

Bylaw Change Comparison Document No. 2

Comparison of By-Law Changes made by RAF with Commentary

This document contains the full text of the KSA Bylaws as compared to the "RAF2K5" Bylaws that were presented at a Special General Meeting on September 29, 2005.

The comments in column three are by Steven Lee, Richmond Campus Director. It should be noted that Steven is not a lawyer and nothing in the comments / effect of changes section should be considered as being legal advice. The following commentary is just my own personal view on how the changes will probably affect the running of the KSA.

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
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<p><u>Article 1 Interpretation</u></p> <p>1. Within these Bylaws, unless the context otherwise requires:</p> <p style="padding-left: 40px;">"Act" shall mean the Society Act - BC, as amended from time to time;</p> <p style="padding-left: 40px;">"Annual General Meeting" shall mean a regularly scheduled annual meeting of the Members to be held not later than March 31 in any calendar year;</p>	<p><u>Article 1 Interpretation</u></p> <p>1. Within these Bylaws, unless the context otherwise requires:</p> <p style="padding-left: 40px;">"Act" shall mean the Society Act - BC, as amended from time to time;</p> <p style="padding-left: 40px;">"Annual General Meeting" shall mean a regularly scheduled annual meeting of the Members to be held not later than March 31 <i>March 1</i> in any calendar year;</p> <p style="padding-left: 40px;"><i>"Senior Staff" shall mean the Operations Supervisor and another designated staff</i></p>	<p>Article 1(1) "Annual General Meeting" - Changing the date of the AGM means less time for conducting the annual audit, which usually occurs from January to early March.</p> <p>Article 1(1) "Senior Staff" - Before, the only senior</p>

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<p>"Bylaw" shall mean a bylaw of the Society;</p> <p>"Campus Council" shall mean a democratically elected constituency of the Society at an individual campus of the Kwantlen University College, and shall have those powers and duties as stipulated in these Bylaws and the Regulations;</p> <p>"Campus Council Officer" shall mean an elected member of a Campus Council;</p> <p>"Campus Director" shall mean the campus director of a Campus Council, who shall also serve on the Council of the Society;</p> <p>"Campus Representative" shall mean an elected member of a Campus Council, who also serves on the Council of the Society;</p> <p>"Chairperson of the Executive Board" shall mean that member of the Executive Board who has been appointed Chairperson by a Resolution of the board or, if Council has exercised its prerogative as stipulated in these Bylaws, who has been appointed by a Two-thirds (2/3) Resolution of Council;</p> <p>"Council" shall mean the board of directors of the Society;</p> <p>"Fiscal Year" shall mean the period commencing on January 1 in any given calendar year and terminating on December 31 of the same year;</p> <p>"Executive Board" shall mean the executive board of the Society, comprised of the Director of Operations, Director of Finance, Director of External Affairs, Director of Events and Student Life and the</p>	<p><i>members selected in accordance with Article 13. Seniority shall be determined by the responsibilities outlined in their job description</i></p> <p>"Bylaw" shall mean a bylaw of the Society;</p> <p>"Campus Council" shall mean a democratically elected constituency of the Society at an individual campus of the Kwantlen University College, and shall have those powers and duties as stipulated in these Bylaws and the Regulations;</p> <p>"Campus Council Officer" shall mean an elected member of a Campus Council;</p> <p>"Campus Director" shall mean the campus director of a Campus Council, who shall also serve on the Council <u>Board</u> of the Society;</p> <p><i>"Member-at-Large" shall mean the elected, or by 2/3 resolution the appointed non-voting members of the Board. At Large Members are permitted to vote on their respective Campus Councils whether elected or appointed by the Board but may never hold a voting seat on the Board.</i></p> <p>"Campus Representative" shall mean an elected member of a Campus Council, who also serves on the Council of the Society;</p> <p>"Chairperson of the Executive Board" shall mean that member of the Executive Board who has been appointed Chairperson by a Resolution of the board or, if Council has exercised its prerogative as stipulated in these Bylaws, who has been appointed by a Two-thirds (2/3) Resolution of Council;</p> <p>"Council" shall mean the board of directors of the Society;</p> <p><i>"Board" shall mean the board of directors of the Society, voting and non-voting. This shall include the President, Vice-President Internal Affairs, Vice-President External</i></p>	<p>staff position mentioned in the By-Laws was the General Manager. Some student unions don't even have staff in their by-laws. This change gives the what could be undue influence by the Board over deciding who is senior staff and who isn't.</p> <p>Article 1(1) "Campus Council Officer", "Campus Council Representative" and "Member-at-Large" - They are removing Officers and Representatives from Campus Councils, and replacing them with "Members-at-Large" positions. The idea that it can be easier to appoint someone to a vacant voting position looks good, however as will be noted elsewhere, it will be very easy to remove democratically elected people – meaning that the voice(s) you elect to represent you could easily be removed. (For a more detailed explanation into the current and proposed structures for the KSA's Board of Directors, see pages 20 – 24 of this document).</p> <p>An alternative to Reps / Officers... I have to ask, why didn't they look at having a structure for having campus councils be formed by program reps?</p> <p>I think two structures could be formed, one for University campuses and one for Trades campuses.</p> <p>The University Campuses would include program areas such as, but not limited to: an Arts Representative, a Humanities Representative, a Science and Applied Technologies Representative; as well as a number of program specific Representatives as defined by the Bylaws, the names of which as defined by the</p>

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<p>Director of Academic Affairs;</p> <p>"General Meeting" shall mean a general meeting of the Members;</p> <p>"Honourary Member" shall mean a member of the Society with full speaking rights at General Meetings but no voting rights, such members shall neither vote for, or run for, office, and shall have such other rights and limitations as adopted by the Society from time to time;</p> <p>"In Camera" shall mean a closed meeting and shall follow the rules pertaining to an executive session within Robert's Rules of Order, insofar as such rules are consistent with these Bylaws and the Regulations.</p> <p>"Member" shall mean a member of the Society with full voting rights at General Meetings and in elections, the right to run for and hold office, and such other rights as are stipulated in the Act, these Bylaws or adopted by the Society from time to time;</p> <p>"Ordinary Resolution" shall mean a resolution adopted by the membership in a General Meeting or referendum, and conforms with the requirements of such a resolution as stipulated in the Act;</p> <p>"Policy" shall mean a position, view or opinion adopted by a Two-thirds (2/3) Resolution of Council;</p> <p>"Regulations" shall mean those operational rules and regulations adopted or amended by a Two-thirds (2/3) Resolution of Council.</p> <p>"Resolution" shall mean a resolution</p>	<p><u>Affairs, Vice-President Events & Student Life, Treasurer, the four (4) Campus Directors and all Members-At-Large</u></p> <p>"Fiscal Year" shall mean the period commencing on January 1 in any given calendar year and terminating on December 31 of the same year <u>or alternate dates that the Board approves by a Two-Thirds (2/3) resolution</u></p> <p>"Executive Board" shall mean the executive board of the Society, comprised of the Director of Operations, Director of Finance, Director of External Affairs, Director of Events and Student Life and the Director of Academic Affairs;</p> <p>"General Meeting" shall mean a general meeting of the Members;</p> <p>"Honourary Member" shall mean a member of the Society with full speaking rights at General Meetings but no voting rights, such members shall neither vote for, or run for, office, and shall have such other rights and limitations as adopted by the Society from time to time; <u>member rights.</u></p> <p>"In Camera" shall mean a closed meeting and shall follow the rules pertaining to an executive session within Robert's Rules of Order, insofar as such rules are consistent with these Bylaws and the Regulations. <u>unless otherwise decided upon by 2/3 resolution of the board</u></p> <p>"Member" shall mean a member of the Society with full voting rights at General Meetings and in elections, the right to run for and hold office, and such other rights as are stipulated in the Act, these Bylaws or adopted by the Society from time to time;</p> <p>"Ordinary Resolution" shall mean a resolution adopted by the membership in a General Meeting or referendum, and conforms with the requirements of such a resolution as stipulated in the Act;</p>	<p>Regulations.</p> <p>The Trades Campuses would include representatives from the unique trades programs on that campus, the number of which as defined by the Bylaws, the names of which as defined by the Regulations.</p> <p>Article 1(1) "Fiscal Year" - Why do they need control over the fiscal year at the Board level? This could go against Generally Accepted Accounting Principles as outlined by the CICA Handbook.</p> <p>Article 1(1) "Executive Board" - Removing the Executive Board essentially removes a system of checks and balances that ensure things get done.</p> <p>Article 1(1) "Honourary Member" - Under this new Honourary Member system, anyone who isn't a student could become members of the Society with access to voting positions.</p> <p>Article 1(1) "In Camera" - With this change to the in-camera session, they can effectively throw Roberts Rules out the window and do whatever they want to hold an in-camera session. <u>This means they can change at anytime the rules for conducting a meeting to suit whatever they want to do!</u></p>

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<p>adopted by a simple majority of the votes cast, not including abstentions;</p> <p>"Special General Meeting" shall mean any General Meeting of the Society other than the Annual General Meeting;</p> <p>"Special Resolution" shall mean a resolution adopted by the membership in a General Meeting, and conforms with the requirements of such a resolution as stipulated in the Act;</p> <p>"Student At Large" shall mean a Member who does not currently hold an elected or appointed position within the Society;</p> <p>"Two-thirds (2/3) Resolution" shall mean a resolution adopted by a majority vote where there are at least two (2) votes in favor for every one (1) vote opposed, not including abstentions;</p> <p>2. In these Bylaws, the feminine gender and the singular shall be construed as the masculine gender and the plural where the context so requires.</p> <p>3. The Society recognizes the equality of all people and shall not discriminate on the basis of, but not limited to race, religion, gender, sexual orientation, nationality, language or socio-economic status.</p>	<p>"Policy" shall mean a position, view or opinion adopted by a Two-thirds (2/3) Resolution of Council <u>the Board</u>;</p> <p>"Regulations" shall mean those operational rules and regulations adopted or amended by a Two-thirds (2/3) Resolution of Council <u>the Board</u>.</p> <p>"Resolution" shall mean a resolution adopted by a simple majority of the votes cast, not including abstentions;</p> <p>"Special General Meeting" shall mean any General Meeting of the Society other than the Annual General Meeting;</p> <p>"Special Resolution" shall mean a resolution adopted by the membership in a General Meeting, and conforms with the requirements of such a resolution as stipulated in the Act;</p> <p>"Student At Large" shall mean a Member who does not currently hold an elected or appointed position within the Society;</p> <p>"Two-thirds (2/3) Resolution" shall mean a resolution adopted by a majority vote where there are at least two (2) votes in favor for every one (1) vote opposed, not including abstentions;</p> <p>4. In these Bylaws, the feminine gender and the singular shall be construed as the masculine gender and the plural where the context so requires.</p> <p>5. The Society recognizes the equality of all people and shall not discriminate on the basis of, but not limited to race, religion, gender, sexual orientation, nationality, language or socio-economic status.</p>	
<p><u>Article 2 Membership</u></p> <p>1. The Society shall consist of Members and Honourary Members.</p>	<p><u>Article 2 Membership</u></p> <p>1. The Society shall consist of Members and Honourary Members.</p>	

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<p>2. Members shall be those persons who:</p> <p>i. are registered for:</p> <p>a. one (1) or more credit courses at Kwantlen University College; or</p> <p>b. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution; and</p> <p>ii. have paid Society fees for the current or immediately previous Kwantlen University College semester.</p> <p>3. Honorary Members shall be those persons who have been designated by a Two-thirds (2/3) Resolution of Council.</p> <p>4. Honorary Members who are also Full Members shall, for all practical purposes, be simply Full Members without the limitations or restrictions of Honorary Member status.</p> <p>5. Members and Honorary Members shall have the right to attend any General Meeting of the Society.</p> <p>6. All members shall uphold the Constitution, Bylaws, Regulations and Policies of the Society.</p> <p>7. A Member ceases to be a Member of the Society upon:</p> <p>i. failing to meet the requirements set out in Article 2(2); or</p> <p>ii. a Special Resolution of the Society pursuant to Article 2(9).</p> <p>8. An Honorary Member ceases to be an Honorary Member of the Society upon:</p> <p>i. a Two-thirds (2/3) Resolution of Council; or</p> <p>ii. a Resolution of the Society pursuant to Article 2(9) herein.</p>	<p>2. Members shall be those persons who:</p> <p>1. are registered for:</p> <p>a. one (1) or more credit courses at Kwantlen University College; or</p> <p>b. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution; and or</p> <p>2. have paid Society fees for the current or immediately previous Kwantlen University College semester. <u>Were enrolled in at least one credit course in the immediately preceding semester; or</u></p> <p>3. <u>honorary members</u></p> <p>3. Honorary Members shall be those persons who have been designated by a Two-thirds (2/3) Resolution of Council <u>the Board.</u></p> <p>4. Honorary Members who are also Full Members shall, for all practical purposes, be simply Full Members without the limitations or restrictions of Honorary Member status.</p> <p>5. Members and Honorary Members shall have the right to attend any General Meeting of the Society.</p> <p>6. All members shall uphold the Constitution, Bylaws, Regulations and Policies of the Society.</p> <p>7. A Member ceases to be a Member of the Society <u>upon a Special Resolution of the Society pursuant to Article 2(9).</u></p> <p>i. failing to meet the requirements set out in Article 2(2); or</p> <p>ii. a Special Resolution of the Society pursuant to Article 2(9).</p> <p>8. An Honorary Member ceases to be an Honorary Member of the Society upon:</p> <p>1. a Two-thirds (2/3) Resolution of Council <u>the Board;</u> or</p> <p>2. a Resolution of the Society pursuant to Article 2(9) herein.</p>	<p><u>Article 2(ii) to Article 2(2)</u> - This change to Article (2) (ii) seems to now be saying the same thing in as is already said under point a. <u>But there is now no mention of whether or not someone actually has to pay Society fees to be a member of the Society.</u></p> <p><u>Article 2(7)</u> - The change to Article 2 (7) made it easier for the Board of Directors to remove your membership rights.</p> <p><u>Article 2(7) and Article 2(9)</u> - The changes to Article 2(7) and (9) are significant because it has made it easier to remove the membership rights of individual students. Before it was very difficult to remove membership rights and for good reason. We all pay money to the KSA and all deserve to get the most out of the Society.</p>

