in April; and
- ix. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- x. Shall assist the NCC in the defining and achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xi. Shall take a proactive role in all NCC matters; and
- xii. Shall attend all meetings Council Meetings unless a valid excuse is presented.

O. Pond Road Residence Representative

- i. Shall be available on a daily basis as soon as they are ratified after the by- elections;
- ii. Shall live in Pond Residence; and
- iii. Shall meet with the Pond Residence Life Coordinator at least once a semester to discuss upcoming New College Council events; and
- iv. Shall ensure that Council events and activities are held in such a manner as to promote the involvement of New College students who live on campus, and as such to represent the best interests of residence students in general; and
- v. Shall work with the Pond Residence Don of Learning and Leadership Opportunities and Residence Council to encourage joint residence and commuter events; and
- vi. Shall work with the Vice President Public Relations and Commuter Representative to encourage joint Residence/Commuter events; and
- vii. Shall, prior to the completion of his/her period of tenure, submit a written report to the Vice President Operations outlining the events along with recommendations for the consideration of the succeeding Council to be passed at the last Council Meeting in April; and
- viii. Shall be responsible for planning an NCC information session at the beginning of each semester minimum; and
- ix. Shall be responsible for updating the NCC bulletin board and maintain a monthly calendar on the bulletin in Pond Road Residence; and
- x. Shall hold weekly office hours as allotted by the Vice President Operations at the beginning of each term; and
- xi. Shall assist the NCC in the defining and a achievement of its goals, in the best interests of the Community, and shall engage in other such duties as may from to time be assigned to him/her by the NCC; and
- xii. Shall take a proactive role in all NCC; and
- xiii. Shall attend all Council meetings unless a valid excuse is presented.

11.3 Disciplining Executive Officers

The Council shall have the right to discipline its Executive Officers. Grounds for disciplinary action include, but are not limited to, the following:

- a. Poor attendance at Board Meetings;
- b. Theft, fraud, mismanagement or embezzlement of funds and property;
- c. Failure to disclose a significant or obvious conflict of interest;
- d. Breach of confidentiality;
- e. Failure to perform constitutionally mandated responsibilities;
- f. Willful violation of the spirit of the Constitution and By-Laws.

11.4 Removal of Office

A motion of impeachment may be applied against any member of the Board and must be given at least ten (10) days written notice.

- i. Motions of impeachment must be passed by a two-thirds (2/3) of the Board;
- ii. The written notice of the motion shall be presented to the President and the Speaker of the Council.
- iii. In the event that the motion concerns the President, the motion shall be presented to the Speaker of the Council;
- iv. The mover of the motion shall present a list of offences to the Speaker who will state the offences to the Board;
- v. The member of the Board to which a motion applies may make a statement and thereafter shall withdraw during the time the matter is in debate;
- vi. The vote to impeach shall be conducted by secret ballot, the member of the Board to which the motion applies to shall not participate in this vote.
- vii. It shall be the duty of the Board to consider a motion of impeachment if a Board member is absent for three (3) consecutive meetings and is habitually late, unless a valid excuse is given.

Alternatively, impeachment may also be proposed by at least one-tenth of the general membership of New College Council in the form of a verifiable petition to the Board.

11.5 Resignation

- a) Any Member of Council may resign or give notice of intention to resign, either personally in a meeting of Council, or in writing. Any written notification shall be deemed to be addressed to the Speaker. When it is determined that the written notification is genuine, Council shall declare such seat vacated (or that it shall become vacant on some future day), as indicated in the written notification.
- b) De subsection (a), Council need not accept a Member's resignation while a motion of impeachment, suspension, or censure is pending, or while any investigation concerning that Member's conduct is pending.
- c) Despite subsection (a), Council shall not accept a Member's resignation if Council had reason to believe that such a Member was intimidated into resigning or otherwise determines the Member to be in an inappropriate state of mind and, in such a case, Council shall forthwith cause an investigation of the matter to take place.

11.6 Honoraria

As a principle, N.C.C. believes in the use of honoraria as a way of ensuring responsible and accountable student government and to recognize the contributions made by its Members and Associates.

