

## Constitution

Graduate Student Association of the University of New Brunswick

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**Preamble**

**In the interest of promoting and protecting the welfare of graduate students of The University of New Brunswick, we, the Graduate Student Association reaffirm in this Constitution our commitment to service, representation and leadership, as well as Equity, Diversity and Inclusion.**

**Article I: Name**

The name of the association shall be "The Graduate Student Association of the University of New Brunswick, Inc.", hereinafter referred to as the GSA.

**Article II: Purpose**

The purpose of the GSA shall be:

- a. To act as the official voice of graduate students.
- b. To represent its membership to the administrative and governing bodies of the University of New Brunswick and any other organization.
- c. To promote the unity and well being of the graduate student body.
- d. To promote and maintain communication among graduate students.
- e. To serve and further the activities, including but not limited to the intellectual, educational, cultural, social, and inter-disciplinary activities of graduate students.
- f. To abide by and enforce this Constitution and any subsequent by-laws enacted.

**Article III: Definitions**

Whenever used here, in the Bylaws or in other GSA documents, the following acronyms and terms shall apply:

- a. "UNB" shall refer to the University of New Brunswick.
- b. "Members" shall refer to members of the GSA unless stated otherwise.
- c. "GAU" shall refer to Graduate Academic Unit.
- d. "Executive Committee" shall refer to the elected Board of Directors of the GSA.
- e. "Council" shall refer to the body of elected representatives from each Graduate Academic Unit (GAU) as well as the GSA Executive Committee.
- f. "SU" shall refer to the undergraduate Student Union of the University of New Brunswick.
- g. "SRC" shall refer to the undergraduate Student Representative Council of the University of New Brunswick-Saint John.
- h. "CRO" shall refer to the Chief Returning Officer of the GSA.
- i. "CFS" shall refer to the Canadian Federation of Students.
- j. "NGC" shall refer to National Graduate Caucus of the Canadian Federation of Students.
- k. "SGS" shall refer to the School of Graduate Studies of the University of New Brunswick.
- l. "BOG" shall refer to the Board of Governors of the University of New Brunswick.
- m. "Senate" shall refer to the Senate of the University of New Brunswick.
- n. "SS&P" shall refer to the Student Standing and Promotions Committee of the University of New Brunswick.
- o. "SDC" shall refer to the Student Disciplinary Council.
- p. "Chapter" [shall refer to any campus of UNB other than Fredericton]

**Article \_\_: Representation and Accountability****Section 1: Within the University**

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Only the GSA and its authorized officers and delegates shall represent the entire members of GSA, or a population of the GSA, in any dealings with other elements of the University.

### Section 2: Outside the University

Only the GSA and its authorized officers and delegates shall have the right to represent the entire members of GSA, or a population of the GSA, in University and graduate students' affairs.

## **Article IV: Membership**

### Section 1: Membership Composition

The GSA membership shall consist of full and part-time graduate students enrolled in the School of Graduate Studies of the University of New Brunswick.

### Section 2: Rights of Members

- a. Every Member shall have the right to attend and vote at all General Meetings, either in person or by proxy.
- b. Every Member shall have the right to vote in all General Elections, referenda, and plebiscites.
- c. Every Member shall have the right to vote electronically, using their personal electronic device.
- d. Every Member shall have the right to seek election as an Executive or in a Committee position.
- e. Every Member shall have the right to move amendments to the Constitution, subject to Article XIII of this Constitution.
- f. All governance processes, including elections, [General Assemblies, and meetings of the Board], shall be transparent and made accessible to all Members, unless the matters are exclusively related to certain individual(s) and/or to crucial areas that shall be held confidential and not be disclosed to the public .

## **Article V: Finances**

### Section 1: Assets

Assets of the GSA are comprised of financial assets (including account balances), tangible assets (including purchases made under the GSA name and/or substances under the possession of the GSA), intangible assets (including intellectual properties, whether in legal or in nature), and donations given to the GSA

### Section 2: Budget Composition

The total annual budget of the GSA shall be composed of the annual fees (which are included in tuition fees paid by members) collected from the membership during that academic year, the remaining account balance of the previous fiscal year, income from operations by GSA, including but not limited to activities, events, programs, etc. and any donations made during that year to the GSA.

