

Constitution


Prepared for the
Niagara College Student Administrative Council Inc.
Niagara College of Applied Arts and Technology
Welland, Ontario



This official copy of the Niagara College Student Administrative Council Inc. Constitution was approved and adopted by the Board of Directors and by the General Membership on February 3, 2010. This Constitution supercedes all previous Niagara College Student Administrative Council Inc. Constitutions.

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CONSTITUTION		

Article 1: Head Office

The Head Office of the Corporation will be on the Welland Campus of Niagara College, in the City of Welland, in the Province of Ontario.

Until changed by the Board of Directors, the Corporate Seal of the Corporation shall be in the form impressed in the margin hereof.

Article 2: Mission Statement

The Niagara College Student Administrative Council Inc. aspires to provide healthy and safe activities, facilities, and services while promoting an accessible college environment and contributing to the quality of student life.

Vision Statement

To be recognized by our stakeholders as continually striving to improve our advocacy, student satisfaction, sustainability, services and community involvement. We will aspire to develop and maintain unity between campuses and achieve successful student centre operations.

Article 3: Membership

3.01 Membership Requirements

To be a member of the Corporation, any person must:

- a. Be an enrolled student in a Niagara College full time post secondary diploma or degree or advanced study diploma/certificate program, and pay student activity fees, or
- b. Be an enrolled student in a Niagara College part time post secondary diploma or degree or advanced study diploma/certificate program, and pay student activity fees, or
- c. Be granted honorary or temporary membership by and according to terms of the Board of Directors by majority vote.

3.02 Termination

Membership in the Corporation cannot be transferred.

Membership will terminate:

- a. In case of member's death, or
- b. When the member no longer fits the membership requirements described in Article 3.01.

3.03 Membership Privileges

All members of the corporation have the right to:

- a. Vote in the Corporation elections and referenda, Annual General Meeting, and
- b. Nominate or second a candidate for Corporation elections, and
- c. Run for an Executive position if they meet the qualifications for candidacy described in By Law 4.05, and

- d. Establish and/or join organizations controlled by the Corporation, according to guidelines and policies determined by the Board of Directors, and
- e. Use property under the control of the Corporation, according to guidelines and policies determined by the Board of Directors, and
- f. Propose or second amendments to this Constitution at an Annual General Meeting.

Article 4: Office

4.01 Term of Office

The term of office for the Board of Directors members begins on May 1 and is completed on April 30 of the following year.

4.02 Removal from Office

Any Board of Director member will be automatically removed from office when they:

- a. Resign with a formal signed, dated letter, and addressed to the respective Executive Committee, or
- b. Do not meet membership requirements described in Article 3.01, or
- c. Fail to keep a G.P.A. per term of 65% or higher. The General Manager, Executive Vice President (Office Administrator if Executive Vice President is to be placed on Academic Contract) and President will have the option to place an Executive Committee member on Academic Contract by a unanimous decision based on past performance in office or extenuating circumstances, or
- d. Are convicted of a criminal offence related to or involving the affairs of the Corporation, or
- e. Reach corrective measure in By Law 1.01 d., or
- f. Have received a total of two written or verbal reprimands. Verbal reprimands must be stated and recorded during an Executive Committee or Board of Directors meeting.

Any Board of Director member will be placed on probation with the approved academic contract, when issued any U (unsatisfactory) or N (not attending) notation on mid term reports.

Automatic removal does not require any special meeting called to affirm removal. The President and Executive Vice President of the respective campus will notify the removed member in writing which will state reasons for automatic removal and signed by the President, Executive Vice President of the respective campus and General Manager. In the case of an Executive Vice President's automatic removal, the Office Administrator of the respective campus will sign documentation in their place.

All records and files relating to the removed Board of Directors member's position must be forwarded to the Office Administrator of the respective campus.

Article 5: Organizational Structures

Every person or position cited in this Article will abide by the Letters Patent, Constitution, By-laws, Policies, and any other manual or agreements approved by the Board of Directors that relate to themselves or their positions.