Before receiving honoraria, each recipient shall submit a report to Council, (to be placed in the internal files) outlining their involvement with Council activities during the preceding session. Each report shall include, but not limited to:

- i. things they did throughout their term;
- ii. how problems (if any) may be remedied in the future;
- iii. advice to future Council Members and Associates.

The total amount of Honoraria collectively awarded to all elected members of Council each year shall be \$20,500 of the total Council levy, unless Council Members are either impeached, in which case, forfeiting their Honoraria, or suspended – hence receiving an Honoraria penalty.

The breakdown of Honoraria between all of Council will be as such:

Position	Honoraria
President	\$ 3,500.00
Vice President Operations	\$ 2,500.00
Vice President Finance	\$ 2,500.00
Vice President Athletics	\$ 2,000.00
Vice President Social	\$ 2,000.00
Vice President Promotions	\$ 1,500.00
Vice President Academics	\$ 1,500.00
Director Athletics	\$ 750.00
Director Social	\$ 750.00
Promotions Assistant	\$ 500.00
First-Year Representative	\$ 200.00
Commuter Representative	\$ 200.00
Residence Representative	\$ 200.00
Athletics Representative	\$ 200.00
Social Representative	\$ 200.00
Orientation Chair (if one / if two)	\$ 1,500.00 / 1,000.00 each
Total (if one O-Chair / if two)	\$ 20,000/20,500

Article 12: Meeting of the Board

- a. The Chair of the Board shall be any person duly appointed to act as Speaker;
- b. Meeting of the Board shall take place no less than once every two weeks;
- c. Quorum is constituted by fifty percent plus one (50%+1) member of the Council, during the academic year;
- d. The Board shall run its meetings in accordance with Robert's Rules of Order;
- e. All members of the Board have the right to vote on all business conducted during any meeting of the Board with the exception of the Ex-Officio Officers. The Master of the College is granted an honorary vote, which he may exercise in all motions except for those, which may be deemed as a conflict of interest;
- f. Meeting may be called by the President on an emergency request, or upon a written request by any board member submitted to the Speaker;
- g. Notice of meeting of the Board shall be communicated to all voting members no less than two (2) business days before the meeting;
- h. The Board may appoint a day or days in any month or months for regular meetings at an hour to be named, and for such regular meetings no notice is needed;
- i. Meeting of the Board may also be held, without notice, immediately following the Annual General Meeting (AGM) of the Council;
- j. Any member of the Council may attend any regular or special meeting of The Board subject to the provision of these By-Laws. Speaking privileges shall be obtained from the Chair;
- k. No meeting of The Board shall be closed to any member of The Council, except for in camera sessions of The Board;
- l. Cases not provided for in the By-Laws of the Council shall be governed by the current version of Robert's Rules of Order, the interpretation of which shall be made by the Chair;
- m. A ruling of the Chair may be appealed at any time. A two-thirds (2/3) majority vote of the members of The Board present shall be required to override the Chair's ruling;
- n. The Chair shall always remain neutral and shall not be called upon to vote;
- o. Board members not in attendance at the Board meeting may designate a proxy to another member in attendance at such meeting;
- p. A Council member shall not have more than two (2) proxies at a meeting. Proxies must be submitted to the Speaker in writing within a reasonable time prior to the start of the meeting;
- q. No member of Council is entitled to vote upon any question in which that member has a conflict of interest;
- r. Meetings may be held by conference calls via telephone/Skype provided all members are able to hear each other at the same time and the quorum requirement is satisfied.

Article 13: Annual General Meeting (AGM)

- a. Every year, at least one annual meeting of the membership shall be held during the elected term;
- b. The annual general meeting (AGM) of the Council shall always be held on campus;
- c. At the AGM, a report to the membership will be supplied by the Executive

Committee;

- d. At least 25 members of New College must be present in person, which will form quorum at the AGM;
- e. Subject to the provision, if any, each member of the Council shall at all AGM be entitled to one vote, to introduce motions, and speak;
- f. Each member of the Council, shall, in addition to their vote, be entitled to five (5) proxies submitted in writing to the Chair;
- g. At all AGM, every question shall be decided by a simple majority of votes of the members present in person;
- h. The AGM shall be chaired by the Speaker of the Board;
- i. It is mandatory for all members of the Council to be present;
- j. The AGM have the same authority as Referenda but cannot overrule a Referendum;
- k. Notice shall be given no later than two (2) weeks prior to the AGM.