### Section 3: Approval of Budget

- a. The total annual budget of the GSA, and all proposed amendments to such, shall be approved by a simple majority vote at a Council meeting.
- b. The budget, and proposed amendment(s) to such, are to be distributed to Council at least one week prior to the Council meeting at which the budget or proposed amendment(s) is (are) to be voted on.
- c. Should there be no quorum at the Council meeting approval of the budget and all proposed amendments to such shall be rescheduled as appropriate.

### Section 4: Deposit of Monies

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Monies held by the GSA shall be deposited in the bank accounts and trust funds of the GSA except for a small amount which may be kept for petty cash.

### Section 5: Signing Officers

- a. The GSA shall have at least two signing officers.
- b. All cheques issued by the GSA shall have two signatures.
- c. Contracts tendered by the GSA for services or goods shall have at least two signatures.
- d. Only Executive Committee members shall be signing authorities unless deemed absolutely necessary.

### Section 6: Fiscal Year

The fiscal year shall begin on September 1 and shall end on August 31 of the following year.

### Section 7: Approval of Expenditures

Unless stipulated by GSA Policy as ratified by Council, Council shall be responsible for the approval of all expenditures proposed by the Executive Committee.

## **Article VI: Government**

### Section 1: Governing Body

The governing body of the GSA shall be the Council, which is the body of elected representatives from each (GAU) as well as the GSA Executive Committee.

### Section 2: Executive Committee Composition

The Executive shall consist of:

- a. President;
- b. Vice-President Academic;
- c. Vice-President Administration;
- d. Vice-President Events;
- e. Vice-President External;
- f. Vice-President Finance.

### Section 3: Roles of Executive Committee

- a. The Executive Committee shall be drawn from the membership of the GSA, and elected in accordance with GSA Bylaws.
- b. The Executive Committee shall enforce and follow the GSA Constitution, Bylaws, and policies, and ensure that the decisions and policies as approved by the Council are carried out.
- c. The Executive shall be responsible for conducting the business and day-to-day operations of the GSA between meetings of the Council.
- d. The Executive Committee shall represent the interests of the GSA membership and follow the direction of the GSA membership as directed at General Meetings or through Council.
- e. The Executive Committee shall fulfill all other duties and responsibilities as may be defined in GSA Bylaws or Policies.

### Section 4: Past Executive Advisors

- a. In addition to the Executive Committee, two (2) former members of the Executive Committee may act as advisors and shall be designated as "Past Executive Advisor".
- b. Past Executive Advisor positions shall be filled by former members who have served on the

Executive Committee within the previous year and shall be nominated by the outgoing Executive Committee and shall be approved by the Council.

- c. Should there be no former Executive Committee members available to fill a Past Executive Advisor position, members who have served on the Council within the previous year may be appointed to Past Executive Advisor positions at the suggestion of the Executive Committee and as approved by Council.

## **Article VII: Meetings**

Section 1: Robert's Rules of Order with provision to adopt other cultural methods of holding meetings e.g talking circle as practiced by the indigenous communities.

Robert's Rules of Order shall apply at all meetings of the GSA.

### Section 2: Council Meetings

- a. Council shall meet at least once per month during the fall and winter terms and at least twice during the summer term.
- b. Council meetings shall be open to all members and participation by non-council members and invited guests shall be limited to formal presentations at the discretion of the Executive Committee.
- c. Formal presentations shall be submitted to the Executive Committee at least seven (7) days in advance of the proceeding Council meeting.

### Section 3: Executive Committee Meetings

- a. The Executive Committee shall meet as necessary between Council meetings to conduct the affairs of the GSA.
- b. The participation or attendance of Councillors, members, and invited guests shall be at the discretion of the Executive Committee.
- c. Executive Committee meetings shall be called by the President, who shall act as Chairperson unless another officer is designated as the Chairperson.

### Section 4: General Meetings

- a. General Meetings of the GSA members may be called by:
  - i. The Council by means of a motion passed by a simple majority vote; or
  - ii. A petition of five percent (5%) of the membership; or
  - iii. As scheduled by the Executive Committee;
- b. Council and Executive Committee shall be bound by motions passed in a General Meeting.

