

## Protecting your money through Bylaw amendments...

The following amendments and additions can be made to the Bylaws to ensure the safety of your finances...

Specifically, this document compares the original KSA Bylaws to the *Reduce All Fees* Bylaws with the new proposed Bylaws. Commentary on the specific changes is also provided in the fourth column where appropriate.

The changes presented here also do more to protect your money than the changes that were presented on November 29, 2006 at a Special General Meeting as called by the membership of the Society. Changes that were added after November 29, 2006 are reflected in column 4.

To help protect your money, the following Articles would be amended:

Column 1: KSA BY-LAWS – 1999-2005	Column 2: KSA BY-LAW CHANGES – “RAF2K5”	Column 3: OUR NEW PROPOSED CHANGES
Article 1: Interpretation (Pages 2 – 5) Article 4: Referendums (Pages 6 – 8)	Article 1: Interpretation (Pages 2 – 5) Article 4: Referendums (Pages 6 – 8)	Article 1: Interpretation (Pages 2 – 5) Article 4: Referendums (Pages 6 – 8)
Article 18: Fees (Page 13) Article 21: Auditor (Page 17)	Article <del>48</del> <b>14</b> : Fees (Page 13) Article <del>24</del> <b>16</b> : Auditor (Page 17)	Article <del>48</del> <b>20</b> : Fees (Page 13) Article <del>24</del> <b>24</b> : Auditor (Page 17)

To help protect your money, the following Articles would be added to the Bylaws:

Column 1: KSA BY-LAWS – 1999-2005	Column 2: KSA BY-LAW CHANGES – “RAF2K5”	Column 3: OUR NEW PROPOSED CHANGES
		<b><u>Article 6: Conflict of Interest</u></b> (Pages 9 – 12) <b><u>Article 21: Budget</u></b> (Page 14 – 16)

This document has been created to fit on 8 ½ by 14 paper, landscape.

Column 1: KSA BY-LAWS – 1999-2005	Column 2: KSA BY-LAW CHANGES – “RAF2K5”	Column 3: OUR NEW PROPOSED CHANGES	Column 4: COMMENTARY ON CHANGES
<p><b>Article 1 Interpretation</b></p> <p>1. Within these Bylaws, unless the context otherwise requires:</p> <p><b>"Act"</b> shall mean the Society Act - BC, as amended from time to time;</p> <p><b>"Annual General Meeting"</b> shall mean a regularly scheduled annual meeting of the Members to be held not later than March 31 in any calendar year;</p> <p><b>"Bylaw"</b> shall mean a bylaw of the Society;</p> <p><b>"Campus Council"</b> 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><b>"Campus Council Officer"</b> shall mean an elected member of a Campus Council;</p> <p><b>"Campus Director"</b> shall mean the campus director of a Campus Council, who shall also serve on the Council of the Society;</p> <p><b>"Campus Representative"</b> shall mean an elected member of a Campus Council, who also serves on the Council of the Society;</p> <p><b>"Chairperson of the Executive Board"</b> 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><b>Article 1 Interpretation</b></p> <p>1. Within these Bylaws, unless the context otherwise requires:</p> <p><b>"Act"</b> shall mean the Society Act - BC, as amended from time to time;</p> <p><b>"Annual General Meeting"</b> shall mean a regularly scheduled annual meeting of the Members to be held not later than <del>March 31</del> <u>March 1</u> in any calendar year;</p> <p><b><i>"Senior Staff" shall mean the Operations Supervisor and another designated staff members selected in accordance with Article 13. Seniority shall be determined by the responsibilities outlined in their job description</i></b></p> <p><b>"Bylaw"</b> shall mean a bylaw of the Society;</p> <p><b>"Campus Council"</b> 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><b><del>"Campus Council Officer"</del> shall mean an elected member of a Campus Council;</b></p> <p><b>"Campus Director"</b> shall mean the campus director of a Campus Council, who shall also serve on the <del>Council</del> <u>Board</u> of the Society;</p> <p><b><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</i></b></p>	<p><b>Article 1 Interpretation</b></p> <p>1. Within these Bylaws, unless the context otherwise requires:</p> <p><b>"Act"</b> shall mean the Society Act - BC, as amended from time to time;</p> <p><b>"Annual General Meeting"</b> shall mean a regularly scheduled annual meeting of the Members to be held not later than March 31 in any calendar year;</p> <p><b>"Bylaw"</b> shall mean a bylaw of the Society;</p> <p><b>"Campus Council"</b> 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><b>"Campus Council Officer"</b> shall mean an elected member of a Campus Council;</p> <p><b>"Campus Director"</b> shall mean the campus director of a Campus Council, who shall also serve on the Council of the Society;</p> <p><b>"Campus Representative"</b> shall mean an elected member of a Campus Council, who also serves on the Council of the Society;</p> <p><b>"Chairperson of the Executive Board"</b> 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>In the changes made under Column 3, the definitions have been arranged by alphabetical order. This was the case with the original Bylaws as outlined in Column 1, but it was not done in the “RAF2K5” Bylaws as outlined in Column 2.</p>