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<p>9. A Member may be expelled by a Special Resolution of the Members passed at a General Meeting. The notice of a Special Resolution for expulsion must be accompanied by a brief statement of the reasons for the proposed expulsion. The member who is the subject of the proposed resolution for expulsion must be given an opportunity to be heard at the General Meeting before the Special Resolution is put to a vote.</p>	<p>9. A Member may be expelled by a Special Resolution of the Members passed at a General Meeting. The notice of a Special Resolution for expulsion must be accompanied by a brief statement of the reasons for the proposed expulsion. The member who is the subject of the proposed resolution for expulsion must be given an opportunity to be heard at the General Meeting before the Special Resolution is put to a vote. <u>two-thirds (2/3) resolution of the Board and the agreement of the Ombudsperson. The individual in question has the right to state their defense in front of the Board and also may appeal the decision at an annual general meeting or special general meeting.</u></p>	<p>Article 2(9) - Now, a Board can remove the rights of any individual as they see fit. Also, having the Ombudsperson “ok” a removal seems to be a good thing, but under the new system the Ombudsperson is essentially a token position, with no real power or job security. As such, the Ombudsperson could be simply a hack for whoever is in power, and as such that Ombudsperson may be willing to support whatever it is that the ruling party wants just because they want to keep their job. How’s that for protecting democracy?</p>
<p><u>Article 3 Annual General and Special General Meetings</u></p> <p>1. The Society shall hold an Annual General Meeting before March 31 each year as determined by Council.</p> <p>2. Every General Meeting, other than an Annual General Meeting, is a Special General Meeting.</p> <p>3. The Chairperson of the Executive Board, or such other individual as chosen by a Resolution of Council, shall preside as chair for all General Meetings of the Society. Notwithstanding this clause, the membership may appoint a chair from among the Members present, by an Ordinary Resolution.</p> <p>4. The following business shall be conducted at the Annual General Meeting:</p> <ul style="list-style-type: none"> i. receiving the financial statements of the Society that are required by the Act or these Bylaws; ii. receiving and approving the preceding fiscal year’s audited financial statements; iii. appointing the auditors of the Society for the ensuing fiscal year; iv. receiving the report of the Executive Committee and the General Manager with respect to the activities of the Society over the past year; v. the consideration of any Ordinary Resolutions; 	<p><u>Article 3 Annual General and Special General Meetings</u></p> <p>1. The Society shall hold an Annual General Meeting before March 31 <u>May 1</u> each year as determined by Council <u>the Board</u>.</p> <p>2. Every General Meeting, other than an Annual General Meeting, is a Special General Meeting.</p> <p>3. The Chairperson of the Executive Board <u>The President</u>, or such other individual as chosen by a Resolution of Council <u>the Board</u>, shall preside as chair for all General Meetings of the Society. Notwithstanding this clause, the membership may appoint a chair from among the Members present, by an Ordinary Resolution.</p> <p>4. The following business shall be conducted at the Annual General Meeting:</p> <ul style="list-style-type: none"> 1. receiving the financial statements of the Society that are required by the Act or these Bylaws; 2. receiving and approving the preceding fiscal year’s audited financial statements; iii. appointing the auditors of the Society for the ensuing fiscal year; 3. receiving the report of the Board Executive Committee and the General Manager with respect to the activities of the Society over the past year; 4. the consideration of any Ordinary Resolutions; and 	<p>Article 3(1) compared to Article 1(1) “Annual General Meeting” - It’s funny how Article 3(1) contradicts the definition of an AGM under Article 1 above, which was changed to state that AGMs should be held before March 1 of each year.</p> <p>Removing Article 3(4)(iii), where you had members at an AGM appoint the auditors may be against the Society Act of BC as well as the CICA Handbook. It’s interesting that they forgot to remove a similar reference under Article 16(1), so technically students at the AGM are still required to appoint an auditor. The Society Act only allows a Board of Directors involvement in appointing an auditor if the auditor has died or gone bankrupt / out of business.</p>

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<p>and</p> <p>vi. the consideration of any Special Resolutions, provided that due notice has been given as proscribed by the Act and/or these Bylaws.</p> <p>5. The Director of Operations shall, within twenty-one (21) days, call a Special General Meeting of the Society upon:</p> <ol style="list-style-type: none"> 1. a Two-thirds (2/3) Resolution of Council; or 2. being served a petition stating the purpose of the General Meeting, duly signed by two hundred and fifty (250) Members or ten percent (10%) of the Members, whichever is less. <p>6. A petition requisitioning a General Meeting pursuant to Article 3(5) above may specify the location for such a meeting. If the petition does not so specify, then Council shall, by Resolution, decide the location of the General Meeting. Regardless of whether or not the requisitionists stipulated a date and time for the General Meeting, the Director of Operations shall have the authority to set the date and time of a General Meeting, provided however that such date and time:</p> <ol style="list-style-type: none"> i. are within the regular business hours of the Society's main office; and ii. occur on a day in which Kwantlen University College is holding regularly scheduled classes. <p>In the event that a requisitioned General Meeting called within twenty-one (21) days of the delivery of a petition, as stipulated in Article 3(5) above would violate this article, the Director of Operations shall postpone the General Meeting. The Director of Operations shall then call the General Meeting for the earliest possible date that would comply with this article and allow the full notice period, as required by these Bylaws, to occur during days when Kwantlen University College is holding regularly scheduled classes.</p> <p>7. Notice of a General Meeting shall be given to the members of the Society by:</p>	<p>5. the consideration of any Special Resolutions, provided that due notice has been given as proscribed by the Act and/or these Bylaws.</p> <p>5. The Director of Operations shall, within forty-five (45) days, <u>The VP-External, within thirty (30) days, shall</u> call a Special General Meeting of the Society upon:</p> <ol style="list-style-type: none"> 4. a Two-thirds (2/3) Resolution of Council; or 5. being served a petition stating the purpose of the General Meeting, duly signed by two hundred and fifty (250) Members or ten percent (10%) of the Members, whichever is less. <p>6. A petition requisitioning a General Meeting pursuant to Article 3(5) above may <u>not</u> specify the location for such a meeting. If the petition does not so specify, then Council shall, <u>The Board shall,</u> by Resolution, decide the location of the General Meeting. Regardless of whether or not the requisitionists stipulated a date and time for the General Meeting, the Director of Operations <u>VP-External</u> shall have the authority to set the date and time of a General Meeting, provided however that such date and time:</p> <ol style="list-style-type: none"> 1. are within the regular business hours of the Society's main office; and 2. occur on a day in which Kwantlen University College is holding regularly scheduled classes. <p>In the event that a requisitioned General Meeting called within forty-five (45) <u>thirty (30)</u> days of the delivery of a petition, as stipulated in Article 3(5) above would violate this article, the Director of Operations <u>VP-External</u> shall postpone the General Meeting. The Director of Operations <u>The VP-External</u> shall then call the General Meeting for the earliest possible date that would comply with this article and allow the full notice period, as required by these Bylaws, to occur during days when Kwantlen University College is holding regularly scheduled classes.</p> <p>7. Notice of a General Meeting shall be given to the members of the Society by:</p> <ol style="list-style-type: none"> 5. affixing posters, no less than fourteen (14) clear days before the date of the General 	<p>Article 3 (5) now allows for more time, which may be against provisions in the Society Act which only say 21 days (which is what the old bylaws stated).</p> <p>This change under Article 3(6) removes a member's right to organize against the KSA. For example, lets say a group of Langley students are frustrated and upset with how Langley representatives and members of the Executive Board are say, stealing money that was to go to some Langley initiative or have been caught using KSA computers for downloading porn (actually happened at another student union) and word spread quickly on Langley and students were upset and wanted to impeach those Langley representatives and executive board members. So they ask for a General Meeting on Langley – under the old system, the KSA would have to organize one in Langley. BUT under the new system, they could organize it in Richmond, where students may not necessarily care if money was stolen for something that was to have gone to Langley.</p> <p>The change to Article 3 (7) may seem to save trees and paper but again, it limits the chance that students will even know about a General Meeting. For an</p>