### Section 5: Special Council Meetings

Special Council meetings of the GSA may be called by:

- a. The Executive with a simple majority vote in an Executive Committee meeting;
- b. The Council with a two-thirds (2/3) majority vote during a council meeting;
- c. A petition of one-half (1/2) the executive members or two-thirds (2/3) of council members; or
- d. By a petition of five percent (5%) of the membership.

### Section 6: Notice for Meetings

There shall be at least:

- a. Seven (7) days notice for any council meeting.
- b. Three (3) days notice for any executive meeting.
- c. Fourteen (14) days notice for any general meeting.

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- d. Twenty-one (21) days notice for any referendum.

### Section 7: Quorum

The quorum for:

- a. Council meetings shall be one-half (1/2) of filled council seats during the fall and winter terms and one-third (1/3) of filled council seats during the summer term.
- b. Executive Committee meetings shall be two-thirds (2/3) of filled Executive seats.
- c. General Meetings shall be five percent (5%) of the GSA membership.
- d. Referendums shall be five percent (5%) of the GSA membership.

## **Article VIII: Vacancy, and Termination of Position**

### Section 1: Vacancy of Executive Committee Positions

- a. If at any time the office of the President should become vacant, the Executive Committee shall appoint an Acting President from remaining elected Executive Committee members.
- b. The Executive Committee shall at the next Council meeting attempt to fill the President's position by seeking a Councillor as an Interim President, or shall ratify the Acting President until the next election.
- c. If at any time any other office becomes vacant, the Executive Committee shall attempt to fill the vacant position at the next Council meeting seeking a Councillor to act as an Interim Vice-President until the next election.
- d. The Executive Committee may appeal to the Bylaws or other relevant GSA policies to fill necessary vacancies or act as it deems most appropriate to the situation at hand.

### Section 2: Termination of Office of Councillors

- a. The President shall have the power to recommend the termination of the term of any Council member on constitutional grounds.
- b. Termination of a member's term in office must be ratified by a two-thirds (2/3) majority vote of Council.
- c. Once the President has recommended the termination of the term of a Council member, that Councillor shall be barred from fulfilling the duties of his or her position until a vote has been taken by Council.
- d. The Council member shall have no vote in this matter, but shall have the right to defend himself or herself to Council before a vote is taken.

### Section 3: Termination of Office of Executive Committee Members

- a. The President shall have the power to recommend the termination of the term of any Executive Committee member on constitutional grounds.
- b. Termination of an Executive Committee member's term in office must be ratified by a two-thirds (2/3) majority vote of Council.
- c. Once the President has recommended the termination of the term of an Executive Committee member, that Executive Committee member shall be barred from the Executive Committee and from fulfilling the duties of his or her position until a vote has been taken by Council.
- d. The Executive Committee member shall have no vote in this matter, but shall have the right to defend himself or herself to Council before a vote is taken.

### Section 4: Termination of Office of President

- a. Council shall have the power to recommend the termination of the term of the President on constitutional grounds

- b. Termination of the President must be approved by a two-thirds (2/3) majority vote at a Council meeting.
- c. If two-thirds (2/3) of the Executive Committee or Council sign a petition which recommends the termination of the term of the President on constitutional grounds, then the President shall be barred from office and from fulfilling the duties of his or her position until a vote has been taken by Council.
- d. The President shall have no vote in this matter, but shall have the right to defend himself or herself to Council before a vote is taken.

#### Section 5: Impeachment, Recall or Discipline at General Meeting

- a. Impeachment of any or all members of Council and/or the Executive Committee may be made with a two-thirds (2/3) majority vote at a general meeting where a quorum is present.
- b. If a member of Council is impeached at a General Meeting, he or she will be replaced in accordance with GSA Bylaws.
- c. If a member of the Executive Committee is impeached at a General Meeting, the position shall be filled in accordance with GSA Bylaws.
- d. If the entire Council, including the Executive Committee, is impeached at a General Meeting
  - i. The Executive Committee shall immediately inform offices of the School of Graduate Studies.
  - ii. The CRO shall initiate and oversee the formation of a new Council and Executive Committee in accordance with GSA Bylaws.
  - iii. Should there be no CRO in office during an impeachment, one will be selected by simple majority vote at the General Meeting immediately following the impeachment vote.
  - iv. Any member in attendance at an impeachment vote at a General Meeting is eligible for office of CRO if that office is vacant during an impeachment vote, but no impeached Councilors or Executive Committee members are eligible.
  - v. The CRO is hereby empowered with all authority vested in this Constitution, the GSA Bylaws and any pertinent Policies to oversee the timely election of a new Council and Executive Committee.
  - vi. Once a new Council and Executive Committee are elected, the CRO or the Executive Committee shall inform the School of Graduate Studies of the successful election.