Article 14: Elections

14.1 "Election" means a general election or a by-election.

14.2 "Elector" means a person who is entitled to vote at an election for N.C.C..

[Adapted from the Election Act (Ontario), s. 1(1)(g)]

14.3 "Voter" means an elector who has appeared at a polling station or designating voting area, including e-vote, and has accepted a ballot.

14.4 Council may establish additional rules and regulations concerning general elections and by-elections, provided such rules and regulations do not conflict with the requirements of this article or any other Article of the Constitution.

14.5 Where an amendment to this article is proclaimed less than two weeks before the date of an election, such amendment shall not apply to the election unless so authorized by Council by a two-thirds vote of those present and voting (and where those on the prevailing side represent at least a majority of the total number of voting Members than on Council).

14.6 Every person is qualified to vote at an election of a student to Council who, on the day(s) fixed for voting is:

- i. a student affiliated with New College or lives in Pond Rond Residence, and
- ii. is an undergraduate student at York University, and is enrolled in at least three credits.

14.7.1 There shall be a general election every Spring for nine student members that must have previous NCC experience, if the experience requirement is not met, a candidate may complete the application process, which will be reviewed and approved by the elections committee prior to nominations. For the positions of Vice President Finance and Vice President Promotions, candidates running for this position must complete the application process, which will be reviewed and approved by the elections committee prior to nomination period. This election shall be held after the Reading Week of the Faculty of Liberal Arts and Professional Studies, and no later than two weeks before the last day of regular classes during the Winter session.

14.7.2 The nine student Members elected shall be:

- i. the President;
- ii. the Vice President Operations;
- iii. the Vice President Finance;
- iv. the Vice President Athletics;
- v. the Vice President Social;
- vi. the Vice President Academics;
- vii. the Vice President Promotions;
- viii. the Director Athletics;
- ix. the Director Social.

14.8.1 There shall be an election every Fall for six student Members with no experience necessary, with the exception of the Promotions Assistant. The Promotions Assistant will have to complete an application process through the President and Vice President Operations. The election shall not be held before the completion of at least two weeks of regular school days, and not later than October 15; provided that Council may, by unanimous consent, postpone the holding of such election until no later than the first week of November.

14.8.2 The six student Members elected in the Fall shall be:

- i. Promotions Assistant
- ii. First Year Representative
- iii. Commuter Representative
- iv. Pond Road Residence Representative
- v. Social Representative
- vi. Athletics Representative

14.9 Whenever a vacancy occurs on Council during the Summer session, the position may be hired for the duration of the summer session. The position shall then be filled during the Fall by-elections.

14.11.1 Whenever a vacancy occurs on Council during the Winter or Fall session, a by-election shall be held within thirty days; provided that Council may, by a two-thirds vote, dispense with the requirement of holding a by-election, and fill the position by appointment.

14.11.2 Where a vacancy exists in a single student position, Council may choose to allow that vacancy to continue. In the event that more than one vacancy exists, Council shall, within ten regular school days, appoint enough persons to Council to fill all the vacancies, at the discretion of Council, so that not more than one such vacancy exists.

14.12.1 Every person is qualified to be a candidate in an election to Council, who, at the close of the nomination period, would be eligible to be a Member of Council in accordance with the Constitution.

14.12.2 No person is eligible as a candidate who, on or after the beginning of the nomination period of a particular election, has been engaged as an election official.

14.12.3 A candidate will not be permitted to spend in excess of \$50 in the campaign, and must submit all receipts to the C.R.O.

14.13 No person shall be nominated and consent to be nominated so as to be a candidate for election as a member of Council for more than one position at the same time and, if any person is nominated contrary to this section and consents thereto, all of that candidate's nominations are void. [Adapted from the Parliament of Canada Act, s. 21]

14.14.1 For a general election or by-election, a nomination period of not less than four regular school days nor more than twenty-one consecutive calendar days shall be allowed for each position.