Column 1: KSA BY-LAWS – 1999-2005	Column 2: KSA BY-LAW CHANGES – “RAF2K5”	Column 3: OUR NEW PROPOSED CHANGES	Column 4: COMMENTARY ON CHANGES
<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 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</p>	<p><del>appointed by the Board but may never hold a voting seat on the Board.</del></p> <p><del>"Campus Representative" shall mean an elected member of a Campus Council, who also serves on the Council of the Society;</del></p> <p><del>"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;</del></p> <p><del>"Council" shall mean the board of directors of the Society;</del></p> <p><del>"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 Affairs, Vice-President Events &amp; Student Life, Treasurer, the four (4) Campus Directors and all Members-At-Large</del></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><del>"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;</del></p> <p>"General Meeting" shall mean a general meeting of the Members;</p>	<p>"Council" shall mean the board of directors of the Society;</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><u>"External Independent Auditing Firm" shall mean an external organization as contracted by Council to oversee the administration of Society elections and referenda. The external organization may be a formal auditing firm or an organization that exists to run Society or Government elections.</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;</p> <p><u>"Financial Administrator" shall mean the permanent full-time staff person hired to assist the Executive Board and the General Manager with the financial procedures of the Society;</u></p> <p><u>"Full-Time Work," "Full-Time Staff Person," "Full-Time Employee" or "Full-Time Employment" shall mean work for 35 hours-a-week or more;</u></p> <p><u>"General Manager" shall mean the permanent full-time staff person hired to fulfill the duties of General Manager as prescribed by these Bylaws;</u></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</p>	<p>Ensuring that independent organizations are hired to conduct elections will ensure that all KSA elections are overseen at an arms length from currently elected officials and staff.</p> <p>Including a definition for "Financial Administrator" shall ensure that the Society always has a permanent individual holding this position.</p> <p>A definition of full-time work is provided so that it is clearly understood which positions in the Society are full-time and which are part-time.</p> <p>Including a definition for "General Manager" shall ensure that the Society always has a permanent individual holding this position. In 2005, the RAF moved all the powers of the General Manager to the Executive Board.</p>