#### Section 6: Impeachment, Recall or Discipline by Motion

- a. Any member of the GSA may enter a motion to discipline, expel, or recall a member of the Council, subject to first presenting the reasons and circumstances for their dissatisfaction with the member to Council.
- b. With the exception of recall and expulsion, the form of disciplinary action is at the Council's discretion, but suggested action must be stated explicitly in the member's motion.
- c. A motion of impeachment, recall or discipline shall be subject to a two-thirds (2/3) majority vote of Council.
- d. A Councilor may be recalled or disciplined by his or her GAU at a meeting of that GAU's club or society, in accordance with the GAU's Constitution and Bylaws and the GSA Constitution and Bylaws.

#### Section 7: Impeachment, Recall or Discipline by Petition to Council

- a. Any Councilor or Executive Committee member may be impeached, recalled or disciplined by a five percent (5%) petition of members.
- b. The petition shall state the name(s) of the Councilor(s) and/or Executive Committee member(s) to be impeached, recalled, or disciplined, the reason for impeachment, recall, or discipline, and in



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the case of discipline, the petition shall state suggested disciplinary action to be taken.

- c. Adoption of petition resolution is at the discretion of the Council and shall be subject to a two-thirds (2/3) majority vote.
- d. Form of disciplinary action is at the discretion of Council.

### Section 8: Impeachment, Recall or Discipline by Petition for Referendum

- a. Any Councilor or Executive Committee member may be impeached, recalled or disciplined by a petition for a referendum.
- b. Such a petition must be signed by at least five percent (5%) of members, must state Councilor(s) and/or Executive Committee member(s) to be impeached, recalled or disciplined and any reasons for such.
- c. Such a petition shall propose a referendum question, and shall be submitted to Council for consideration.
- d. Council will have discretionary approval over final wording of referendum question and set referendum voting dates in accordance with this Constitution and GSA Bylaws.
- e. The impeachment, recall or discipline process is subject to referendum procedures outlined in this Constitution.

### Section 9: Executive Committee Member Change of Status

An Executive Committee member, whose status changes from graduate student to non-graduate student, may retain office for the remainder of his or her term at the approval of the Council.

### Section 10: Election Dates and Terms of Office

- a. The standard term of the President shall be twenty-four (24) months to maintain the continuity of operation of the GSA.
- b. The standard term of office for a Councillor or other Executive Committee member shall be thirteen (13) months from date of election or after eleven (11) months of holding office at the next by-election called, whichever occurs first.
- c. Executive Committee terms of office shall run from May 1 to April 30.
- d. No Councillor or Executive Committee member of the GSA, other than the President, may hold his or her office for more than thirteen (13) months without re-election.
- e. There standard GSA Executive Committee election time period shall be as follows: shall be two by-election periods:
  - o Nominations in January & February
  - o Campaign period in February
  - o Voting period in March
- f. The CRO shall establish the exact dates of nomination and voting at his or her discretion and in accordance with all relevant GSA regulations.
- g. All vacant Executive Committee positions shall be open for election during the by-election period for which they are vacant.
  - o Such by-elections shall be organized by the CRO and approved by Council
- h. Once a position is filled during a by-election period, it remains filled for one year, unless vacated before the next by-election period for any circumstance.
- i. Councilors shall be elected during the March/April or September/October by-election period, at the GAU society's discretion.

## **Article IX: Committees**

### Section 1: Standing Committees



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There shall be standing committees established by Council in accordance with the GSA's Bylaws, which shall be responsible to the Executive Committee and to Council.

### Section 2: Other GSA Committees

The Executive Committee may create and appoint members to any committees deemed necessary to carry out the function of the GSA. Any such committee shall require ratification by Council.

### Section 3: University Committees

The Executive Committee shall elect or appoint at the approval of Council representatives from the Executive Committee, Council or the general membership, in accordance with GSA bylaws..