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<p>i. affixing posters, no less than fourteen (14) clear days before the date of the General Meeting, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) such posters which must be affixed in conspicuous places around the campus; and</p> <p>ii. the placement of an advertisement, no less than fourteen (14) clear days before the date of the General Meeting, within the student newspaper or such other recognized campus media as determined by Council.</p> <p>8. Notice of a General Meeting must specify the place, day and hour of the General Meeting, and, in the case of special business, the general nature of that business. The accidental omission to give notice of a General Meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that General Meeting.</p> <p>9. A quorum for a General Meeting of the Society is achieved where the number of Members present at such a meeting is equal to or greater than ten percent (10%) of the total Members of the Society, or two-hundred and fifty (250) Members, whichever is lesser. Under no circumstances shall quorum be less than three (3) Members.</p> <p>10. Business, other than the election of a chair and the adjournment or termination of the General Meeting, must not be conducted at a General Meeting at a time when a quorum is not present. If at any time during a General Meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present or until the General Meeting is adjourned or terminated.</p> <p>11. If within thirty (30) minutes from the time appointed for a General Meeting a quorum is not present, the General Meeting, if convened on the requisition of Members, must be terminated, but in any other case, those present shall be deemed to be a quorum, but may only transact such business as is referred to in Article 3(4)(i), (ii), (iii) and (iv) and no other business.</p> <p>12. A Member present at a General Meeting is entitled to</p>	<p>Meeting, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty five (25) <u>eight (8)</u> such posters which must be affixed in conspicuous places around the campus; and</p> <p>6. the placement of an advertisement, no less than fourteen (14) clear days before the date of the General Meeting, within the student newspaper or such other recognized campus media as determined by Council.</p> <p>8. Notice of a General Meeting must specify the place, day and hour of the General Meeting, and, in the case of special business, the general nature of that business. The accidental omission to give notice of a General Meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that General Meeting.</p> <p>9. A quorum for a General Meeting of the Society is achieved where the number of Members present at such a meeting is equal to or greater than ten percent (10%) of the total Members of the Society, or two hundred and fifty (250) <u>fifty (50)</u> Members, whichever is lesser. Under no circumstances shall quorum be less than three (3) Members.</p> <p>10. Business, other than the election of a chair and the adjournment or termination of the General Meeting, must not be conducted at a General Meeting at a time when a quorum is not present. If at any time during a General Meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present or until the General Meeting is adjourned or terminated.</p> <p>11. If within thirty (30) <u>sixty (60)</u> minutes from the time appointed for a General Meeting a quorum is not present, the General Meeting, if convened on the requisition of Members, must be terminated, but in any other case, those present shall be deemed to be a quorum, but may only transact such business as is referred to in Article 3(4)(i), (ii), (iii) and (iv) and no other business.</p> <p>12. A Member present at a General Meeting is entitled to one</p>	<p>organization that does hardly anything to let students know about what is going on, it's funny how they want to adopt something that will allow them to do even less! Similar changes also appear under Article 4, the elections section.</p> <p>The change to Article 3 (9) to lower the quorum level (the minimum number of people needed to have a legal binding meeting) at first glance seems good, but in the end, it's bad.</p> <p>SFU has a quorum level of 500. We should probably have a quorum level of at least 300.</p> <p>Yes, lowering quorum it will make it easier to get quorum to say change these bylaws to something better, but the very fundamental principle of an ethically and properly run society is having a system that helps guide the Society, providing for checks and balances to help protect Society assets and internal structures from tampering. In short, it should be difficult to remove people from office and to change the very foundation of the Society – it should only be changed and people should only be removed if something very blatantly bad has gone on that requires it to happen and in those cases you get grass roots organization against the Society to have a General Meeting with quorum to do what the students want!</p> <p>Article 3 (11) lengthens the time they need to ensure they can get quorum – which may not be a bad thing</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>one vote.</p> <p>13. Voting at a General Meeting is by show of hands unless another method of voting has been determined by the Members in accordance with the rules of order.</p> <p>14. Voting by proxy is not permitted at any General Meeting.</p>	<p>vote.</p> <p>13. Voting at a General Meeting is by show of hands unless another method of voting has been determined by the Members in accordance with the rules of order.</p> <p>14. Voting by proxy is not permitted at any General Meeting.</p>	<p>if you need 250 or more people to get quorum, but does it really take 60 minutes to get 50 people in a room?</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p><u>Article 4 Referendums</u></p> <ol style="list-style-type: none"> 1. In addition to Annual and Special General Meetings, the Members of the Society may vote on resolutions, other than Special Resolutions, concerning the business of the Society by means of a referendum. 2. The fees of the Society shall be determined by referendum in accordance with the <i>College and Institute Act</i>, and must comply with this Article. 3. The Director of Operations shall, within forty-five (45) days, call a referendum of the Society upon: <ol style="list-style-type: none"> i. a Two-thirds (2/3) Resolution of Council; or ii. being served a petition stating the purpose of the General Meeting, duly signed by two hundred and fifty (250) Members or ten percent (10%) of the Members, whichever is less. 4. Notice of a referendum shall be given to the members of the Society by: <ol style="list-style-type: none"> i. affixing posters, no less than fourteen (14) clear days before the date of the referendum, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) such posters which must be affixed in conspicuous places around the campus; and ii. the placement of an advertisement, no less than fourteen (14) clear days before the date of the referendum, within the student newspaper or such other recognized campus media as determined by Council. 5. Notice of a referendum must specify the locations, days and hours of polling, and the entire text of the question. The accidental omission to give notice of a referendum to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate a referendum. 	<p><u>Article 4 Referendums</u></p> <ol style="list-style-type: none"> 1. In addition to Annual and Special General Meetings, the Members of the Society may vote on resolutions, other than Special Resolutions, concerning the business of the Society by means of a referendum. 2. The fees of the Society shall be determined by referendum in accordance with the <i>College and Institute Act</i>, and must comply with this Article. 3. The Director of Operations shall, within forty-five (45) days <u>The VP-External, within thirty (30) days, shall</u> call a referendum of the Society upon: <ol style="list-style-type: none"> 1. a Two-thirds (2/3) Resolution of Council; or 2. being served a petition stating the purpose of the General Meeting, duly signed by two hundred and fifty (250) <u>two hundred (200)</u> Members or ten percent (10%) of the Members, whichever is less. 4. Notice of a referendum shall be given to the members of the Society by: <ol style="list-style-type: none"> 1. affixing posters, no less than fourteen (14) <u>seven (7)</u> clear days before the date of the referendum, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) <u>eight (8)</u> such posters which must be affixed in conspicuous places around the campus; and 2. the placement of an advertisement, no less than fourteen (14) <u>seven (7)</u> clear days before the date of the referendum, within the student newspaper or such other recognized campus media as determined by Council. 5. Notice of a referendum must specify the locations, days and hours of polling, and the entire text of the question. The accidental omission to give notice of a referendum to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate a referendum. 	<p>Article 4 (3) (ii) - Why do they need this lowered? What is wrong with 250? Seems like an arbitrary, unnecessary change. Why not just make it 50?</p> <p>Again, Article 4 (4) (1) is bad because less time is now provided for giving you notice that stuff is happening! If anything, more time should be given!</p> <p>It's interesting to note that Article 4 (4) (i) and (ii) have been lowered from 14 days to 7 days. In notice for general meetings the Society Act requires no less than 14 days, which really is a standard across societies for setting notice provisions of any type. There is no reason for this to be lowered to seven other than the fact that they probably don't want students to really know what is going on in the KSA.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>6. All referendum questions must be clear, unbiased, and phrased in a manner that permits a yes/no answer.</p> <p>7. If a referendum question submitted by petition pursuant to Article 4(3)(ii) is deemed to be in violation of Article 4(6) by a Two-thirds (2/3) Resolution of Council, the question shall be submitted to the Society’s auditors for rewording, to bring the question into conformity with Article 4(6), and their decision on the rewording is final. If Council does not so resolve, the question shall be put to the members exactly as drafted by the petitioners.</p> <p>8. A referendum shall not be held during the summer semester. If, pursuant to Article 4(3), a referendum would normally be held in the summer semester, the Director of Operations shall delay the referendum until the month of September.</p> <p>9. A referendum shall:</p> <ol style="list-style-type: none"> i. have at least one poll on each campus; ii. be no shorter than two (2) days in duration and no longer than eight (8) days in duration, such days running consecutively, except weekends; iii. have polls that are open for voting no less than four (4) hours per day, between the hours of 9am and 5pm; and iv. have such other rules as are set out in the Regulations. <p>10. A referendum, subject to these Bylaws, shall be acted upon by the Society where:</p> <ol style="list-style-type: none"> i. a majority, or such greater percentage as may be required by law, of the votes cast support the referendum; and ii. the number of votes cast is equal to or greater than two-hundred and fifty (250). 	<p>6. All referendum questions must be clear, unbiased, and phrased in a manner that permits a yes/no answer.</p> <p>7. If a referendum question submitted by petition pursuant to Article 4(3)(ii) is deemed to be in violation of Article 4(6) by a Two-thirds (2/3) Resolution of Council the Board, the question shall be submitted to the Society’s auditors <u>ombudsperson</u> for rewording, to bring the question into conformity with Article 4(6), and their decision on the rewording is final. If Council does not so resolve, the question shall be put to the members exactly as drafted by the petitioners. <u>If the Board by Two-thirds (2/3) overrules the ombudsperson, the question shall be put to the members exactly as drafted by the petitioners or the original draft of the Board</u></p> <p>8. A referendum shall not be held during the summer semester <u>if requested by the petitioners along with a two-thirds (2/3) resolution of the Board. A two-thirds resolution (2/3) resolution of the Board in and of itself is also sufficient enough to hold a referendum in the summer.</u> If, pursuant to Article 4(3), a referendum would normally be held in the summer semester, the Director of Operations shall delay the referendum until the month of September.</p> <p>9. A referendum shall:</p> <ol style="list-style-type: none"> 1. have at least one poll on each campus; 2. be no shorter than two (2) days in duration and no longer than eight (8) <u>four (4)</u> days in duration, such days running consecutively, except weekends; during the week. 3. have polls that are open for voting no less than four (4) hours per day, between the hours of 9am and 5pm <u>7pm</u>; and 4. have such other rules as are set out in the Regulations. <p>10. A referendum, subject to these Bylaws, shall be acted upon by the Society where:</p> <ol style="list-style-type: none"> 1. a majority, or such greater percentage as may be required by law, of the votes cast support the referendum; and 2. the number of votes cast is equal to or greater 	<p><u>Article 4 (7)</u> just seems really weird. If your Ombudsperson is a token Ombudsperson, they will end up doing whatever you as their boss want them to do. It’s also not guaranteed that the Ombudsperson hired will even have the proper training and ability to draft a proper question. The Auditor is at least arms length from the Society and is able to craft a question that is legally acceptable and workable.</p> <p><u>Article 4 (8)</u> is scary. Why do they want the ability to have referendums in the Summer??? Langley is usually closed in the Summer and Newton, Richmond and Surrey are at half capacity. Hardly representative of the entire student body.</p> <p><u>Article 4 (9) (i)</u> the change to this section gives less time to hold a referendum in terms of days open for voting! This is really bad because it means less time is given for democracy to run course.</p> <p>The change to <u>Article 4 (9) (iii)</u> is probably the only good change I can find, allowing polls to be open later to service night students.</p>

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	than two-hundred and fifty (250).	

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p><u>Article 5 Council</u></p> <p>1. The directors of the Society shall consist of the voting members of the Council and, subject to the Act and these Bylaws, the management, administration, and the control of property, revenue, business and all the other affairs of the Society are vested in Council. Pursuant to the foregoing, Council:</p> <ul style="list-style-type: none"> i. shall be the highest official body representing the Society; ii. shall adopt, amend or otherwise alter the Regulations of the Society by a Two-thirds (2/3) Resolution; iii. shall adopt, amend or otherwise alter the Policies of the Society by a Two-thirds (2/3) Resolution; iv. shall adopt the Budget of the Society by a Two-thirds (2/3) Resolution; v. may create committees, working groups, planning groups or any other such body as they see fit, provided however that they do not delegate any of their powers to such a body unless such delegation is in accordance with these Bylaws; vi. may, upon a Two-thirds (2/3) Resolution, overrule, alter, or amend any action performed by another body or individual of the Society; vii. shall appoint individuals to committees, working groups, planning groups, or any other such body of the Society, the Kwantlen University College or any other external entity; viii. may, upon a Two-thirds (2/3) Resolution, remove an individual it appointed to a committee, working group, planning group, or any other such body of the Society, the Kwantlen University College or any other external entity; and 	<p><u>Article 5 Council The Board of Directors</u></p> <p>1. The directors of the Society shall consist of the voting members of the Council <i>the Board</i> and, subject to the Act and these Bylaws, the management, administration, and the control of property, revenue, business and all the other affairs of the Society are vested in Council. Pursuant to the foregoing, Council <i>the Board</i>:</p> <ul style="list-style-type: none"> 1. shall be the highest official body representing the Society; 2. shall adopt, amend or otherwise alter the Regulations of the Society by a Two-thirds (2/3) Resolution; 3. shall adopt, amend or otherwise alter the Policies of the Society by a Two-thirds (2/3) Resolution; 4. shall adopt the Budget of the Society by a Two-thirds (2/3) Resolution <i>majority vote</i>; 5. <i>shall have the authority to change the dates of the fiscal year of the budget</i> 6. may create committees, working groups, planning groups or any other such body as they see fit, provided however that they do not delegate any of their powers to such a body unless such delegation is in accordance with these Bylaws; 7. may, upon a Two-thirds (2/3) Resolution, overrule, alter, or amend any action performed by another body or individual of the Society; 8. shall appoint individuals to committees, working groups, planning groups, or any other such body of the Society, the Kwantlen University College or any other external entity; 9. may, upon a Two-thirds (2/3) Resolution, remove an individual it appointed to a committee, working group, planning group, or any other such body of the Society, the Kwantlen University College or any other external entity; and 	<p>The change to <u>Article 5 (1)(iv) to Article 5(1)(4)</u> means a majority vote (50% + 1) could help ensure that your money gets spent on stupid things. I've always felt that even 2/3rds seemed too low, and that perhaps it should be a ¾ vote (75% of the assembly) to pass how your money is spent.</p> <p>And again, the addition of <u>Article 5 (1) (5)</u> why would the Board of directors need the ability to change the fiscal year for a budget if they weren't up to something shady?</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>ix. may make such other rules as may be considered necessary for the Society, provided such rules are consistent with the Constitution, Bylaws, Regulations and Policies of the Society.</p> <p>2. The voting members of Council shall be:</p> <ol style="list-style-type: none"> i. the five (5) members of the Executive Board; ii. the duly elected Campus Directors, one such director elected from each campus of the Kwantlen University College; iii. the duly elected Campus Representatives, the number of which shall be determined by Article 5(3), elected from each campus of the Kwantlen University College; and iv. such other persons as are approved by Ordinary Resolution. <p>3. Each campus of the Kwantlen University College shall be entitled to two (2) Campus Representatives on Council. However, each campus with more than three thousand (3,000) Members shall receive an additional Campus Representative for every three thousand (3,000) Members enrolled at that campus.</p> <p>4. The incoming members of Council shall assume their office on April 1, or in the case of a by-election, at the first Council meeting after their election.</p> <p>5. With the exception of the Executive Board members and the Campus Directors, a member of Council must not be remunerated for being or acting as a member of Council but a member of Council must be reimbursed for all expenses necessarily and reasonably incurred by the member of Council while engaged in the affairs of the Society. Rules for such reimbursements shall be set out in the Regulations.</p> <p>6. Council may, by a Two-thirds Resolution, create non-voting seats on Council. The rights and obligations of non-voting members of Council shall be set out in the Regulations.</p>	<p>10. may make such other rules as may be considered necessary for the Society, provided such rules are consistent with the Constitution, Bylaws, Regulations and Policies of the Society.</p> <p>3. The voting members of Council Council <u>the Board</u> shall be:</p> <ol style="list-style-type: none"> 1. the five (5) members of the Executive Board; <u>the President;</u> 2. <u>the Treasurer;</u> 3. <u>the three (3) Vice Presidents:</u> <ol style="list-style-type: none"> a. <u>Vice-President External Affairs</u> b. <u>Vice-President Internal Affairs</u> c. <u>Vice-President Events & Student Life</u> 4. the duly elected Campus Directors, one such director elected from each campus of the Kwantlen University College; ii. the duly elected Campus Representatives, the number of which shall be determined by Article 5(3), elected from each campus of the Kwantlen University College; and 2. such other persons as are approved by Ordinary Resolution. <p>a. Each campus of the Kwantlen University College shall be entitled to two (2) Campus Representatives on Council. However, each campus with more than three thousand (3,000) Members shall receive an additional Campus Representative for every three thousand (3,000) Members enrolled at that campus.</p> <p>3. <u>The non-voting members of the board shall be:</u></p> <ol style="list-style-type: none"> 1. <u>At-Large Members, the number of which to be set out in the regulations</u> 2. <u>Any other positions created by this Board from time to time</u> 	<p>Article 5(3) I'm not against changing to a system where there is a President and Vice Presidents, in fact such a change isn't that big of a deal. It's how they've structured everything so that all the powers lie with the President and a few others that scares me. There is no accountability in the changes being put forward. There are no more checks and balances under the new system.</p> <p>Under the new system, the executive board holds the power, having a 5-4 majority at the Board meetings. How is this fair and representative of the needs at each campus? Even if all campus directors are against an idea put forward by the executive, it can still pass under the new system.</p>