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<p>requirements of such a resolution as stipulated in the Act;</p> <p><b>"Policy"</b> shall mean a position, view or opinion adopted by a Two-thirds (2/3) Resolution of Council;</p> <p><b>"Regulations"</b> shall mean those operational rules and regulations adopted or amended by a Two-thirds (2/3) Resolution of Council.</p> <p><b>"Resolution"</b> shall mean a resolution adopted by a simple majority of the votes cast, not including abstentions;</p> <p><b>"Special General Meeting"</b> shall mean any General Meeting of the Society other than the Annual General Meeting;</p> <p><b>"Special Resolution"</b> 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><b>"Student At Large"</b> shall mean a Member who does not currently hold an elected or appointed position within the Society;</p> <p><b>"Two-thirds (2/3) Resolution"</b> 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-</p>	<p><b>"Honourary Member"</b> shall mean a member of the Society with full <del>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;</del> <b>member rights.</b></p> <p><b>"In Camera"</b> shall mean a closed meeting and shall follow the rules pertaining to an executive session within Robert's Rules of Order, <del>insofar as such rules are consistent with these Bylaws and the Regulations.</del> <b><u>unless otherwise decided upon by 2/3 resolution of the board</u></b></p> <p><b>"Member"</b> 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><b>"Ordinary Resolution"</b> 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><b>"Policy"</b> shall mean a position, view or opinion adopted by a Two-thirds (2/3) Resolution of Council; <b><u>the Board;</u></b></p> <p><b>"Regulations"</b> shall mean those operational rules and regulations adopted or amended by a Two-thirds (2/3) Resolution of Council; <b><u>the Board.</u></b></p> <p><b>"Resolution"</b> shall mean a resolution adopted by a simple majority of the votes cast, not including abstentions;</p> <p><b>"Special General Meeting"</b> shall mean any General Meeting of the</p>	<p>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><b>"In Camera"</b> 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><b>"Member" or "Full Member"</b> 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><b>"Ordinary Resolution"</b> 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><b><u>"Part-Time Work," "Part-Time Staff Person," "Part-Time Employee" or "Part-Time Employment" shall mean anytime less than 35 hours-a-week.</u></b></p> <p><b>"Policy"</b> shall mean a position, view or opinion adopted by a Two-thirds (2/3) Resolution of Council;</p> <p><b><u>"Policy Advisor" shall mean the permanent full-time staff person hired to assist and serve Council, the Executive Board and the General Manager as a confidential advisor on matters such as Bylaw, Regulation, Procedure and Policy research, formation and amendments;</u></b></p>	<p>A definition of part-time work is provided so that it is clearly understood which positions in the Society are full-time and which are part-time.</p> <p>A definition for a "Policy Advisor" is provided to ensure that the Society always has a permanent individual to serve as a confidential advisor to elected officials. This change was not in the package presented to the membership on November 29, 2005.</p>

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<p>economic status.</p>	<p>Society other than the Annual General Meeting;</p> <p><b>"Special Resolution"</b> 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><b>"Student At Large"</b> shall mean a Member who does not currently hold an elected or appointed position within the Society;</p> <p><b>"Two-thirds (2/3) Resolution"</b> 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><b>"Regulations"</b> shall mean those operational rules and regulations adopted or amended by a Two-thirds (2/3) Resolution of Council.</p> <p><b>"Resolution"</b> shall mean a resolution adopted by a simple majority of the votes cast, not including abstentions;</p> <p><b>"Special General Meeting"</b> shall mean any General Meeting of the Society other than the Annual General Meeting;</p> <p><b>"Special Resolution"</b> 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><b>"Student At Large"</b> shall mean a Member who does not currently hold an elected or appointed position within the Society;</p> <p><b>"Two-thirds (2/3) Resolution"</b> 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>	

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<p><b>Article 4 Referendums</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The Director of Operations shall, within forty-five (45) days, call a referendum of the Society upon: <ol style="list-style-type: none"> <li>a. a Two-thirds (2/3) Resolution of Council; or</li> <li>b. 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.</li> </ol> </li> <li>4. Notice of a referendum shall be given to the members of the Society by: <ol style="list-style-type: none"> <li>a. 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</li> <li>b. 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.</li> </ol> </li> <li>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.</li> <li>6. All referendum questions must be clear, unbiased,</li> </ol>	<p><b>Article 4 Referendums</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. <del>The Director of Operations shall, within forty-five (45) days</del> <u>The VP-External, within thirty (30) days, shall</u> call a referendum of the Society upon: <ol style="list-style-type: none"> <li>a. a Two-thirds (2/3) Resolution of Council; or</li> <li>b. being served a petition stating the purpose of the General Meeting, duly signed by <del>two hundred and fifty (250)</del> <u>two hundred (200)</u> Members or ten percent (10%) of the Members, whichever is less.</li> </ol> </li> <li>4. Notice of a referendum shall be given to the members of the Society by: <ol style="list-style-type: none"> <li>a. affixing posters, no less than <del>fourteen (14)</del> <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 <del>twenty-five (25)</del> <u>eight (8)</u> such posters which must be affixed in conspicuous places around the campus; and</li> <li>b. the placement of an advertisement, no less than <del>fourteen (14)</del> <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.</li> </ol> </li> <li>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</li> </ol>	<p><b>Article 4 Referendums</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The Director of Operations shall, within forty-five (45) days, call a referendum of the Society upon: <ol style="list-style-type: none"> <li>i. a Two-thirds (2/3) Resolution of Council; or</li> <li>ii. <u>the Society</u> 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.</li> </ol> </li> <li>4. <u>All Society referendums shall be overseen and run by an independent auditing firm as contracted to do so by a Two-thirds (2/3) Resolution of Council, based on recommendations of the Primary Appointments Committee. Furthermore, the independent auditing firm shall be contracted by Council to begin work on the referendum no later than twenty-one (21) days before notice of the referendum is given to the membership.</u></li> <li>5. Notice of a referendum shall be given to the members of the Society by: <ol style="list-style-type: none"> <li>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 <del>twenty-five (25)</del> <u>thirty (30)</u> such posters which must be affixed in conspicuous places around the campus; <del>and</del></li> <li>ii. <u>the conspicuous placement of an advertisement, no less than fourteen (14) clear days before the date of the referendum, on the Official Internet Website of the</u></li> </ol> </li> </ol>	<p>The amendment to <u>Article 4(3)(ii)</u> helps state that the Director of Operations does not have to receive the petition, however the Society must receive it and then give it to the Director of Operations to follow through on.</p> <p><u>Article 4(4)</u> requires an independent organization to oversee referendums.</p> <p><u>Article 4(5)(i)</u> increases the number of posters required to advertise a referendum to thirty (30) posters per campus. The RAF had reduced this to eight (8) posters.</p> <p><u>Article 4(5)(ii)</u> is a new section that requires advertising to be placed on the Society’s website.</p>