### Section 4: Eligible Committee Participants

Members of the GSA shall be eligible to participate in any committee of the GSA, unless participation in the Committee stipulates otherwise.

### Section 5: Supplemental Guidelines for Committees

Excepting University committees, any further regulations or guidelines governing committees mentioned herein or in GSA Bylaws shall be governed by GSA Bylaws.

## **Article X: Bylaws and Policies**

The Executive Committee and Council may establish, maintain, and amend the GSA's bylaws and policies in order to enforce the Constitution and carry out the functions of the GSA

## **Article XI: Referendums**

### Section 1: Initiation

- a. Referendums may be called at the discretion of Council or at the discretion of the Executive Committee and as approved by a two-thirds (2/3) majority vote in Council.
- b. A referendum may be initiated by a petition to the Executive Committee signed by 10% of the members of the GSA.
- c. All referendums shall be subject to this Constitution and all relevant GSA bylaws or policies.

### Section 2: Notice

Apart from the minimum notice indicated herein, notice of a referendum shall indicate to the GSA's membership the referendum question, voting location(s), voting time(s), and eligible voters, as subject to this Constitution.

### Section 3: Officials

- a. Referendums shall be conducted by the CRO.
- b. Petitioners may appoint two (2) scrutineers;

### Section 4: Binding

Any decision by referendum shall be binding on Council and the Executive Committee.

## **Article XII: Voting**

### Section 1: Voter Eligibility

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- a. Only Council members may vote at Council meetings.
- b. The Executive Committee, excluding the Past Executive Advisor, are considered to be Council members at meetings of Council and may vote.
- c. Only Executive Committee members may vote at Executive Committee meetings.
- d. All members may vote in general meetings.
- e. All members may vote in referendums.
- f. The Chair may not vote except in the event of a tie vote.

### Section 2

- a. The President may veto any decision made by the Executive Committee in an Executive Committee meeting on constitutional grounds.
  - The decision must be ratified by a two-thirds (2/3) majority vote at the next meeting of Council.
- b. The President may veto any decision made by the Council in a Council meeting on constitutional grounds. The decision must be ratified by a two-thirds (2/3) majority vote at a general meeting or in a referendum called for that purpose.
  - The President may veto any decision made by the members in a General meeting on constitutional grounds. The decision must be ratified by a two-thirds (2/3) majority vote in a referendum called for that purpose.
- c. The results of referendums are final. Should the President view the result of a referendum as unconstitutional, the President may recommend the dissolution of the GSA and call a referendum in order to vote on the dissolution of the GSA.
- d. Any decision vetoed by the President is not brought into effect until after the ratification vote, assuming the ratification vote is negative. If the ratification vote is positive, then the decision that was vetoed does not take effect.

### Section 3

- a. Any Council member may call for the vetoing of a Council decision on constitutional grounds providing that this member can make a valid case to at least one Executive Member and obtain the support of two other Council members. The veto must be ratified by a simple majority vote at a General meeting for it to become effective.
- b. Any decision which is vetoed by a Council member with appropriate support, as defined in part A, is not brought into effect until after the ratification vote, assuming that the ratification vote is negative. If the ratification vote is positive, then the decision that was vetoed does not take effect.

### Section 4

In sections 1, 2, and 3, all voting shall be done by secret ballot.

## **Article XIII: Amendments**

### Section 1

The Constitution may be amended by a simple majority vote of the membership in a general meeting.

### Section 2

Proposed amendments must be delivered to the Vice President Administration at least three weeks prior to voting.

### Section 3

All amendments must be publicized at least two weeks prior to voting.

**Article XIV: Dissolution**

Section 1

Upon dissolution of the GSA, all assets shall be converted into a monetary form and placed in a trust fund for graduate student funding which will be transferred to the School of Graduate Studies.

Section 2

Dissolution can occur only after a referendum on the issue has been voted on and passed. Such a referendum is subject to Article XII. Once a referendum to dissolve has been passed, the Council is disbanded and the executive has six (6) months to complete dissolution from the date of the referendum.

Section 3

The Executive members in office at the time of dissolution shall be empowered to evaluate all matters affecting the GSA with respect to dissolution until such a time when dissolution is complete.