5.01 Board of Directors

The Board of Directors will consist of the following voting members:

- President
- Executive Vice President (Welland Campus)
- Executive Vice President (NOTL Campus)
- Director of Social Programming (Welland Campus)
- Director of Social Programming (NOTL Campus)
- Director of Campaigns (Welland Campus)
- Director of Campaigns (NOTL Campus)
- Director of Student and Community Relations (Welland Campus)
- Director of Student and Community Relations (NOTL Campus)

Director of Clubs and Volunteers (Welland Campus)
Director of Clubs and Volunteers (NOTL Campus)
Director of Media (Welland Campus)
Director of Media (NOTL Campus)
Ex Officio Director of Student Services (non voting member)
Ex Officio College Director (non voting member, appointed by the College)
Ex Officio SAC General Manager (non voting member)

The Chair will be appointed by the Board of Directors.
In the event of a tie vote, the motion will be defeated.

5.02 Executive Committees

The Welland and Niagara-on-the-Lake Niagara College campuses will each have an Executive Committee. The following Executive Committee members are elected according to the regulations described in By Law 4 and will form the Welland Executive Committee and the NOTL Executive Committee:

Executive Vice President
Director of Social Programming
Director of Campaigns
Director of Student and Community Relations
Director of Clubs and Volunteers
Director of Media

Ex Officio President (non voting member)

The Chair will be held by each member of the respective campus Executive Committee at least once per term. In the event of a tie vote, the Chair will hold the deciding vote.

5.03 Staff

The Student Administrative Council Inc. will employ full time and part time staff as necessary that will be responsible for duties and tasks as laid out in their contracts and/or job descriptions, which are approved by the Board of Directors.

The reporting structure of all the Professional Staff will be laid out in an organizational chart to be approved by the Board of Directors and reviewed if necessary.

Article 6: Corporation Meetings

6.01 Annual General Meeting (AGM)

The Annual General Meeting will be held during the winter term at a time and place determined by the Board of Directors, and

The President will act as chair, and

The Annual General Report will be submitted to each campus Learning Resource Centre.

6.02 Special Meetings

Special general meetings for members of the Corporation may be called by the Board of Directors or by written request of at least 5% of the members of the Corporation.

6.03 Notices of Corporation Meetings

Notices of annual or special general meetings must be published at least ten (10) calendar days before the meeting.

6.04 Voting at Corporation Meetings

The status of a person as a member of the Corporation will be established by presentation of a valid Niagara College student identity card and current timetable.

Each member of the Corporation has the right to one vote at all general meetings.

At all general meetings, every question will be decided by a majority of the votes of the members present. Every question will be decided by use of a ballot or show of hands. If ballots are used then the results of the vote will be tallied by the Chair at the meeting and will represent the decision of the Corporation.

In case of a tie vote, the motion will be defeated.

Article 7: Elections and Referendum

The following regulations apply to all elections and by-elections for all of the Executive Committee positions.

All Executive Committee members of the Corporation will be elected each year prior to the end of April. The candidates with the majority of votes will be elected to serve their respective offices for the length of the term described in Article 4.01.

7.01 By-Elections

The Student Administrative Council Inc. may call by-elections as described in By Law 1.02, when there is a vacancy in an Executive Committee position where no other Executive Committee member or current student representative of the Niagara College Student Administrative Council Inc. is available to assume that position.

7.02 Referendum

A referendum is a general polling to find out the opinion of all Corporation members on any issue or question that affects them. Referenda can be called when:

- a. Majority of the Board of Directors upon approval at a meeting decides to do so, or
- b. Ten percent (10%) or more of the Corporation members petition to do so based on the legal definition of a petition.

The following rules will be applied for the administration of referenda:

- a. The Board of Directors will appoint a Chief Returning Officer and will be responsible for organizing and conducting all aspects of the referenda, and
- b. The questions to be decided by referenda must be published in Niagara College media and posted on bulletin boards at least five (5) business days before the opening of the polls, and
- c. The results of a referendum will only be upheld by the Board of Directors if there is 10% or more voting participation by the Corporation's membership.