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<p>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"> <li>have at least one poll on each campus;</li> <li>be no shorter than two (2) days in duration and no longer than eight (8) days in duration, such days running consecutively, except weekends;</li> <li>have polls that are open for voting no less than four (4) hours per day, between the hours of 9am and 5pm; and</li> <li>have such other rules as are set out in the Regulations.</li> </ol> <p>10. A referendum, subject to these Bylaws, shall be acted upon by the Society where:</p> <ol style="list-style-type: none"> <li>a majority, or such greater percentage as may be required by law, of the votes cast support the referendum; and</li> <li>the number of votes cast is equal to or greater than two-hundred and fifty (250).</li> </ol>	<p>invalidate a referendum.</p> <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 <del>the Board</del>, the question shall be submitted to the Society’s auditors <del>ombudsperson</del> for rewording, to bring the question into conformity with Article 4(6), <del>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.</del> <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 <del>not</del> be held during the summer semester <u>if requested by the petitioners along with a two-thirds (2/3) resolution of the Board in and of itself is also sufficient enough to hold a referendum in the summer.</u> <del>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.</del></p> <p>9. A referendum shall:</p> <ol style="list-style-type: none"> <li>have at least one poll on each campus;</li> <li>be no shorter than two (2) days in duration and no longer than <del>eight (8)</del> <u>four (4)</u> days in duration, such days running consecutively, <del>except weekends</del>; during the week.</li> <li>have polls that are open for voting no less than four (4) hours per day, between the hours of 9am and <del>5pm</del> <u>7pm</u>; and</li> <li>have such other rules as are set out in the Regulations.</li> </ol> <p>10. A referendum, subject to these Bylaws, shall be acted upon by the Society where:</p>	<p><u>Society; and</u></p> <p>iii. the placement of an advertisement, no less than fourteen (14) clear days before the date of the referendum, within <u>two consecutively printed editions of</u> the student newspaper or such other recognized campus media as determined by Council.</p> <p>6. 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> <p>7. All referendum questions must be clear, unbiased, and phrased in a manner that permits a yes/no answer.</p> <p>8. 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 petitioner.</p> <p>9. 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>10. A referendum shall:</p> <ol style="list-style-type: none"> <li>have at least one poll on each campus;</li> <li>be no shorter than two (2) days in duration and no longer than eight (8) days in duration, such days running consecutively, except weekends;</li> <li>have polls that are open for voting no less than <del>four (4)</del> <u>eight (8)</u> hours per day, between the hours of <del>9am and 5pm</del> <u>8am and 9pm</u>; and</li> <li>have such other rules as are set out in the</li> </ol>	<p>Article 4(5)(iii) requires an ad be placed in two consecutively printed editions of a student newspaper. This same provision exists at UBC. This change was not in the package presented to the membership on November 29, 2005.</p> <p>Article 4(10)(iii) doubles the time requirement for a referendum to be held during a single day, and also</p>