14.14.2 The nominating period shall open at 9:00 a.m. on the first day set for such purpose, and shall close at 5:00 p.m. on the last day set for such purpose, unless Council, by unanimous consent, directs otherwise.

14.14.3 In no case shall the nomination period be less than six consecutive hours per day.

14.15.1 For a general election or by-election, a minimum campaign period of not less than seven consecutive days, of which at least five days shall be regular school days, and no more than fourteen calendar days shall be allowed for each position.

14.15.2 The campaign period shall begin two hours after the close of the nomination period, and shall end at 6:00 p.m. on the last day set for such purpose.

14.16 When there is, or is to be, a vacancy in the office of C.R.O., whether following the Spring elections, or because the incumbent of the office has indicated an intention to resign the office of C.R.O., or for any other reason, Council shall appoint a new C.R.O., who shall hold office at the pleasure of Council.

14.17.1 Prior to the appointment of a new C.R.O., Council shall post notice for at least one week (of which at least five days must be regular school days), that the office of C.R.O. is vacant, or is to become vacant, and that interested persons may apply for the position.

14.17.2 Following the posting of notice, and as soon after as Council is ready, Council shall appoint a C.R.O.

14.17.3 Despite Article 14.17.1 Council may, by unanimous consent, appoint a person C.R.O. without posting notice.

14.18 The term of office of the C.R.O. expires at the end of the Winter academic session.

14.19 No person shall be C.R.O. who is a candidate in any election to N.C.C., or any other student or faculty government at York.

14.20 The C.R.O. shall act in an impartial manner in every respect concerning an election to Council. The C.R.O. shall in no way support any candidate, except when exercising the right to vote.

14.21 The C.R.O. may make any interim decisions, rulings or orders deemed appropriate, fair and just, provided such decisions, rulings or orders do not conflict with:

- i. The Constitution or any subsidiary regulation;
- ii. Any instructions of Council issued prior to the opening of nominations; or
- iii. Any instructions issued by an elections committee.

14.22.1 The C.R.O. shall ensure that nomination and election information is complete and widely publicized.

14.22.2 The C.R.O. and the election committee shall ensure daily that the information is intact and up to date, and shall do so until a respective election is over.

14.23.1 During the nomination period, the C.R.O. shall ensure that nomination forms are prepared and easily available during the business hours of Council.

14.23.2 The form used for nomination shall require:

- i. the name of the candidate, and his/her student number, address, telephone number, and signature;
- ii. the position for which the candidate is being nominated;
- iii. the signature and student number of at least twenty-five students of New College who are eligible to vote in Council elections.

14.24.1 The C.R.O. shall forthwith declare elected any candidate for a position for which there are fewer nominees than, or the same number of nominees as, there are available positions. [Adapted from the Y.F.S. Constitution, By-Law Four, Article 10]

14.24.2 Immediately following the nomination period, or as soon as is possible, the C.R.O. shall call a meeting to inform each candidate of their status as an acclaimed candidate, or a candidate still campaigning for a position.

14.25 The C.R.O. shall be responsible for informing all candidates of their rights and responsibilities concerning election conduct as provided for in the Constitution.

14.26 The C.R.O. shall make copies of the Constitution available to each candidate.

14.27 The C.R.O. shall ensure that a complete list of candidates, as well as those who have been acclaimed, is posted immediately following the close of the nominating period. Such

list shall be posted outside the office of the Council, and any other location(s) the C.R.O. deems appropriate, or which Council directs.

14.28 The C.R.O. shall organize, advertise, promote and chair at least one “All Candidates Meeting” for the purpose of allowing both candidates and acclaimed candidates to make speeches and present platforms to the electorate, and to allow the electorate the opportunity to direct questions to the candidates.

14.29.1 The C.R.O. shall prepare the ballots for each election through the York University Evote system.

14.29.1 Each ballot used in a particular election shall include:

- i. the name(s) of the position(s) being contested;
- ii. a list of candidates for each position in alphabetical order by surname.