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	<p>4. The incoming members of Council Council <i>the Board</i> shall assume their office on April 4 <i>10 February</i>, or in the case of a by-election, at the first Council Council <i>the Board</i> meeting after their election.</p> <p>5. With the exception of the Executive Board members and the Campus Directors, a member of Council must not be remunerated for being or acting as a member of Council but a member of Council must be reimbursed for all expenses necessarily and reasonably incurred by the a member of Council <i>the Board</i> while engaged in the affairs of the Society <i>shall be reimbursed</i>. Rules for such reimbursements shall be set out in the Regulations.</p> <p>6. Council Council <i>the Board</i> may, by a Two-thirds Resolution, create non-voting seats on Council Council <i>the Board</i>. The rights and obligations of non-voting members of Council shall be set out in the Regulations.</p> <p>7. <i><u>The Board shall be elected by and from the Members of the Society in a general election which shall be held no later than 31 January every other calendar year as determined by the Board, and in no case less than fourteen (14) days prior to the Annual General Meeting. Any member may cast a vote on any campus for any elected position on the board or the campus councils with each member permitted to cast one ballot per election. An elected term shall last 2 years from the date of inauguration. A by-election can be held every year between the years of a general election, the details of which will be decided by the Board and set out in the regulations.</u></i></p>	<p>Article 5 (4) and (7) changes when people take office – why? No reasons are given as to why it's necessary to change the dates of when people take office. It also doesn't leave time for the elections to be dealt with in a fair and proper manner with enough notice and enough time given to deal with any issues that arise from the election.</p> <p>Also, under Article 5 (7), why do people need to be elected for 2 years??? No student union does this! It's very unfair to the students, taking a student's right away to elect students on an annual basis to help represent and provide a strong voice for their needs.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p><u>Article 6 Executive Board</u></p> <p>1. The Executive Board of Council shall be:</p> <ul style="list-style-type: none"> i. the Director of Operations; ii. the Director of Finance; iii. the Director of External Affairs; iv. the Director of Events and Student Life; <li style="padding-left: 20px;">and v. the Director of Academic Affairs. <p>2. The Executive Board shall be elected by and from the Members of the Society in a general election which shall be held in the month of February in each calendar year as determined by Council, and in no case less than fourteen (14) days prior to the Annual General Meeting.</p> <p>3. The members of the Executive Board shall be employees of the Society, and their remuneration shall be set by Council, in a manner that shall be set out in the Regulations.</p>	<p><u>Article 6 Executive Board</u></p> <p>4. The Executive Board of Council shall be:</p> <ul style="list-style-type: none"> i. the Director of Operations; ii. the Director of Finance; iii. the Director of External Affairs; iv. the Director of Events and Student Life; and v. the Director of Academic Affairs. <p>5. The Executive Board shall be elected by and from the Members of the Society in a general election which shall be held in the month of February in each calendar year as determined by Council, and in no case less than fourteen (14) days prior to the Annual General Meeting.</p> <p>6. The members of the Executive Board shall be employees of the Society, and their remuneration shall be set by Council, in a manner that shall be set out in the Regulations.</p>	<p>Article 6 They've removed the executive board from the new by-laws. This amounts to removing a check and balance in the Society. Before the Executive had to report to Council on what it was doing and Council had the power to overrule the Executive. But now the Executive Board really is the main top dog in the Society, with the power to overrule Campus Councils.</p> <p>It's also not clear whether or not the society has any employees anymore, which probably is fine if you want a system where you can get elected as president and then remove the people you don't like, and only have people you do like work for you.</p>
<p><u>Article 7 Campus Councils</u></p> <p>1. Each campus of Kwantlen University College shall have a Campus Council, elected by and from the Members enrolled at that campus in a general election which shall be held in the month of February in each calendar year as determined by Council, and in no case less than fourteen (14) days prior to the Annual General Meeting.</p> <p>2. Campus Councils shall consist of:</p> <ul style="list-style-type: none"> i. the Campus Director; ii. one (1) or more Campus Representatives, the number of which to be determined in accordance with Article 5(3); and iii. three (3) or more Campus Council Officers, the number of which to be determined in the Regulations of the Society. <p>3. Campus Councils shall:</p>	<p><u>Article 7 6 Campus Councils</u></p> <p>1. Each campus of Kwantlen University College shall have a Campus Council, elected by and from the Members enrolled at that campus in a general election which shall be held in the month of February in each calendar year as determined by Council <u>no later than 31 January every other calendar year as determined by the Board</u>, and in no case less than fourteen (14) days prior to the Annual General Meeting.</p> <p>2. Campus Councils shall consist of:</p> <ul style="list-style-type: none"> 1. the Campus Director; 2. <u>At-Large Members, the number of which shall be set out in the regulations</u> ii. one (1) or more Campus Representatives, the number of which to be determined in accordance with Article 5(3); and iii. three (3) or more Campus Council Officers, the number of which to be determined in the Regulations 	<p>Article 7(1) to Article 6(1) The Change made to the new Article 6 (1), removing “and from” is scary. Under this minor change, anyone from any campus could run on another campus even if they aren't a student from that campus! For example, a Richmond student could run for a spot in Newton!</p> <p>In General, Under the old system, each campus was guaranteed a certain number of people and under the proposed changes, you could end up with no representation at all on any of the campuses! <u>There is no guarantee that they will remember to set out the number of At-Large Members!</u></p> <p>Some members of the RAF have claimed that the old Board of Directors was too large to work effectively (even though it seemed to have been working just fine over the last 5 ½ years since it was originally adopted in 1999-2000). Here is the composition of the old Board:</p> <p>5 Executive Board Members a. Director of Academics</p>

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<p>i. coordinate, under the direction of the Director of Events and Student Life, all Society events on their campus;</p> <p>ii. submit an annual budget request to the Director of Finance, such budget request approved by a Two-thirds (2/3) Resolution of the Campus Council;</p> <p>iii. maintain records and other information relating to their campus;</p> <p>iv. represent the concerns and issues of their campus to the Council; and</p> <p>v. have such other powers and duties as are set out in the Regulations.</p> <p>4. Campus Councils shall hold at least one (1) meeting in every calendar month.</p> <p>5. Meetings of Campus Councils shall be open to all members of the Society, unless the Campus Council decides to go <i>In Camera</i> by a Two-thirds (2/3) Resolution. An <i>In Camera</i> session is ended, and the meeting again becomes open to all members, upon a Resolution of the Campus Council. Under no circumstances shall a Campus Council have the authority to exclude voting members of that Campus Council from any meeting of that council at any time.</p> <p>6. Further powers and duties of Campus Councils, Campus Directors and campus representatives shall be set out in the Regulations.</p>	<p>of the Society.</p> <p>3. Campus Councils shall:</p> <p>1. coordinate, under the direction of the Director of Events and Student Life <i>campus Director and VP-Events & Student Life</i>, all Society events on their campus;</p> <p>2. submit an annual budget request to the Director of Finance <i>Treasurer</i>, such budget request approved by a Two-thirds (2/3) Resolution of the Campus Council;</p> <p>3. maintain records and other information relating to their campus;</p> <p>4. represent the concerns and issues of their campus to the Council <i>the Board</i>; and</p> <p>5. have such other powers and duties as are set out in the Regulations.</p> <p>4. <i>Each elected or appointed member of a Campus Council shall be permitted one (1) vote at their respective Campus meeting only</i></p> <p>5. Campus Councils shall hold at least one (1) meeting in every calendar month.</p> <p>6. Meetings of Campus Councils shall be open to all members of the Society, unless the Campus Council decides to go <i>In Camera</i> by a Two-thirds (2/3) Resolution. An <i>In Camera</i> session is ended, and the meeting again becomes open to all members, upon a Resolution of the Campus Council. Under no circumstances shall a Campus Council have the authority to exclude voting members of that Campus Council from any meeting of that council at any time.</p> <p>7. Further powers and duties of Campus Councils, Campus Directors and campus representatives shall be set out in the Regulations.</p>	<p>b. Director of Events c. Director of External d. Director of Finance e. Director of Operations</p> <p>4 Campus Directors a. Langley Director b. Newton Director c. Richmond Director d. Surrey Director</p> <p>11 Representatives - At least 2 Campus Representatives based on the formula for the number of representatives as outlined under the old Bylaw Article 5 (3).*</p> <p>e. 2 Langley Reps f. 2 Newton Reps g. 3 Richmond Reps* h. 4 Surrey Reps*</p> <p>For a total of 20 people on the old Board of Directors, which provides for a thorough representation from across the University College.</p> <p>Each campus also has 3 officers, but they do not hold either a voting or non-voting seat on the main Board of Directors. These positions do have a vote on that campus's campus council, which is a separate body from the main Council, acting to serve only the interests as directly related to that campus (I hope that makes sense).</p> <p>There are also a number of non-voting positions on the main KSA Council, including:</p> <p>The 2 duly elected Board of Governors Student Reps The 4 duly elected Education Council Student Reps</p> <p>7 Liaison members, who serve to represent groups that traditionally have trouble accessing post secondary education:</p> <p>a. Aboriginal Liaison b. International Students Liaison c. LGBT (Lesbian, Gay, Bisexual, Transgendered) Liaison d. Mature Students Liaison e. Students of Color Liaison</p>

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		<p>f. Students with Disabilities Liaison g. Women’s Liaison</p> <p>Non-voting members do not have a vote at the main council but can participate in debate and they can also move & second motions. They are also charged with maintaining their own commissions that meet regularly and do work for students of that group. They don’t have to attend every meeting of the KSA Council but are required to provide a written report at least once per month to Council regarding their activities.</p> <p>The Ombudsperson and the Speaker of Council are also non-voting members of Council but do not have the right to enter into debate (as they must be neutral), nor can they move and second motions.</p> <p>So right now, that gives you 15 non-voting members of Council, for a total of 35 (voting and non-voting) members of the KSA Council.</p> <p>To compare, under the newly proposed structure, you have:</p> <p>5 Executive Board Members</p> <ul style="list-style-type: none"> i. President ii. Treasurer iii. Vice-President External iv. Vice-President Academics v. Vice-President Events <p>4 Campus Directors</p> <ul style="list-style-type: none"> i. Langley Director ii. Newton Director iii. Richmond Director iv. Surrey Director <p>That gives you a total of 9 members of the new board of directors, one that is skewed towards an executive board that is usually elected from students who go to Surrey Campus.</p> <p>And there seems to be no movement to get rid of the non-voting positions on the new KSA Board of Directors, so you still have:</p> <p>The 2 duly elected Board of Governors Student Reps</p>

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		<p>The 4 duly elected Education Council Student Reps</p> <p>7 Liaison members, who serve to represent groups that traditionally have trouble accessing post secondary education:</p> <ul style="list-style-type: none"> a. Aboriginal Liaison b. International Students Liaison c. LGBT (Lesbian, Gay, Bisexual, Transgendered) Liaison d. Mature Students Liaison e. Students of Color Liaison f. Students with Disabilities Liaison g. Women’s Liaison <p>(Although in December 2005, Ken McIntyre brought forward a motion that eliminated the International Student Liaison; the Mature Students Liaison and the Students of Colour Liaison). So now there are only 4 Liaison positions.</p> <p>Also, it’s not clear from the new bylaws whether or not the Ombudsperson or the new “Chair” position would hold non-voting seats on the new Board of Directors.</p> <p>So right now, that gives you 13 non-voting members of Council, for a total of 22 (voting and non-voting) members of the KSA Council.</p> <p>With Ken’s change, you have 10 non-voting members of Council, for a total of 19 (voting and non-voting) members of the KSA Council.</p> <p>* From Article 5 (3): “Each campus of the Kwantlen University College shall be entitled to two (2) Campus Representatives on Council. However, each campus with more than three thousand (3,000) Members shall receive an additional Campus Representative for every three thousand (3,000) Members enrolled at that campus.”</p> <p>So, for Richmond you have about 5,000 students, so with the first 2,000 you have 2 reps, at 3,000 you get a 3rd. Same for Surrey, which just hit 6,000 students so they now have 4 Reps on Council.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>Article 8 Elections</p> <ol style="list-style-type: none"> 1. A general election shall be held in the month of February to elect the members of Council and the members of the Campus Councils. 2. The members of Council and the members of the Campus Councils shall take office on April 1. 3. If only one person is nominated for an office, the nominee must be ratified by a majority vote in a general election held in the form of a ‘yes’ or ‘no’ ballot. 4. Nominations shall be open for no less than fourteen (14) days and no longer than twenty-eight (28) days. 5. Notice of a general election shall be given to the members of the Society by: <ol style="list-style-type: none"> i. affixing posters, no less than fourteen (14) clear days before the date of the opening of nominations, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) such posters which must be affixed in conspicuous places around the campus; and ii. the placement of an advertisement, no less than fourteen (14) clear days before the opening of nominations, within the student newspaper or such other recognized campus media as determined by Council. 6. Notice of the opening of nominations must specify the dates and times for the opening and closing of nominations, the location on each campus where nomination forms may be picked up, contact information for the Chief Returning Officer, and specifically list the positions open for nomination relevant to each campus. 7. Notice of polling shall be given to the members of the Society by: <ol style="list-style-type: none"> i. affixing posters, no less than seven (7) clear days before the opening of polling, 	<p>Article 87 Elections</p> <ol style="list-style-type: none"> 1. A general election shall be held in the month of February to elect the members of Council and the members of the Campus Councils. <i>No later than 31 January in every other calendar year to elect the members of the Board and members of the Campus Councils. An elected term shall last two years from the date of inauguration.</i> 2. The members of Council and the members of the Campus Councils shall take office on April 1. <i>no later than 10 February.</i> 3. If only one person is nominated for an office, the nominee must be ratified by a majority vote in a general election held in the form of a ‘yes’ or ‘no’ ballot. 4. Nominations shall be open for no less than fourteen (14) days and no longer than twenty-eight (28) days. <i>eight (8) days and no longer than twelve (12) days and shall include every consecutive day of the week as well as holidays</i> 5. Notice of a general election shall be given to the members of the Society by: <ol style="list-style-type: none"> 1. affixing posters, no less than fourteen (14) <i>six (6)</i> clear days before the date of the opening of nominations, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) <i>eight (8)</i> such posters which must be affixed in conspicuous places around the campus; and 2. the placement of an advertisement, no less than fourteen (14) <i>six (6)</i> clear days before the opening of nominations, within the student newspaper or such other recognized campus media as determined by Council <i>the Board</i>. 6. Notice of the opening of nominations must specify the dates and times for the opening and closing of nominations, the location on each campus where nomination forms may be picked up, contact information for the Chief Returning Officer, and specifically list the positions open for nomination relevant to each campus. 7. Notice of polling shall be given to the members of the 	<p>The new Article 7 (1) is a little scary because the traditional time frame given for running elections allows for things to happen during January and February of any given year. You’d have the month of January serving as notice and as a time to advertise the fact that there are positions open, and then you give February for campaigning and the actual election days, and provided everything goes smoothly you have March to train the new members who take office April 1st. The timeframe of the old system made sense. The new timeframe does not make sense.</p> <p>The change to Article 7 (4) shortens the time that the nomination period can be open, when really, it should be open longer as a way of ensuring lots of students can have the chance to run for office. They also now include holidays as counting towards the nomination period, which means they could have it open over the Christmas break and nobody would know any better.</p>