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	<p>a. a majority, or such greater percentage as may be required by law, of the votes cast support the referendum; and</p> <p>b. the number of votes cast is equal to or greater than two-hundred and fifty (250).</p>	<p>Regulations.</p> <p>11. A referendum, subject to these Bylaws, shall be acted upon by the Society where:</p> <p>i. <del>a majority</del> <b>at least sixty-five percent (65%),</b> or such greater percentage as may be required by law, of the votes cast <b>on each campus</b> support the referendum; and</p> <p>ii. the number of votes cast is equal to or greater than two-hundred and fifty (250).</p>	<p>increases the window of time for a referendum to be held. Ideally, balloting should occur between 8am and 9pm for each day of an election, thereby ensuring that the maximum number of students have the opportunity to vote. But under this model, students will have at least 8 hours to vote on at least 2 days during a referendum. The change to 8 hours was not in the package presented to the membership on November 29, 2005.</p> <p><u>Article 4(11)(i)</u> requires that all referendums are passed by at least sixty-five percent (65%) of the students who voted in that referendum, ensuring that a sufficient majority of students on every campus. This will ensure that:</p> <ul style="list-style-type: none"> <li>- students on all campuses support the referendum; <i>and</i></li> <li>- no one campus has the ability to pass a referendum (especially in cases where more students vote).</li> </ul> <p>This change was not in the package presented to the membership on November 29, 2005. But if this had been the case in January 2006, the referendum in question would not have passed [862 students voted, with 467 voting yes (or 54%), and 395 voting no]. This will help ensure that Council works hard to ensure that students are educated about an issue up for voting in a referendum.</p> <p>Furthermore, it is still unclear as to the breakdown of votes as cast on each campus – as such the majority that passed it could have been from say the Surrey campus alone. In the future, under this model, it will always be crystal clear how many students on each campus voted in a referendum.</p>

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		<p><u>Article 6 Conflict of Interest</u></p> <ol style="list-style-type: none"> <li>1. <u>Voting members of Council, as Directors of the Society, shall act honestly and in good faith in the best interests of the Society as a whole, and exercise the care, diligence and skill of a reasonably prudent person in carrying out their duties.</u></li> <li>2. <u>Directors shall use the utmost care and discretion in the handling of confidential and privileged information and shall not use such information for personal benefit or gain. Furthermore, Directors shall not disclose any information discussed in an in camera meeting of the Council without the authorization of the Council by Resolution.</u></li> <li>3. <u>No Director may participate in any decision, exercise an official power or perform an official duty or function in which they may have either a conflict of interest or an apparent conflict of interest.</u></li> <li>4. <u>If a Director has a conflict of interest or an apparent conflict of interest relating to an issue being deliberated on by Council, they shall declare the nature of the conflict and abstain from voting on the issue. If an individual, by proxy, is attending Council in such a Director's place, the individual shall state the nature of the conflict and abstain from casting a vote on the Director's behalf.</u></li> <li>5. <u>In the event that a Director is uncertain about whether or not they are in either a conflict of interest or an apparent conflict of interest, Council shall decide the matter.</u></li> <li>6. <u>If a Director believes that another Director may be in a conflict of interest or an apparent conflict of interest, Council shall decide the matter.</u></li> <li>7. <u>A Director has a conflict of interest when they exercise an official power or perform an official duty or function and at the same time know that in the exercise of the power or in the performance of the duty or function there is an opportunity to</u></li> </ol>	<p>Placing the Conflict of Interest provisions that were formally contained in the Society Regulations into the Bylaws will ensure that the provisions contained in this article can never be overturned or suspended by the Society's Board of Directors.</p>