14.30.1 For a general election or by-election, Council shall set aside at least two consecutive days for voting.

14.30.2 Any acclaimed position will be taken to the polls where the ballot will state yes, no or abstain.

14.31 Following the counting of the ballots, the C.R.O. shall present a report to the council. The existing council shall vote on the results and ratify the New Council.

14.32 If an equal number of votes is found to have been cast for two or more candidates and an election will be held specifically for the candidates with the same amount of votes. This election shall be for half the time of a regular election.

14.33 Following the ratification of results, the C.R.O. shall post the results outside the office of Council and in any other location(s) the C.R.O. deems appropriate. The results shall include:

- i. the phrase “New College Students’ Council Election Results”;
- ii. the names of all candidates, as well as those who have been acclaimed;
- iii. the total number of ballots cast;
- iv. the number of ballots cast for each candidate;
- v. the number of spoiled ballots cast;
- vi. the number of ballots declined;
- vii. the name(s) of the elected person(s), and;
- viii. the signature of the C.R.O.

14.34 The C.R.O. shall submit a written report to Council within seven days following an election. The report shall include:

- i. the information set out in Article 14.33;

- ii. the C.R.O.'s recommendations as to who should be deemed to have been fairly and justly elected, and;
- iii. details of any irregularities which occurred during the election (if any) and whether or not such irregularities affected (in the C.R.O.'s opinion) the election results.

14.35 The C.R.O. shall retain in his/her possession, all election materials for a period of at least thirty days, unless directed to hand over such documents to Council, or an elections committee. Unless Council, or Elections committee otherwise directs, the C.R.O. shall immediately destroy all election materials on the thirty-first day following an election. Election materials shall include each candidate's nomination form, all ballots cast, and the voters list.

14.36.1 Upon presentation of the C.R.O.'s report, Council shall ratify the report and, therefore, validate the election of the candidates who have been declared elected by the C.R.O. Council shall not validate the election of any candidate whose position is being contested before an elections committee.

14.36.2 Where, for any reason, the C.R.O.'s report is not presented, but there is sufficient reasonable evidence to indicate who was fairly and justly elected, Council shall immediately validate the election of such candidates.

14.36.3 The ratification and validation of Council of the election of candidates under subsections (a) and (b) shall not in any way be construed as preventing a person from pursuing, or continuing to pursue, an election matter before an elections committee, nor shall it be construed as preventing an elections committee from exercising any of the powers it may lawfully exercise including, but not limited to, the power to invalidate the election of a candidate and the power to declare an election invalid.

14.36.4 No candidate may assume office until Council has ratified the C.R.O.'s report, or any interim report from the C.R.O.. Every candidate, upon such ratification, shall, unless an elections committee otherwise declares, with cause, be deemed to have been lawfully and validly elected and may assume their position immediately, with all accompanying rights and privileges, unless the Constitution provides that such position shall not be assumed until a later time.

14.37.1 Council shall, at any time prior to the opening of the nomination period of an election, strike an Elections Committee, and shall appoint the Members of that Committee. Council may continue to appoint additional Members to the Committee up to the opening of the nomination period.

14.37.2 An Elections Committee shall be comprised of at least five persons.

14.37.3 If at any time the membership of the Elections Committee falls below five, and Council may not appoint additional Members by reason of subsection (a), the Members on the Council at that time shall appoint enough persons until the membership equals five.

14.37.4 Where Council fails to strike an Elections Committee, an Elections Committee shall be deemed to have been struck, composed of every voting Member of Council who is not returning to Council.

14.38 Every person is disqualified from membership on the Elections Committee who:

- i. is a candidate in the applicable election; or
- ii. is supporting or aiding a candidate in the applicable election.

14.39 The presence of at least a majority of the voting membership shall be necessary to constitute a meeting of the Elections Committee.

14.40.1 During an election, if the Elections Committee deems it necessary, appropriate, fair and just, the Elections Committee may overrule any decision of the C.R.O., and may give to the C.R.O. any instructions, provided that such instructions do not conflict with the Constitution.