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<p>no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) such posters which must be affixed in conspicuous places around the campus; and</p> <p>ii. the placement of an advertisement, no less than seven (7) clear days before the opening of polling, within the student newspaper or such other recognized campus media as determined by Council.</p> <p>8. Notice of polling must specify the locations, days and hours of polling, and specifically list the positions that will appear on the ballot for each campus.</p> <p>9. A general election shall:</p> <p>i. have at least one poll on each campus;</p> <p>ii. be no shorter than (2) days in duration and no longer than eight (8) days in duration, such days running consecutively, except weekends;</p> <p>iii. have polls that are open for voting no less than four (4) hours per day, between the hours of 9am and 5pm; and</p> <p>iv. have such other rules as are set out in the Regulations.</p> <p>10. Notwithstanding any other Bylaw herein, Regulations relating to elections shall not be amended between December 31 and the Annual General Meeting of the Society, except by an Ordinary Resolution.</p>	<p>Society by:</p> <p>1. affixing posters, no less than seven (7) six (6) clear days before the opening of polling, no smaller than 8 ½ by 11 inches, on each of the Kwantlen University College campuses, provided however that each such campus shall receive no less than twenty-five (25) eight (8) such posters which must be affixed in conspicuous places around the campus; and</p> <p>2. the placement of an advertisement, no less than seven (7) six (6) clear days before the opening of polling, within the student newspaper or such other recognized campus media as determined by Council the Board.</p> <p>8. Notice of polling must specify the locations, days and hours of polling, and specifically list the positions that will appear on the ballot for each campus.</p> <p>9. A general election shall:</p> <p>1. have at least one poll on each campus;</p> <p>2. be no shorter than (2) days in duration and no longer than eight (8) four (4) days in duration, such days running consecutively, except weekends in one week;</p> <p>3. have polls that are open for voting no less than four (4) hours per day, between the hours of 9am and 5pm 7pm; and</p> <p>4. have such other rules as are set out in the Regulations.</p> <p>10. Notwithstanding any other Bylaw herein, Regulations relating to elections shall not be amended between December 31 and the Annual General Meeting of the Society, except by an Ordinary Resolution.</p>	<p>Again, all other changes to how long notice is given or how long things are posted for is not good, and shortening the amount of time for the actual election itself, as proposed under the new Article 7 (9) (2) is very scary. This means say, you could only have polls open from Monday to Thursday, with Friday and Saturday classes being denied a chance to vote! It may be logistically difficult to finance a week long election, but the option should be there, especially if the logistical issues are simplified by say, online voting which costs hardly anything to run.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>Article 9 Removal of Elected Officials</p> <ol style="list-style-type: none"> 1. Executive Board members, Campus Directors, Council Representatives and members of Campus Councils may be removed from office in accordance with this section of the Bylaws. 2. Elected officials shall immediately cease to hold office if at any time they cease to be Members of the Society in accordance with these Bylaws. 3. The Members may, by Special Resolution, remove a Campus Director, Council Representative or a Campus Council Officer before the expiration of her term of office. 4. A member of the Executive Board may be removed from office upon: <ol style="list-style-type: none"> i. a Two-thirds (2/3) Resolution of Council, provided however that at least fourteen (14) days notice, and no more than twenty-eight (28) days notice, has been given in writing at a previous Council meeting and, furthermore, that such notice be signed by: <ol style="list-style-type: none"> a. two (2) members of the Executive Board; and b. five (5) members of Council who are not members of the Executive Board. ii. A Special Resolution of the Society. 5. If a vacancy occurs in an elected position of the Society, a by-election shall be held to fill the position for the remainder of the term, rules for which shall be set out in the Regulations. Notwithstanding this clause, if there is less than ninety (90) days remaining in the term of the removed officer, Council may, by Resolution, decide not to hold a by-election. 6. Upon the removal of a member of the Executive Board, Council shall appoint one of its members who is not, at the time of appointment, a member of the Executive Board to fulfill the duties of the removed member until such time as the position is filled by election. 	<p>Article 9 8 Removal of Elected Officials</p> <ol style="list-style-type: none"> 1. Executive Board members, Campus Directors, Council Representatives and members of Campus Councils may be removed from office in accordance with this section of the Bylaws. <u>Any Board member may be removed from office in accordance with this section of the Bylaws.</u> 2. Elected officials shall immediately cease to hold office if at any time they cease to be Members of the Society in accordance with these Bylaws. 3. The Members may, by Special Resolution, remove a Campus Director, Council Representative or a Campus Council Officer <u>the President, Treasurer, any of the Vice-Presidents or Campus Director(s)</u>, before the expiration of her term of office. 4. A member of the Executive Board may be removed from office upon <u>The President, Vice President(s), Treasurer, Campus Director(s), Members-at-Large can be removed by:</u> <ol style="list-style-type: none"> 1. a Two-thirds (2/3) Resolution of Council <u>the Board (Impeachment)</u>, provided however that at least fourteen (14) days notice, and no more than twenty-eight (28) days notice, has been given in writing at a previous Council <u>Board</u> meeting and, furthermore, that such notice be signed by: <ol style="list-style-type: none"> 2- The President or in the case of the removal of the President, the Vice-President Internal Affairs <u>two (2) members of the Executive Board;</u> and five (5) members of Council who are not members of the Executive Board. ii. A Special Resolution of the Society. 5. If a vacancy occurs in an elected position of the Society, a by-election shall be held to fill the position for the remainder of the term, rules for which shall be set out in the Regulations. Notwithstanding this clause, if there is less than ninety (90) days remaining in the term of the removed officer, <u>Council the Board</u> may, by Resolution, decide not to hold a by-election. 	<p>With the changes to other parts of this section, why bother stating Article 8 (3) anymore?</p> <p>Article 8(4) So now, anyone can be removed by a simple 2/3rds vote. This could make it relatively easy for the Executive Presidents to remove elected campus directors and to then staff those directors with people they trust and can control.</p> <p>To be blunt, you don't see this at other levels of Government – once elected to municipal, provincial or federal governments; it's very difficult to remove those officials. If it was easy, we wouldn't have democracy and the parties with the majority could easily wipe out any and all opposition! With these proposed bylaws, the KSA is creating a dictatorship, not a democracy!</p>

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<p>7. Any Member may run in a by-election, even a Member previously removed from the position.</p> <p>8. Should a member of the Executive Board be removed pursuant to Article 9(4)(i) and subsequently re-elected to the same position in a by-election pursuant to Article 9(5), that member of the Executive Board shall not be subject to removal again pursuant to Article 9(4)(i) during the same term of office.</p>	<p>6. Upon the removal of a member of the Executive Board, Council <u>the Board</u> shall appoint one of its members who is not, at the time of appointment, a member of the Executive Board to fulfill the duties of the removed member until such time as the position is filled by election. <u>Any member appointed by a Two-thirds (2/3) resolution may also be permitted one vote if the Board sees fit. However, once an appointed member has been permitted a vote it is binding and may not be taken away at any time for any reason.</u></p> <p>7. Any Member may run in a by-election, even a Member previously removed from the position.</p> <p>8. Should a member of the Executive Board be removed pursuant to Article <u>8(3) or Article 9(4)(i)</u> and subsequently re-elected to the same position in a by-election pursuant to Article 9(5), that member of the Executive Board shall not be subject to removal again pursuant to Article 9(4)(i) <u>8(3) or Article 9(4)(i)</u> during the same term of office.</p>	<p>I actually kind of like the change to Article 8 (6) whereby a person can get a vote if appointed to a position by the board of directors. But they are kind of wishy washy on this issue. “may also be permitted... if the Board sees fit.” So they don’t have to do this if they don’t want to. <u>The By-laws should either allow you to do it or not to do it, you shouldn’t have a choice.</u></p> <p>Something like this could work though; to help with quorum issues and ensuring that what gets passed is passed legally and fairly. But you need checks and balances and it has to be carefully crafted...</p> <p>a. I think this should be the case for campus council positions only as relating to their ability to vote on a campus council, BUT only if a person resigns or the position has remained vacant after an election.</p> <p>b. Having a by-election within 90 days of the vacancy should still apply. It probably should not allow them a vote on the main council / board of directors.</p> <p>So you can see, this is something that could be done, but you should ensure you have checks and balances to ensure that the process isn’t abused.</p>

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<p>Article 10 Duties of the Executive Board</p> <p>1. There shall be an Executive Board, composed of the five (5) members of the Executive. The General Manager and such other staff persons as are designated in the Regulations shall attend meetings of the Executive Board unless directed otherwise by a Resolution of the board.</p> <p>2. Subject at all times to the Constitution, Bylaws and Regulations, and the powers of Council, the Executive Board shall:</p> <ul style="list-style-type: none"> i. supervise and provide direction for the implementation and administration of the Policies and Regulations of the Society; ii. be responsible for internal and external communications for the Society; iii. present options and make recommendations to Council on matters of concern to members of the Society; iv. provide full, succinct and timely disclosure of its activities and decisions to Council on an ongoing basis; v. coordinate and engage in, or delegate the authority to coordinate and engage in, negotiations with parties on issues of a contractual nature; vi. determine the resource needs of the Society so that the Society can pursue its constitutional purposes effectively; vii. ensure that all deserving students involved in the Society receive some form of recognition for their contribution and service to the Society; viii. approve changes in the contract between the Society and the General Manager, and inform Council if any substantial changes are made; ix. ensure that minutes of all Executive Board meetings, once approved by the Board, shall be 	<p>Article 10 9 Duties of the Executive Board <u>President and Vice-Presidents</u></p> <p>1. There shall be an Executive Board, composed of the five (5) members of the Executive. The General Manager and such other staff persons as are designated in the Regulations shall attend meetings of the Executive Board unless directed otherwise by a Resolution of the board. <u>The President and Vice-Presidents shall sign an oath of office, such oath to be determined by the Board and set within the Regulations.</u></p> <p>2. Subject at all times to the Constitution, Bylaws and Regulations, and the powers of Council, the Executive Board <u>President</u> shall:</p> <ul style="list-style-type: none"> 1. supervise and provide direction for the implementation and administration of the Policies and Regulations of the Society; <u>Oversee all operations of the society and ensure that the Vice-Presidents are doing their jobs and, along with the Vice-President Internal Affairs liaise with the staff and to work in conjunction with them, subject to the Bylaws and Regulations of the Society;</u> 2. be responsible for internal and external communications for the Society; <u>be responsible for the operations of the General Office and for the maintenance of all records of the Society, along with the Vice-President Internal Affairs.</u> 3. present options and make recommendations to Council on matters of concern to members of the Society; <u>be a Signing Officer of the Society;</u> 4. provide full, succinct and timely disclosure of its activities and decisions to Council on an ongoing basis; <u>be the official spokesperson of the society on all matters where the Vice-President External Affairs is unable to attend. The President may also delegate spokesperson authorities at her own discretion if she is unavailable to attend.</u> 5. coordinate and engage in, or delegate the authority to coordinate and engage in, negotiations with parties on issues of a 	<p>The changes to the duties of the President and Vice President aren't very radical. From what I can see it mostly moves stuff around from the old duties of the Executive Board to the appropriate Presidential position.</p> <p>Other than being poorly worded in some areas, I don't have many major concerns about this section.</p>