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		<p><u>further their private interest.</u></p> <p>8. <u>A Director has an apparent conflict of interest if there is a reasonable perception, which a reasonably well-informed person could properly have, that the Director's ability to exercise an official power or perform an official duty or function may have been affected by their private interest.</u></p> <p>9. <u>A Director must not use their office to seek to influence a decision, to be made by another person, to further the Director's private interest.</u></p> <p>10. <u>A Director's private interest shall include the private interests of their family and the private interests of a companion, business associate or a close personal friend of the Director.</u></p> <p>11.</p> <p>i. <u>A Director must not accept a fee, a gift, a personal benefit or hospitality, except compensation authorized by Council, which is offered or tendered by virtue of their position as a Director.</u></p> <p>ii. <u>Subsection (i) above does not apply to a gift or personal benefit that is incidental to the protocol or social obligations that normally accompany the responsibilities of office.</u></p> <p>iii. <u>If a gift or personal benefit referred to in subsection (ii) above exceeds \$150 in value, or if the total value received directly or indirectly from one source in any twelve (12) month period exceeds \$150, the Director must immediately disclose to Council, in writing:</u></p> <p>a. <u>the nature of the gift or benefit;</u>  b. <u>its source; and</u>  c. <u>the circumstances under which it was given and accepted.</u></p> <p>iv. <u>Upon Council's receipt of a written disclosure referred to in subsection (iii) above, Council shall either allow the recipient to keep the gift or benefit, or shall</u></p>	

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		<p><u>direct that the gift or benefit be returned, or shall direct that the gift or benefit be disposed of in any other manner it sees fit.</u></p> <p>12. <u>Any Director who contravenes this Article of the Bylaws may be:</u></p> <p>i. <u>directed by a Resolution of Council to:</u></p> <p>a. <u>pay restitution to the Society for any financial loss suffered by the Society as a direct result of their action;</u></p> <p>b. <u>account for, and dispose of, any profits made as a result of a breach of this Section; or</u></p> <p>c. <u>return or otherwise restore the Society's property taken, damaged or destroyed by the action of that Director;</u></p> <p><u>and may be:</u></p> <p>ii. <u>removed from office pursuant to Article 10 below.</u></p> <p>13. <u>Non-voting members of Council shall act honestly and in good faith in the best interests of the Society as a whole, and exercise the care, diligence and skill of a reasonably prudent person in carrying out their duties and shall abide by the conflict of interest provisions contained in this Article as though they were directors of the Society.</u></p> <p>14. <u>Officers and employees of the Society other than Directors of the Society shall act honestly and in good faith in the best interests of the Society as a whole, and exercise the care, diligence and skill of a reasonably prudent person in carrying out their duties and shall abide by the conflict of interest provisions contained in this Article as though they were directors of the Society. Furthermore,</u></p> <p>i. <u>the Executive Board shall establish further provisions regarding conflict of interest in relation to Officers, such provisions to be contained in the Executive Procedures</u></p>	

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		<p><u>Manual; and</u></p> <p>ii. <u>The General Manager shall develop further provisions regarding conflict of interest in relation to employees, and shall take steps to ensure that such provisions are contained in the Personnel Handbooks in accordance with these Bylaws and the Regulations.</u></p> <p>15. <u>All Directors and Elected Officials shall sign an oath of office, prior to their first meeting of Council, as laid out in the Regulations, in which they agree to abide by the provisions of this article.</u></p> <p>16. <u>A Director or Non-Voting Member of Council shall not be in a conflict of interest when it comes to debating and voting on the question of her removal from office.</u></p>	<p>Article 6(15) requires that all elected officials will sign an Oath of Office, which shall be laid out in the Regulations.</p> <p>Article 6(16) stipulates that no elected official shall be deemed to be in conflict of interest when it comes to the question of her removal from office. In 2005, the RAF found a number of members of Council to be in Conflict of Interest on the issue of their removal, thereby stopping them from defending themselves, or even voting on the very question of their own removal.</p>