Article 8: Finances and Legal Matters

8.01 Finances of the Corporation

- a. The fiscal year of the Corporation finishes on March 31st of each year.
- b. The finances of the Corporation consist of all monies accruing to the Corporation.
- c. The President and an Executive Vice President must submit and sign purchase orders, cheque requisitions, and receipts for payment and recording.
- d. All cheques, bills of exchange or other orders for payment of money require two signatures from any two signing officers authorized by the Board of Directors to sign such documents.

- e. In the case of purchases where there are goods and/or services of comparative value that exceed \$500.00, three (3) proven attempts for quotes are required.
- f. All purchases must be made from Ontario suppliers unless otherwise unavailable.
- g. All intended purchases to be paid for out of the student activity fund must be presented to and approved by the Executive Committee of the respective campus, or to the Board of Directors when dealing with a global expenditure.
- h. The funds from the Trust Fund of the Corporation will be deposited for safekeeping with one or more banks, trust companies or other financial institutions selected by the college on behalf of the Corporation.

8.02 Honorarium

An honorarium will be paid to the Executive Committee members on a bi weekly basis in recognition for their services to the Corporation.

Honorarium amounts will be established by the Board of Directors in the beginning of the Fiscal Year and will be part of the Corporation budget. No Board of Directors or Executive Committee member shall receive any benefits either monetary or otherwise, other than the normal fringe benefits received.

Criteria for receiving an honorarium:

- a. Regular attendance at all Board of Directors and Executive Committee meetings, and
- b. Fulfillment of duties relating to their positions as described in the Constitution, By-laws and Policies, and
- c. Completion of duties assigned by the Board of Directors and the Executive Committees.

8.03 Protection of Members

No member of the Board of Directors, or Executive Committee, or staff will be liable for:

- a. Neglect or default of any other member or officer, or
- b. Any loss or damage arising from bankruptcy, insolvency, or any wrongful action of any person who was in possession of any money, securities, or affects of the Corporation, or
- c. Any loss occurred by any error of judgement or oversight on their part, or
- d. Any other loss, damage, or misfortune when executing office duties unless it occurs through their own dishonesty, default, wilful neglect, or wrongful act.

8.04 Indemnity of Members

Every member of the Board of Directors, or Executive Committee, or staff and his heirs, executors and administrators, and estate and effects, respectively shall from time to time at all times, be indemnified and save harmless out of the funds of the Corporation from and against:

- a. All costs, charges and expenses incurred through any action, suit or proceeding that is brought, started or prosecuted against them for any act, deed, marker, or anything done or allowed by their office duties in good faith, and
- b. All other costs, charges and expenses incurred except for those incurred by their own wilful dishonesty, default, wilful, or wrongful act.

Article 9: Amendments

9.01 Amendments to the Constitution

The Board of Directors may enact, amend or rescind any part of the Constitution and these changes will only be valid after they are confirmed by the Board of Directors and motioned and approved at an Annual General Meeting called for that purpose.

All constitution changes must be posted on the Student Administrative Council Inc. website 5 days prior to the Annual General Meeting.

9.02 Amendments to the By-laws

The By-laws of the Niagara College Student Administrative Council may be amended by a two-thirds vote of the Board of Directors provided always that notice of such amendment shall have been given in writing at a previous meeting of the Board of Directors and the final vote be taken at the next notified meeting and such amendment shall not take effect until the first day of May of that year and no amendment to the By-laws shall be retroactive.

9.03 Gender and Number

In this Constitution, unless the context otherwise requires, words in the singular number of the masculine gender will include the plural number and feminine gender as necessary.

9.04 Repeal/Enactment of Article Amendments to the Constitution

Articles of the Constitution have been amended/enacted according to the procedures indicated in Article 9.01 and enacted this 3rd day of February A.D. 2010.

Jacquelynn Perzul
President

Garrett Lehman
Executive Vice President
Niagara-on-the Lake Campus

Tyler Hore
Executive Vice President
Welland Campus