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<p>signed by the chair and submitted to Council for approval;</p> <p>x. appoint by Resolution one of its members to be the Chairperson of the Executive Board, however Council may overrule this decision at any time by a Two-thirds (2/3) Resolution;</p> <p>xi. negotiate annually the contract with the Societys General Manager, and provide an annual report to Council on the General Managers performance.</p> <p>xii. perform such other functions as may be assigned by Council from time to time.</p> <p>3. Nothing in this Article shall be interpreted so as to restrict the authority of Council as established in these Bylaws.</p> <p>4. When a question arises over whether the Executive Board or Council is the appropriate body to deal with an issue, the Executive Board shall decide the matter, subject to the Bylaws, Regulations and Policy statements of the Society, and shall specifically note the decision in its minutes. However, Council may overrule the Executive Boards decision and choose to deal with the issue itself.</p> <p>5. Pursuant to Article 10(2)(iii), no information shall be withheld from Council notwithstanding the confidential nature of the information. The Executive may request that the information be disclosed in an <i>in-camera</i> session, at which time the Council shall decide whether to go into an <i>in-camera</i> session.</p> <p>6. In addition to the rules set out in the Regulations and Bylaws, the Executive Board may make such other rules as may be considered necessary, provided such rules and regulations are consistent with the Constitution, Bylaws, Regulations and Policies of the Society. Such rules shall be adopted by a Two-thirds (2/3) Resolution at a meeting of the Executive Board where all the members Executive Board are in attendance, and shall be placed in an Executive Procedures Manual.</p>	<p>contractual nature; <u>along with the Vice-President Internal Affairs negotiate wage rates and contracts of staff and adjust them accordingly. The Hiring Committee, which includes the President, VP-Internal, Operations Supervisor, and the designated Senior Staff member, will hire, discipline, discharge any staff member with the agreement of the Vice-President Internal-Affairs. Notwithstanding this clause, a Two-thirds (2/3) resolution of the Board may decide to appoint other individuals.</u></p> <p>6. determine the resource needs of the Society so that the Society can pursue its constitutional purposes effectively; <u>have such other powers and duties as are stipulated in the Regulations, or are assigned by the Board from time to time.</u></p> <p>ii. ensure that all deserving students involved in the Society receive some form of recognition for their contribution and service to the Society;</p> <p>iii. approve changes in the contract between the Society and the General Manager, and inform Council if any substantial changes are made;</p> <p>iv. ensure that minutes of all Executive Board meetings, once approved by the Board, shall be signed by the chair and submitted to Council for approval;</p> <p>v. appoint by Resolution one of its members to be the Chairperson of the Executive Board, however Council may overrule this decision at any time by a Two thirds (2/3) Resolution;</p> <p>vi. negotiate annually the contract with the Societys General Manager, and provide an annual report to Council on the General Managers performance.</p> <p>vii. perform such other functions as may be assigned by Council from time to time.</p> <p>3. <u>The Treasurer Shall:</u></p> <p>1. <u>manage the financial affairs of the Society in accordance with the Bylaws and Regulations;</u></p> <p>2. <u>prepare a budget proposal for the Board in</u></p>	

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	<p><u>accordance with the Regulations:</u></p> <ol style="list-style-type: none"> 3. <u>work with all financial staff in order to fulfill her duties and request help from them only. In any disputes between the Treasurer and staff members the Board shall decide the matter.</u> 4. <u>be a Signing Officer of the Society; and</u> 5. <u>have such other powers and duties as are stipulated in the Regulations, or are assigned by the Board from time to time.</u> <p><u>4. The Vice President External Affairs:</u></p> <ol style="list-style-type: none"> 1. <u>be the official spokesperson for the society on every level and may work in conjunction with the President as she sees fit.</u> 2. <u>liaise with, and represent the Society on, external organizations, committees and coalitions;</u> 3. <u>liaise with organizations at Kwantlen University College dealing with faculty, instructors, the teaching assistants, and the non-teaching staff and all academic issues;</u> 4. <u>be responsible for lobbying local, provincial and federal governments on the Policies of the Society;</u> 5. <u>have such other powers and duties as are stipulated in the Regulations, or are assigned by the Board from time to time.</u> <p><u>5. The Vice President of Events & Student Life shall:</u></p> <ol style="list-style-type: none"> 1. <u>be responsible for planning, organizing and monitoring activities that pertain to the social needs and recreational aspects of students lives, mainly but not limited to, on campus;</u> 2. <u>coordinate with the Campus Directors and staff in the planning and implementation of any fundraising activities or campus-specific events;</u> 3. <u>liaise with Kwantlen University College on issues pertaining to events and student life; and</u> 4. <u>have such other powers and duties as are</u> 	

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
	<p><i>stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</i></p> <p><u>6. The Vice President Internal Affairs shall:</u></p> <ol style="list-style-type: none"> 1. <u>be the official liaison between staff and elected officials</u> 2. <u>have the authority, only with the agreement of the Hiring Committee to hire, fire or discipline any staff member, however, a two-thirds (2/3) resolution of the Board may overrule at any time.</u> 3. <u>Conduct staff evaluations periodically with the help of the Operations Supervisor and shall present these findings to the Board.</u> 4. <u>Ensure that all records of the society are properly updated and the office is kept clean, secure and updated in conjunction with the President.</u> 5. <u>Be responsible, along with the President, in making sure that elected officials act as outlined in these bylaws, regulations and policies.</u> 6. <u>Have such other powers and duties as are stipulated in the Regulations, or are assigned from the Board from time to time.</u> <p>7. Nothing in this Article shall be interpreted so as to restrict the authority of Council as established in these Bylaws.</p> <p>8. When a question arises over whether the Executive Board or Council is the appropriate body to deal with an issue, the Executive Board shall decide the matter, subject to the Bylaws, Regulations and Policy statements of the Society, and shall specifically note the decision in its minutes. However, Council may overrule the Executive Boards decision and choose to deal with the issue itself.</p> <p>9. Pursuant to Article 10(2)(iii), no information shall be withheld from Council notwithstanding the confidential nature of the information. The Executive may request that the information be disclosed in an <i>in camera</i> session, at which time the Council shall decide whether to go into an <i>in camera</i> session.</p> <p>10. In addition to the rules set out in the Regulations and Bylaws, the Executive Board may make such other rules as</p>	

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	<p>may be considered necessary, provided such rules and regulations are consistent with the Constitution, Bylaws, Regulations and Policies of the Society. Such rules shall be adopted by a Two-thirds (2/3) Resolution at a meeting of the Executive Board where all the members Executive Board are in attendance, and shall be placed in an Executive Procedures Manual.</p>	
<p><u>Article 11 Duties of the Members of the Executive Board</u></p> <p>6. Each member of the Executive Board shall sign an oath of office, such oath to be determined by Council and set within the Regulations.</p> <p>7. The Director of Operations shall:</p> <p>i. be the liaison between the Executive Board and the General Manager, and shall direct the General Manager in the course of her duties, subject to the Bylaws and Regulations of the Society;</p> <p>ii. be responsible for the operations of the General Office and for the maintenance of all records of the Society.</p> <p>iii. maintain or cause to be maintained updated master copies of the Societys Bylaws, Policies and Regulations and ensure that any changes to these documents are appropriately recorded and distributed to each campus;</p> <p>iv. be a Signing Officer of the Society;</p> <p>v. be responsible, through the General Manager, for the administrative duties of the General Office, and shall ensure that business on all campuses is carried out according to the Bylaws, Policies and Regulations of the Society; and</p> <p>vi. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</p>	<p><u>Article 11 Duties of the Members of the Executive Board</u></p> <p>12- Each member of the Executive Board shall sign an oath of office, such oath to be determined by Council and set within the Regulations.</p> <p>13- The Director of Operations shall:</p> <p>i. be the liaison between the Executive Board and the General Manager, and shall direct the General Manager in the course of her duties, subject to the Bylaws and Regulations of the Society;</p> <p>ii. be responsible for the operations of the General Office and for the maintenance of all records of the Society.</p> <p>iii. maintain or cause to be maintained updated master copies of the Societys Bylaws, Policies and Regulations and ensure that any changes to these documents are appropriately recorded and distributed to each campus;</p> <p>iv. be a Signing Officer of the Society;</p> <p>v. be responsible, through the General Manager, for the administrative duties of the General Office, and shall ensure that business on all campuses is carried out according to the Bylaws, Policies and Regulations of the Society; and</p> <p>vi. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</p> <p>14- The Director of Finance shall:</p> <p>i. manage the financial affairs of the Society in accordance with the Bylaws and Regulations;</p>	<p>It's funny, because in the end, I don't see anything wrong with the old structure for the Executive Board.</p> <p>I do think though, that campus councils could be more responsive to their campuses by having program representatives being elected by and from students of various programs, to work for them on that campus council. It would help get the KSA more out there on campus, giving it a means of being more in touch with the students of Kwantlen. Upon being elected, you could then have 2 or 3 of them, in addition to the campus director, be the main voices on the main KSA Council.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>8. The Director of Finance shall:</p> <ul style="list-style-type: none"> i. manage the financial affairs of the Society in accordance with the Bylaws and Regulations; ii. negotiate, with the General Manager, changes in the contracts for the staff of the Society (other than the General Manager) and present those changes to the Executive Board for approval. iii. prepare a budget proposal for Council in accordance with the Regulations; iv. be a Signing Officer of the Society; and v. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time. <p>9. The Director of External Affairs shall:</p> <ul style="list-style-type: none"> i. liaise with, and represent the Society on, external organizations, committees and coalitions, unless such duties have been otherwise assigned in the Bylaws or regulations; ii. liaise with organizations at Kwantlen University College representing the faculty, the other instructors, the teaching assistants, and the non-teaching staff on non-academic matters; iii. be responsible for lobbying local, provincial and federal governments on the Policies of the Society; iv. be a Signing Officer of the Society; and v. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time. <p>10. The Director of Events and Student Life shall:</p> <ul style="list-style-type: none"> i. be responsible for planning, organizing and monitoring activities that pertain to the social 	<ul style="list-style-type: none"> ii. negotiate, with the General Manager, changes in the contracts for the staff of the Society (other than the General Manager) and present those changes to the Executive Board for approval. iii. prepare a budget proposal for Council in accordance with the Regulations; iv. be a Signing Officer of the Society; and v. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time. <p>14. The Director of External Affairs shall:</p> <ul style="list-style-type: none"> i. liaise with, and represent the Society on, external organizations, committees and coalitions, unless such duties have been otherwise assigned in the Bylaws or regulations; ii. liaise with organizations at Kwantlen University College representing the faculty, the other instructors, the teaching assistants, and the non-teaching staff on non-academic matters; iii. be responsible for lobbying local, provincial and federal governments on the Policies of the Society; iv. be a Signing Officer of the Society; and v. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time. <p>16. The Director of Events and Student Life shall:</p> <ul style="list-style-type: none"> i. be responsible for planning, organizing and monitoring activities that pertain to the social needs and recreational aspects of students lives, mainly but not limited to, on campus; ii. coordinate with the Campus Directors in the planning and implementation of any fundraising activities or campus specific events; iii. liaise with Kwantlen University College on issues pertaining to events and student life; and 	

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<p>needs and recreational aspects of students lives, mainly but not limited to, on campus;</p> <p>ii. coordinate with the Campus Directors in the planning and implementation of any fundraising activities or campus-specific events;</p> <p>iii. liaise with Kwantlen University College on issues pertaining to events and student life; and</p> <p>iv. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</p> <p>11. The Director of Academic Affairs shall:</p> <p>i. liaise with organizations at Kwantlen University College representing the faculty, the other instructors, the teaching assistants, and the non-teaching staff on academic matters;</p> <p>ii. liaise with Kwantlen University College on issues pertaining to academics; and</p> <p>iii. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</p>	<p>iv. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</p> <p>17. The Director of Academic Affairs shall:</p> <p>i. liaise with organizations at Kwantlen University College representing the faculty, the other instructors, the teaching assistants, and the non-teaching staff on academic matters;</p> <p>ii. liaise with Kwantlen University College on issues pertaining to academics; and</p> <p>iii. have such other powers and duties as are stipulated in the Regulations, or are assigned by Council or the Executive Board from time to time.</p>	
<p><u>Article 12 Meetings Of Council</u></p> <p>1. Quorum for meetings of Council shall be fifty percent (50%) plus one of the current members of Council, not counting vacancies. In no case shall quorum be less than six (6) voting members.</p> <p>2. The Chair shall call Council to order once quorum is present.</p> <p>3. The Chair shall dissolve the sitting should no quorum be present within thirty (30) minutes after the given time of the meeting.</p> <p>4. At any time during the proceedings of Council that quorum is not present, the Chair shall dissolve the meeting immediately following completion of the question currently on the floor.</p>	<p><u>Article 12 10 Meetings Of Council</u></p> <p>1. Quorum for meetings of Council shall be fifty percent (50%) plus one of the current members of Council, not counting vacancies. In no case shall quorum be less than six (6) three (3) voting members.</p> <p>2. The Chair shall call Council the Board to order once quorum is present.</p> <p>3. The Chair shall dissolve the sitting should no quorum be present within thirty (30) minutes after the given time of the meeting.</p> <p>4. At any time during the proceedings of Council the Board that quorum is not present, the Chair shall dissolve the meeting immediately following completion of the question currently on the floor.</p>	