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<p><b><u>Article 18 Fees</u></b></p> <ol style="list-style-type: none"> <li>1. The Societys membership fees shall be set in accordance with these Bylaws and the <i>College and Institute Act</i>.</li> <li>2. Every Member shall pay Society fees during any Kwantlen University College semester in which that Member is registered for: <ol style="list-style-type: none"> <li>i. one (1) or more credit courses at Kwantlen University College; or</li> <li>ii. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution;</li> </ol> </li> </ol>	<p><b><u>Article 48 <del>14</del> Fees</u></b></p> <ol style="list-style-type: none"> <li>1. The Societys membership fees shall be set in accordance with these Bylaws and the <i>College and Institute Act</i>.</li> <li>2. Every Member shall pay Society fees during any Kwantlen University College semester in which that Member is registered for: <ol style="list-style-type: none"> <li>i. one (1) or more credit courses at Kwantlen University College; or</li> <li>ii. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution;</li> </ol> </li> <li>3. <i>Any changes to the fee structure of the society must be done by referendum in any semester;</i></li> </ol>	<p><b><u>Article 48 <del>20</del> Fees</u></b></p> <ol style="list-style-type: none"> <li>1. The Societys membership fees shall be set in accordance with these Bylaws and the <i>College and Institute Act</i>.</li> <li>2. Every Member shall pay Society fees during any Kwantlen University College semester in which that Member is registered for: <ol style="list-style-type: none"> <li>i. one (1) or more credit courses at Kwantlen University College; or</li> <li>ii. continuing education studies at Kwantlen University College, or such other programs at Kwantlen University College as approved by the Members by Ordinary Resolution.</li> </ol> </li> </ol>	<p>This section restores how fees are paid, and removes the addition the RAF made to allow referendums during any semester.</p> <p>Fee increase referendums should never occur in the Summer Semester, as it:</p> <ul style="list-style-type: none"> <li>- Is often shortened; <i>and</i></li> <li>- Often only has courses offered on some campuses, with other campuses offering nothing.</li> </ul>

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		<p><u>Article 21 Budget</u></p> <ol style="list-style-type: none"> <li>1. <u>Pursuant to Bylaw 5(1)(iv), Council shall adopt a Budget for the Society no later than January 30 in each fiscal year for the then-current fiscal year.</u></li> <li>2. <u>Under no circumstances shall Council delegate its authority for final approval over the budget to any other body; nor shall it delegate its authority to approve amendments to the budget to any other body.</u></li> <li>3. <u>The Budget shall include the budget projections adopted by Council the previous year, the actual expenditures and revenues to date, variances, and the next fiscal year’s budget projections for all the Society’s operations, including but not limited to the business operations.</u></li> <li>4. <u>The Budget shall include a statement of the amount of money in all the accounts of the Society.</u></li> <li>5. <u>The Budget shall provide a detailed breakdown of revenues and expenditures within each department of the Society, a department in this context meaning an individual student service, committee, business, staff department or position, executive member, and so forth.</u></li> <li>6. <u>The Budget shall provide figures for the overall revenues and expenditures of each major division of the Society, the major divisions in this context meaning the business operations as a whole, all the departments within student government, and the services as a whole. The Budget shall include detailed line items for the expenditures within the offices of the Executive Board members, including but not limited to; salary, office supplies, local travel, special projects and volunteer recognition.</u></li> <li>7. <u>Adjustments to financial compensation, honoraria, benefits and remuneration for persons holding elected positions in the Society shall:</u> <ol style="list-style-type: none"> <li>a. <u>only be included with the Budget</u></li> </ol> </li> </ol>	<p>Placing the provisions that were formerly contained in the KSA Regulations for the drafting and amending of budgets shall ensure that at all times Council receives and approves all budgets and all amendments to the budget.</p> <p>Placing these provisions in the Bylaws ensures that at no time may they be overturned or suspended by the Society’s Board of Directors.</p> <p>Article 21(7) is somewhat new, taking a provision that formerly existed in the Regulations and placing it in the Bylaws, ensuring that a currently sitting Board of Directors cannot give itself a huge increase in pay.</p>

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		<p><u>proposal as adopted under the requirements of this Article before January 30;</u></p> <p><u>b. not occur between February 1<sup>st</sup> and March 31<sup>st</sup> of a calendar year;</u></p> <p><u>c. not take affect until April 1 at the start of a new term for elected officials; and</u></p> <p><u>d. be no higher than the rate of inflation, as based on the British Columbia Consumer Price Index.</u></p> <p><u>Further rules regarding financial compensation, honoraria, benefits and remuneration for persons holding elected positions in the Society shall be set out in the Regulations.</u></p> <p><u>8. The Director of Finance shall prepare a draft Budget for the Society, and submit that draft to the Finance Committee no later than January 15 in each fiscal year. The Finance Committee shall complete its review of the draft and submit its version of the draft to all Council members no less than seven (7) days prior to the last Council meeting of January.</u></p> <p><u>9. The detailed notes to each section of the budget shall be considered part of the budget.</u></p> <p><u>10. Approval by Council of the Budget or any amendment thereto shall be deemed to be authorization for the organization or person responsible for each department mentioned in the Budget to manage the monies allocated to that department. Expenditures shall not deviate from those contained in the Budget, unless an amendment has been approved by a Two-thirds (2/3) Resolution of Council.</u></p> <p><u>11. Before the Budget is approved, normal expenditures (such as expenditures on salaries and office supplies) shall be permitted for each department in accordance with the Budget of the previous fiscal year. Exceptional expenditures (such as for capital projects or special events) may only be authorized at the discretion of the Director of Finance provided that such an</u></p>	<p>The addition also ensures that a Board won't give themselves a pay increase after being re-elected in an election, before taking office on April 1<sup>st</sup>.</p> <p>The addition ensures that pay increases will not be higher than the rate of inflation, as based on the British Columbia Consumer Price Index (the same index that is currently being used to cap tuition by the Provincial Government). In 2005, the Reduce All Fees party gave themselves extraordinarily high increases in pay, ranging from 70% to 120%.</p> <p>The changes shown in <u>Article 21(7)(b)</u> and <u>(d)</u> were not in the package presented to the membership on November 29, 2005.</p>