14.40.2 The Elections Committee shall be a final court of appeal for all issues concerning the applicable election.

14.41.1 Where it is found by the Elections Committee that any corrupt or unconstitutional practice has been committed by a candidate at an election, or by that candidate's agent(s), whether with or without the actual knowledge and consent of the candidate, the election of the candidate, if that candidate has been elected, is void. [Adapted from the Dominion Controverted Elections Act, s. 50]

14.41.2 Where the election of a candidate is declared void, the candidate who has obtained the next largest number of votes shall be declared elected in lieu thereof.

14.41.3 Despite subsection (a), where it is found by the Elections Committee that any act or omission of a candidate at an election, or of that candidate's agents, constitutes an unconstitutional practice, but:

- i. the act or omission arose from inadvertence or from accidental miscalculation, or from any other reasonable cause of a like nature, and in any case did not arise from any want of good faith;
- ii. the offence was of a trivial, unimportant, and limited character;
- iii. in all other respects the election was free from any corrupt or unconstitutional practice on the part of the candidate and of the candidate's agent(s); or
- iv. it seems to the Elections Committee to be fair and just under the circumstances that punitive measures need not be imposed, the election of the candidate is not void by reason of the offence. [Adapted from the Dominion Controverted Elections Act, s. 55 and 56]

14.42 The Elections Committee has the power and authority to declare an election invalid by reason of any irregularity (either an act or omission), but no election shall be declared invalid if it appears to the Elections Committee that the irregularity did not affect the outcome of the election. [Adapted from the Election Act (Ontario), s. 67]

14.43.1 The Elections Committee may investigate and consider any issue concerning the election if requested to do so by a candidate or student affiliated with New College.

14.43.2 A request or petition must be in writing and must be presented to the Chairperson of the Elections Committee within ten days after the election.

14.43.3 Despite Article 14.43.2 if Council is satisfied that there is sufficient cause or reason for doing so, Council may, by a two-thirds vote, extend the period for presenting a request or petition.

14.43.1 All investigations and decisions of the Elections Committee shall be concluded within twenty days after the election.

14.43.2 Despite Article 14.43.1 if Council is satisfied that there is sufficient cause or reason for doing so, Council may, by a two-thirds vote, grant to the Elections Committee additional time for the purpose of an investigation and decision.

14.44 Election and nomination information shall be placed at each of the following places at least one week prior to the opening of the nomination period:

- i. outside the office of Council;
- ii. on the bulletin boards inside the lobby of Pond Road Residence;
- iii. on the New College bulletin board located in Central Square;
- iv. outside the Office of the Master; and
- v. The New College Council Website and any other form of media;
- vi. in any other location(s) the election committee deems appropriate, or which Council directs.

14.45 Nomination and election information shall include the following:

- i. the date(s) of the election;
- ii. the dates of the nomination period;
- iii. the dates of the campaign period;
- iv. the position(s) to be contested (with job descriptions), and;
- v. the location of the Council office.

Article 15: Referendum

a. A Referendum shall be posed to the general membership of the Council on matters relating to:

- i. The levy;
- ii. An agreement that the Council holds which requires such;
- iii. Any matters which the Council deems appropriate.

b. In order to be effective, referenda shall pass by fifty percent plus one (50%+1) majority.

Article 16: Ex-Officio Officers

The following shall be Ex-Officio Officers of the New College Council:

- Elected New College Representative on the YFS Board of Directors;
- Speaker of the Council
- Secretary of the Council
- Master of New College
- Orientation Chair
- Any other person appointed by the Board with Ex-Officio officer status. Rights of Ex-Officio officers:
 - Ex-Officio officers shall have all the rights of an elected Board member except the right to vote in Board meetings with the exception of the Master of the College who will have the right to vote with regards to all motions that are clear of any conflict of interest.

Article 17: Former By-Laws Revoked

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

Article 18: Winding Up

Upon the winding up of the Council, all assets of the Council will be left to another non-profit organization promoting the interests of undergraduate students at York University on a College system focus, which has policies, aims, and goals congruent with those of the Council.

Certifies a true and correct copy of the Constitution of The New College Council, enacted by the New College Council on the _____ day of _____, _____.

President, Giancarlo Onorati

Vice President Operations,
Vanessa Pichelli

Master, Christian Marjollet