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>5. Each member of Council shall be entitled to one vote at meetings of Council. Meetings of Council shall be open to all members of the Society, unless Council decides to go <i>in camera</i> by a Two-thirds (2/3) Resolution. An <i>In Camera</i> session is ended, and the meeting again becomes open to all members, upon a Resolution of Council. Under no circumstances shall Council have the authority to exclude voting members of Council from any meeting of Council at any time.</p> <p>6. Members of Council may appoint an individual as a proxy, to attend a meeting of Council in that Council members place. No individual may carry more than one (1) proxy. Further rules for proxies at Council meetings shall be set out in the Regulations.</p> <p>7. Council shall hold regularly scheduled meetings at least twice each month, excluding the months of July, August and December, during such months Council may meet as it sees fit.</p>	<p>5. <u><i>The President, three (3) Vice-Presidents, Treasurer, the four (4) Campus Directors shall be entitled one vote each.</i></u></p> <p>6. Each member of Council <u>the Board</u> shall be entitled to one vote at meetings of Council. Meetings of Council <u>the Board</u> shall be open to all members of the Society, unless Council decides to go <i>in camera</i> by a Two-thirds (2/3) Resolution. An <i>In Camera</i> session is ended, and the meeting again becomes open to all members, upon a Resolution of Council <u>the Board</u>. Under no circumstances shall Council have the authority to exclude voting members of Council <u>the Board</u> from any meeting of Council <u>the Board</u> at any time.</p> <p>7. Members of Council <u>Board members</u> may appoint an individual as a proxy, to attend a meeting of Council in that Council <u>Board</u> members place. No individual (<u>voting or non-voting</u>) may carry more than one (1) proxy. Further rules for proxies at Council meetings shall be set out in the Regulations.</p> <p>8. Council <u>The Board</u> shall hold regularly scheduled meetings at least twice <u>once</u> each month, excluding the months of July, August and, December, <u>and January</u>, during such months Council <u>the Board</u> may meet as it sees fit.</p> <p>9. <u>The Chair shall be a member of the Board or staff person appointed by a Two-thirds (2/3) Resolution.</u></p> <p>10. <u>The Chair shall:</u></p> <ol style="list-style-type: none"> 1. <u>chair Board meetings:</u> 2. <u>post or cause to be posted notices of Board meetings twenty-four (24) hours in advance, by any means he / she deems necessary, including electronic media;</u> 3. <u>have such other duties as are outlined in the Regulations or assigned by the Board from time to time.</u> <p>11. <u>The Chair shall not be the Spokesperson of the Board.</u></p> <p>12. <u>In the absence of the Chair, the President shall chair Board meetings, provided however that the Board may, by a Two-thirds (2/3) Resolution, elect an alternate chair.</u></p>	<p>I noted above the effect of having the Presidents hold the balance of power over the campus council members. <u>Not Cool.</u></p> <p>They've removed the old "Speaker of Council" position and replaced it with the new Article 10 (9) through (12). Under the old system the Speaker had a number of important tasks under the old Article 13, including ensuring they are not impartial and ensuring they are arms length from the day to day activities of the Society. Now anyone can fulfill this position.</p> <p>They've also lowered the required time for posting of when meetings will occur from 72 hours to 24 hours, meaning meetings can be called whenever they want, with no real notice given to anyone including students.</p>

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<p><u>Article 13 Speaker of Council</u></p> <ol style="list-style-type: none"> 1. The Speaker of Council shall be a non-voting member of Council appointed by a Two-thirds (2/3) Resolution of Council. 2. The Speaker shall not hold any other elected, staff or appointed position in the Society. 3. The Speaker of Council shall: <ol style="list-style-type: none"> i. chair Council meetings; ii. post or cause to be posted notices of Council meetings seventy-two (72) hours in advance, by any means he/she deems necessary, including electronic media; iii. ensure that minutes of Council meetings are posted in a public place within fifteen (15) days after the meeting; iv. have such other duties as are outlined in the Regulations or assigned by Council from time to time. 4. The Speaker shall not be the Spokesperson of Council. 5. In the absence of the Speaker, the Chairperson of the Executive Board shall chair Council meetings, provided however that Council may, by a Two-thirds (2/3) Resolution, elect an alternate chair. 	<p><u>Article 13 Speaker of Council</u></p> <ol style="list-style-type: none"> 1. The Speaker of Council shall be a non-voting member of Council appointed by a Two-thirds (2/3) Resolution of Council. 2. The Speaker shall not hold any other elected, staff or appointed position in the Society. 3. The Speaker of Council shall: <ol style="list-style-type: none"> i. chair Council meetings; ii. post or cause to be posted notices of Council meetings seventy-two (72) hours in advance, by any means he/she deems necessary, including electronic media; iii. ensure that minutes of Council meetings are posted in a public place within fifteen (15) days after the meeting; iv. have such other duties as are outlined in the Regulations or assigned by Council from time to time. 4. The Speaker shall not be the Spokesperson of Council. 5. In the absence of the Speaker, the Chairperson of the Executive Board shall chair Council meetings, provided however that Council may, by a Two-thirds (2/3) Resolution, elect an alternate chair. 	<p>Removing Article 13 is in a way dangerous to the operations of the Society as the Speaker position was fairly independent and arms length from the day-to-day activities of the Society, meaning their rulings and work would be impartial and fair to all involved. This impartiality and fairness is removed when you take this section out.</p>
<p><u>Article 14 Policy Statements</u></p> <ol style="list-style-type: none"> 1. Council may express an opinion, sentiment or principle with respect to a specific issue by means of a policy statement. 2. Since the Regulations specify the internal procedures of the Society, a policy statement shall not be used to do so. 3. A policy statement shall contain: <ol style="list-style-type: none"> i. a preamble explaining the reasons for 	<p><u>Article 14 11 Policy Statements</u></p> <ol style="list-style-type: none"> 1. Council The Board may express an opinion, sentiment or principle with respect to a specific issue by means of a policy statement. 2. Since the Regulations specify the internal procedures of the Society, a policy statement shall not be used to do so. 3. A policy statement shall contain: <ol style="list-style-type: none"> 1. a preamble explaining the reasons for expressing an opinion, sentiment or principle; 	<p>No real significant changes to this section, other than its renumbering due in part to the many articles that have been removed from the old bylaws.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>expressing an opinion, sentiment or principle;</p> <p>ii. a resolution declaring the opinion, sentiment or principle.</p> <p>4. A policy statement shall remain in effect for three (3) years from its date of adoption, unless Council specifies that it is to be in effect for a shorter period.</p> <p>5. Policy statements may only be adopted, amended, renewed, suspended, or rescinded by a Two-thirds (2/3) Resolution of Council.</p>	<p>2. a resolution declaring the opinion, sentiment or principle.</p> <p>4. A policy statement shall remain in effect for three (3) years from its date of adoption, unless Council <u>the Board</u> specifies that it is to be in effect for a shorter period.</p> <p>5. Policy statements may only be adopted, amended, renewed, suspended, or rescinded by a Two-thirds (2/3) Resolution of Council <u>the Board</u>.</p>	
<p><u>Article 15 Orientation of Council</u></p> <p>1. The General Manager shall ensure that each member of Council receives, upon assuming office, a copy of the following documents:</p> <p>i. the Council Handbook;</p> <p>ii. the Constitution, Bylaws and Regulations; and</p> <p>iii. the Policy Statement Manual.</p> <p>2. The General Manager shall arrange a comprehensive orientation session for all members of Council during the months of April or May. This session shall include, but not be limited to:</p> <p>i. the rules of order of meetings;</p> <p>ii. the role of the members of Council;</p> <p>iii. the structure and processes of the Society;</p> <p>iv. the resources and administrative support available to members of Council; and</p> <p>v. priority planning for the year.</p>	<p><u>Article 15 12 Orientation of Council</u></p> <p>3. The General Manager <u>Operations Supervisor</u> shall ensure that each member of Council receives, upon assuming office, a copy of the following documents:</p> <p>1. the Council <u>Board</u> Handbook;</p> <p>2. the Constitution, Bylaws and Regulations; and</p> <p>3. the Policy Statement Manual.</p> <p>4. The General Manager <u>Operations Supervisor</u> shall arrange a comprehensive orientation session for all members of Council <u>Board Members</u> during the months of April or May <u>February or March</u>. This session shall include, but not be limited to:</p> <p>1. the rules of order of meetings;</p> <p>2. the role of the members of Council <u>Board members</u>;</p> <p>3. the structure and processes of the Society;</p> <p>4. the resources and administrative support available to members of Council <u>Board members</u>; and</p> <p>5. priority planning for the year.</p>	<p>No real significant changes to this section, other than its renumbering due in part to the many articles that have been removed from the old bylaws.</p>
<p><u>Article 16 The Ombudsperson</u></p> <p>1. The Ombudsperson shall serve as a protection for the members against maladministration, both within</p>	<p><u>Article 16 The Ombudsperson</u></p> <p>4. The Ombudsperson shall serve as a protection for the members against maladministration, both within the Society</p>	<p>This is scary! We now have no definition of what the ombudsperson is in spite of the fact that the ombudsperson position is mentioned in other sections of the bylaws.</p>

CURRENT KSA BY-LAWS	PROPOSED KSA BY-LAW CHANGES – “RAF2K5”	COMMENTARY / EFFECT OF CHANGES
<p>the Society and the Kwantlen University College. The prime purpose of the position shall be to seek justice through the fair and reasonable application of administrative rules and regulations as adopted from time to time by the Society, Kwantlen University College, or through law.</p> <p>2. The Ombudsperson shall sign an oath of office, such oath to be determined by Council and set within the Regulations.</p> <p>3. The Ombudsperson shall be appointed by a Two-thirds (2/3) Resolution of Council for a one (1) year term.</p> <p>4. The Ombudsperson shall not hold any other elected, hired or appointed position within the Society. An Ombudsperson who becomes a candidate for an elected, hired or appointed position within the Society immediately ceases to hold the position of Ombudsperson.</p> <p>5. The Ombudsperson shall be a non-voting member of any board, committee or other Society body, and may attend any meeting she sees fit, even an <i>in camera</i> meeting.</p> <p>6. The Ombudsperson shall, during regular business hours, have unfettered access to all the Societys records, documents and other materials, electronic or otherwise, that she may require in the exercise of her duties.</p> <p>7. The Ombudsperson may only be removed from office by an Ordinary Resolution of the Society.</p> <p>8. Further rules concerning the Ombudsperson shall be set out in the Regulations.</p>	<p>and the Kwantlen University College. The prime purpose of the position shall be to seek justice through the fair and reasonable application of administrative rules and regulations as adopted from time to time by the Society, Kwantlen University College, or through law.</p> <p>2. The Ombudsperson shall sign an oath of office, such oath to be determined by Council and set within the Regulations.</p> <p>3. The Ombudsperson shall be appointed by a Two-thirds (2/3) Resolution of Council for a one (1) year term.</p> <p>4. The Ombudsperson shall not hold any other elected, hired or appointed position within the Society. An Ombudsperson who becomes a candidate for an elected, hired or appointed position within the Society immediately ceases to hold the position of Ombudsperson.</p> <p>5. The Ombudsperson shall be a non-voting member of any board, committee or other Society body, and may attend any meeting she sees fit, even an <i>in camera</i> meeting.</p> <p>6. The Ombudsperson shall, during regular business hours, have unfettered access to all the Societys records, documents and other materials, electronic or otherwise, that she may require in the exercise of her duties.</p> <p>7. The Ombudsperson may only be removed from office by an Ordinary Resolution of the Society.</p> <p>8. Further rules concerning the Ombudsperson shall be set out in the Regulations.</p>	<p>The ombudsperson will no longer be required to sign an oath of office!</p> <p>The Ombudsperson is no longer an appointed position – which means that the Board could hire and fire the ombudsperson as they see fit! How does this make the position impartial and how does it give the position the power to investigate issues of importance – issues that could even be damaging to currently sitting elected officials?</p> <p>It removes the stipulation that they can't work for the society in any other means.</p> <p>It removes the stipulation that they can attend any meeting of the KSA at any time!</p> <p>It removes the fact that there must be an ombudsperson section in the Regulations.</p> <p>As such, any group of elected officials could hire their friend to be the ombudsperson, to do whatever they saw fit. It guarantees that you probably won't bother putting someone into the position who will actually have the know-how for investigating issues that come forward during the course of their term.</p> <p><u><i>In other words, under this system, the KSA could appoint and remove at their discretion any unqualified person and control them at their will.</i></u></p>
<p><u>Article 17 General Manager</u></p> <p>1. The General Manager shall:</p> <p>i. manage the general business affairs of the Society as stipulated in the Regulations.</p> <p>ii. hire, train, supervise, direct, discharge and otherwise manage the human resources of the</p>	<p><u>Article 17.13 General Manager Senior Staff Duties</u></p> <p>1. The General Manager <u>Two (2) Senior Staff Members</u> shall:</p> <p>1. <u>be the Operations Supervisor and another Senior Staff member determined by a 2/3 resolution of the Board at sometime throughout the elected term</u></p>	<p>By changing this section, they have created these two new positions in the By-laws to help run the Society.</p> <p>Having another person in a vaguely defined secondary senior staff role is scary because of the lack of definition existing for that position.</p>

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<p>Society, in consultation with the Executive Board;</p> <p>iii. annually review the performance of each permanent employee and to make salary adjustments as permitted by the Budget;</p> <p>iv. ensure the security and maintenance of the Societys assets and buildings;</p> <p>v. cause all funds of the Society to be held in deposits, or invested in shares, stocks or other securities as she deems appropriate and which have not been expressly excluded by Council;</p> <p>vi. submit to Council quarterly financial reports in the manner specified in the Regulations;</p> <p>vii. cause to be operated and maintained all accounting systems and financial procedures of the Society;</p> <p>viii. have such other powers and duties as are stipulated in the Regulations or assigned by the Executive Board or Council from time to time.</p>	<p><i>and shall last for a period of no less than three (3) years, unless a Two-thirds (2/3) resolution which must include the vote of both the President and Vice-President Internal Affairs, the Board decides to appoint alternate staff member(s) to fulfill the requirements of this article</i> manage the general business affairs of the Society as stipulated in the Regulations.</p> <p>6. <i>The Two (2) Senior Most Staff Members shall:</i></p> <p>1. <i>Manage the general business affairs of the Society as stipulated in the Regulations. hire, train, supervise, direct, discharge and otherwise manage the human resources of the Society, in consultation with the Executive Board;</i></p> <p>2. <i>help in managing the human resources of the Society, in consultation with the President and Vice-President Internal Affairs. In the case of a disagreement between any staff and elected officials, a Two-thirds (2/3) resolution of the Board shall prevail over the decision(s) of any of the two (2) Senior staff</i> annually review the performance of each permanent employee and to make salary adjustments as permitted by the Budget;</p> <p>3. ensure the security and maintenance of the Societys assets and buildings <i>in accordance with the individuals and procedure listed in Article 13(2)(ii);</i></p> <p>4. cause all funds of the Society to be held in deposits, or invested in shares, stocks or other securities as she <i>they</i> deems appropriate and which have not been expressly excluded by Council <i>the Board in accordance with the individuals and procedure listed in Article 13(2)(ii);</i></p> <p>5. submit to Council <i>the Board</i> quarterly financial reports in the manner specified in the Regulations <i>and in accordance with the individuals and procedure listed in Article 13(2)(ii);</i></p> <p>6. <i>with the approval of the Operations Supervisor and the Treasurer,</i> cause to be operated and maintained all accounting systems and financial procedures of the Society <i>in accordance with the individuals and procedure listed in Article 13(2)(ii);</i></p>	<p>Also, the point that they be appointed for a term of no less than 3 years means that if you get a bad person in a senior staff position, you could be stuck with them for three years!</p> <p>Also, the new positions have no real power over protecting the interests or assets of the Society as their decisions can always be overruled by a two-thirds resolution of Council.</p>