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		<p><u>expenditure:</u></p> <ul style="list-style-type: none"> <li><u>i. is consistent with the draft Budget as prepared by the Director of Finance;</u></li> <li><u>ii. would not put the Society into a deficit position; and</u></li> <li><u>iii. would avoid putting the Society at some risk, regarding the loss of a program, service or opportunity that is in the best interests of the students of Kwantlen University College.</u></li> </ul> <p><u>12. The Budget shall balance exactly expenditures and revenues, and any proposed amendments to the Budget shall ensure that the revised budget complies with this article.</u></p> <p><u>13. The Budget may include a contingency or reserve fund of unallocated monies, but this fund shall not be in excess of five percent (5%) of the proposed Society revenues in a given Fiscal Year. Monies may only be spent or transferred from this fund by a Two-thirds (2/3) Resolution of Council.</u></p> <p><u>14. The Council may, through the Budget, allow the Society to allocate monies to reserve funds that may accumulate monies from year to year, and such monies shall not be rolled into the surplus or deficit of the Society at the end of any given Fiscal Year. Monies may only be allocated or spent from such funds by a Two-thirds (2/3) Resolution of Council, or in accordance with the Regulations. The balance of such funds must be included in the Budget.</u></p> <p><u>15. Further rules regarding the Finances, Fiscal Procedures, Signing Authority, the Budget, Contracts, Assets, Investment of Society Funds and the Expenditure of Special Purpose Funds shall be set out in the Regulations.</u></p>	

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<p><b><u>Article 21 Auditor</u></b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. An auditor may be removed by an Ordinary Resolution.</li> <li>3. An auditor must be promptly informed in writing of the auditors appointment or removal.</li> <li>4. 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.</li> <li>5. A member of Council or employee of the Society must not be its auditor.</li> <li>6. The auditor may attend all General Meetings.</li> </ol>	<p><b><u>Article 24 <del>16</del> Auditor</u></b></p> <ol style="list-style-type: none"> <li>7. 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.</li> <li>8. An auditor may be removed by an <del>Ordinary Resolution</del> <b><u>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.</u></b></li> <li>9. An auditor must be promptly informed in writing of the auditors appointment or removal.</li> <li>10. 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.</li> <li>11. A <del>member of Council</del> <b><u>Board member</u></b> or employee of the Society must not be its auditor.</li> <li>12. The auditor may attend all General Meetings.</li> </ol>	<p><b><u>Article <del>21</del> 24 Auditor</u></b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. An auditor may be removed by an Ordinary Resolution.</li> <li>3. An auditor must be promptly informed in writing of the auditor's appointment or removal.</li> <li>4. <b><u>The Auditor shall conduct its Audit as per the requirements for an audit as outlined in the Act.</u></b></li> <li>5. The Auditor shall have unfettered access to all the Society's records, documents and other materials, electronic or otherwise, that she may require in the exercise of her duties.</li> <li>6. A member of Council or employee of the Society must not be its auditor.</li> <li>7. The auditor may attend all General Meetings.</li> </ol>	<p>This Article is restored to ensure that Auditors may only be appointed and removed by Ordinary Resolution of the Membership at General Meetings.</p> <p>The addition presented in <u>Article 24(4)</u> was not in the package presented to the membership on November 29, 2005.</p>