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	<p>7. have such other powers and duties as are stipulated in the Regulations or assigned by the Executive Board or Council <u>the Board</u> from time to time.</p> <p>7. <u>In the case of a disagreement between the two designated Senior Staff, a majority vote of the Board shall decide the matter.</u></p> <p>8. <u>Notwithstanding any other bylaw no Senior Staff member shall take part in their own employment evaluations and / or salary adjustment. The President and Vice-President Internal Affairs shall conduct these evaluations.</u></p>	
<p><u>Article 18 Fees</u></p> <p>1. The Societys membership fees shall be set in accordance with these Bylaws and the <i>College and Institute Act</i>.</p> <p>2. Every Member shall pay Society fees during any Kwantlen University College semester in which that Member is registered for:</p> <p>i. one (1) or more credit courses at Kwantlen University College; or</p> <p>ii. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution;</p>	<p><u>Article 18 14 Fees</u></p> <p>1. The Societys membership fees shall be set in accordance with these Bylaws and the <i>College and Institute Act</i>.</p> <p>2. Every Member shall pay Society fees during any Kwantlen University College semester in which that Member is registered for:</p> <p>1. one (1) or more credit courses at Kwantlen University College; or</p> <p>2. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution;</p> <p>3. <u>Any changes to the fee structure of the society must be done by referendum in any semester.</u></p>	<p>Adding point 3 to the fees section is scary because now under the new bylaws they could pass fee changes in the summertime when hardly any students are around to help make an informed decision!</p>
<p><u>Article 19 Seal</u></p> <p>1. Council may provide a common seal for the Society and may destroy a seal and substitute a new seal in its place.</p> <p>2. The common seal must be affixed only when authorized by a Resolution of Council and then only in the presence of the persons specified in the Resolution, or if no persons are specified, in the presence of the Executive Board.</p>	<p><u>Article 19 Seal</u></p> <p>3. Council may provide a common seal for the Society and may destroy a seal and substitute a new seal in its place.</p> <p>4. The common seal must be affixed only when authorized by a Resolution of Council and then only in the presence of the persons specified in the Resolution, or if no persons are specified, in the presence of the Executive Board.</p>	<p>I don't know why they removed the seal section. Wasn't even sure why it was there to begin with really, other than the fact that the Society Act of BC allows societies to have one in their bylaws.</p>

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<p><u>Article 20 Borrowing</u></p> <ol style="list-style-type: none"> In order to carry out the purposes of the Society Council may, on behalf of and in the name of the Society, raise or secure the payment or repayment of money in the manner they decide, and, in particular but without limiting that power, by the issue of debentures. A debenture must not be issued without the authorization of a Special Resolution of the Members. The Members may, by Special Resolution, restrict the borrowing powers of Council, but such a resolution imposed expires at the next Annual General Meeting. 	<p><u>Article 20 15 Borrowing</u></p> <ol style="list-style-type: none"> In order to carry out the purposes of the Society Council the Board <i>the Board</i> may, on behalf of and in the name of the Society, raise or secure the payment or repayment of money in the manner they decide, and, in particular but without limiting that power, by the issue of debentures. A debenture must not be issued without the authorization of a Special Resolution of the Members <i>the Treasurer, President and the Operations Supervisor.</i> The Members may, by Special <i>Ordinary</i> Resolution, restrict the borrowing powers of Council the Board, but such a resolution imposed expires at the next Annual General Meeting. 	<p>Now debts can be taken on by the Society with the approval of the Treasurer, the President and a Staff person. Oh, and if the Staff Person thinks that taking on the debenture is a bad thing, then the President and Treasurer could have their friends overturn it at the Board of Directors by a 2/3rds resolution! <u>How's that for a system of checks and balances?</u></p> <p>There is an interesting thing that happened – with the original online copy of the By-laws, that was online as at September 29, 2005, Article 20 was different. Article (20) (2) read "...without the authorization of a Two-thirds (2/3rd) Resolution of Council." Also, Article (20)(3) read "...by Ordinary Resolution, restrict..."</p> <p>It is not known how this change occurred. The copy that was with the Registrar of Societies read as it reads now. Unfortunately this was not discovered until January 2006, and this was a mistake that made it into the November 29, 2005 Bylaws. Luckily, having</p>
<p><u>Article 21 Auditor</u></p> <ol style="list-style-type: none"> At each Annual General Meeting the Society must appoint an auditor to hold office until the auditor is re-elected or a successor is elected at the next Annual General Meeting. An auditor may be removed by an Ordinary Resolution. An auditor must be promptly informed in writing of the auditors appointment or removal. The Auditor shall have unfettered access to all the Societys records, documents and other materials, electronic or otherwise, that she may require in the exercise of her duties. A member of Council or employee of the Society must not be its auditor. The auditor may attend all General Meetings. 	<p><u>Article 21 16 Auditor</u></p> <ol style="list-style-type: none"> At each Annual General Meeting the Society must appoint an auditor to hold office until the auditor is re-elected or a successor is elected at the next Annual General Meeting. An auditor may be removed by an Ordinary Resolution <i>a two-thirds (2/3) resolution of the Board which must include the agreement of the ombudsperson and at least one Senior Staff member. However under no circumstances shall an auditor be removed with less than ninety (90) days remaining before the beginning of a previously scheduled audit.</i> An auditor must be promptly informed in writing of the auditors appointment or removal. The Auditor shall have unfettered access to all the Societys records, documents and other materials, electronic or otherwise, that she may require in the exercise of her duties. A member of Council <i>Board member</i> or employee of the Society must not be its auditor. 	<p>Now the auditor can be changed by the Board at anytime with the approval of their powerless, it's just here because it looks good, ombudsperson and the staff people that even if they don't agree with something can be overturned by a vote of the executive controlled Board of Directors.</p> <p>Before, only a vote by the membership (The students of Kwantlen) could change who does the audit. The Society act also allows the board of directors to appoint an auditor only if the auditor like dies or goes out of business.</p> <p>This means, if the Board doesn't like the auditors, they could just change them at will. This is totally uncool and is probably in violation of Generally Accepted Accounting Principles as well as the CICA Handbook.</p>

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	6. The auditor may attend all General Meetings.	
<p>Article 22 Bylaws</p> <ol style="list-style-type: none"> Each member is entitled to, and the Society must give the member on request for the sum of one dollar (\$1), a copy of the Constitution and Bylaws of the Society. These Bylaws must not be altered or added to except by Special Resolution. 	<p>Article 22 Bylaws</p> <ol style="list-style-type: none"> Each member is entitled to, and the Society must give the member on request for the sum of one dollar (\$1) <u>five dollars (\$5)</u>, a copy of the Constitution and Bylaws of the Society. These Bylaws must not be altered or added to except by Special Resolution <u>or at an Annual General Meeting or a Special General Meeting with quorum of at least fifty (5) members. The members must then vote by Two-thirds (2/3) to alter these bylaws.</u> 	<p>The Society Act of BC actually only allows you to charge \$1. So the change to Article 22 (1) is ultra vires to the act.</p> <p>You can't just change it to whatever amount you want, as that's unfair to the membership. In fact, in the past, any member of the KSA could access the bylaws or regulations for free!</p>
<p>Article 23 Records of the Society</p> <ol style="list-style-type: none"> Subject at all times to Articles 23(2) and 23(3) herein, the records of the Society may be inspected by the members of the Society, on reasonable notice to the General Manager, during regular business hours. The Society reserves the right to maintain appropriate confidentiality by not disclosing records in its possession that relate to: <ol style="list-style-type: none"> personal information concerning members, its staff and other officers; and confidential information concerning other third parties. The Society reserves the right to maintain appropriate confidentiality by not disclosing records in its possession pertaining to <i>in camera</i> meetings. After an appropriate time period has elapsed since a particular in camera session, such time period to be stipulated in the Regulations, records pertaining to that session shall be released upon the written request of a member. If, in the opinion of the Executive Board, the in camera records requested by a member pursuant to this Article still require the maintenance of confidentiality, then the Executive Board may sever or remove all or part of the in camera records so requested, but must provide the member with a brief written summary of the information contained therein. Such a brief written 	<p>Article 23 18 Records of the Society</p> <ol style="list-style-type: none"> Subject at all times to Articles 23 18(2) and 23 18(3) herein, the records of the Society may be inspected by the members of the Society, on reasonable notice to the General Manager <u>Vice-President Internal Affairs, Vice-President External Affairs or a Senior Staff Member as outlined in Article 13(1)(i)</u>, during regular business hours. The Society reserves the right to maintain appropriate confidentiality by not disclosing records in its possession that relate to: <ol style="list-style-type: none"> personal information concerning members, its staff and other officers; and confidential information concerning other third parties. The Society reserves the right to maintain appropriate confidentiality by not disclosing records in its possession pertaining to <i>in camera</i> meetings. After an appropriate time period has elapsed since a particular in camera session, such time period to be stipulated in the Regulations, records pertaining to that session shall be released upon the written request of a member. If, in the opinion of the Executive Board, the in camera records requested by a member pursuant to this Article still require the maintenance of confidentiality, then the Executive Board may sever or remove all or part of the in camera records so requested, but must provide the member with a brief written 	<p>Under the old system, the GM was ultimately responsible for ensuring the safety and security of Society assets and information. Now you have a situation where elected officials could easily give out assets or information at will, which isn't ensuring the safety and security of Society records. Staff members are paid and trained to ensure that laws and privacy of staff are protected and all that could be thrown out the window if elected officials gain the power to give out information at their own will.</p>

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<p>summary shall be prepared in a manner that excludes all the appropriate information that, in the opinion of the Executive Board, should continue to remain confidential.</p> <p>4. Notwithstanding any other Article within these Bylaws, members of the Executive Board, the General Manager and the Ombudsperson shall, during regular business hours, have unfettered access to all the Societys records, documents and other materials, electronic or otherwise, that may be required in the exercise of their duties. However, the General Manager may require such individuals to sign confidentiality agreements as she sees fit.</p>	<p>summary of the information contained therein. Such a brief written summary shall be prepared in a manner that excludes all the appropriate information that, in the opinion of the Executive Board, should continue to remain confidential.</p> <p>4. Notwithstanding any other Article within these Bylaws, members of the Executive Board, the General Manager <u>the President along with the two (2) Senior Staff Members as outlined in Article 13(1)(i)</u> and the Ombudsperson shall, during regular business hours, have unfettered access to all the Societys records, documents and other materials, electronic or otherwise, that may be required in the exercise of their duties. However, the General Manager <u>the President or a Senior Staff Member</u> may require such individuals to sign confidentiality agreements as she sees fit.</p>	
<p><u>Article 24 Liability of the Society</u></p> <p>1. The Society shall not be liable or responsible for any damages incurred directly or indirectly by the actions of a member or members of the Society unless such action has been approved by the Society and to the extent of any such liability or responsibility being incurred by the Society the member causing same shall indemnify the Society.</p>	<p><u>Article 24 19 Liability of the Society</u></p> <p>1. The Society shall not be liable or responsible for any damages incurred directly or indirectly by the actions of a member or members of the Society unless such action has been approved by the Society and to the extent of any such liability or responsibility being incurred by the Society the member causing same shall indemnify the Society.</p>	
<p><u>Article 25 Parliamentary Authority</u></p> <p>1. The rules of order prescribed in the latest edition of Roberts Rules of Order shall apply at all meetings of the Society, to the extent of their consistency with the Act, these Bylaws and the Regulations.</p>	<p><u>Article 25 19 Parliamentary Authority</u></p> <p>1. The rules of order prescribed in the latest edition of Roberts Rules of Order shall apply at all meetings of the Society, to the extent of their consistency with the Act, these Bylaws and the Regulations. <u>At any time, however, a Two-thirds (2/3) resolution of the Board may suspend use of these rules of order for a specified length of time. At any time a Two-thirds (2/3) resolution of any other body within the society may also choose to suspend these rules for a specific length of time for their respective meeting only.</u></p> <p style="text-align: center;">***END OF BYLAWS***</p>	<p>Under this change, you can basically throw the rules of Parliamentary Authority out the window whenever you want, by a simple 2/3 resolution of the Board. These rules govern how meetings are run and ensure procedural fairness in conducting meetings. <u>This, along with throwing out your impartial speaker who is traditionally trained in how to conduct meetings as per Roberts Rules of Order, basically can allow meetings to run amuck.</u></p>