



# MARIANOPOLIS STUDENT UNION CONGRESS CONSTITUTION

Last review April 30, 2019

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### 1. Article 1: Definitions

1.1. Congress: Congress refers to the accredited student government of the Marianopolis Student Union. Student Government, therefore, also refers to Congress.

1.2. Director: Executive voting members of MSU Congress.

1.3. MSU: This is the acronym for the Marianopolis Student Union, which is the association of all registered students at Marianopolis College.

1.4. Academic Standing: Academic Standing relates to a student's academic performance at the College, i.e. the student's grades. A student is considered to be in poor Academic Standing when the student is on academic probation, as determined by the office of the Associate Academic Dean.

1.5. Active Member: A member of a Club is considered to be "active" if they participate in a majority of meetings, and if they contribute positively in the Club's activities, as determined by the Club's executives. Each Club must determine the amount of active members that they have. Clubs can provide a reasonable alternative definition of active

membership some clubs don't have a constitution.

- 1.6. Congress Office: The Congress Office is room A-162.
- 1.7. Congress Website: The Congress Website is defined as all websites and social media outlets controlled by Congress.
- 1.8. MSU App: The MSU App is defined as the official Union mobile application found on the App store and Play store.
- 1.9. Exceptional Circumstances: Circumstances are defined as exceptional when they vary drastically from the status quo and imply a situation that may jeopardize the best interests of the MSU, as determined by Congress
- 1.10. Upper-Year Students: Students who have completed one year of studies at the College.
- 1.11. Congress Term: The terms for elected members of Congress and members appointed in the Winter will begin on one month after the end of the Winter exam period to one month after the end of the exam period of the following academic year; the terms for members of Congress appointed in the Fall will be from the time of their appointment until one month after the end of the Winter exam period. At this point, another version of Congress will start its term. The only exception holds for the Vice-President of Finance, who will end on July 1<sup>st</sup>.

## 2. Article 2: Congress Mission Statement

- 2.1. The mission of Congress is outlined as follows: To serve the students' interests by maintaining a peaceful, enriching and enjoyable environment, by fostering education and social growth, by celebrating our cultural diversity, by encouraging charitable endeavors, by promoting environmental awareness and sustainability, and by representing students within the College and the greater community.
- 2.2. Congress carries out its mission through the following mechanisms:
  - 2.2.1. Promoting and protecting the needs and interests of students through representation on College administrative bodies.
  - 2.2.2. Providing social, cultural, athletic and academic activities that support learning inside and outside the classroom as well as ensuring that all students have opportunities to relax and have fun.
  - 2.2.3. Acting as an advocate for its members in the College.
  - 2.2.4. Representing its members' interests outside the College through participation in various committees and working groups.
- 2.3. Congress' responsibilities are outlined as follows:
  - 2.3.1. To inform its members, the MSU, of relevant Congress policies and programs.
  - 2.3.2. To promote and maintain a responsible and democratic student government.
  - 2.3.3. To be well-informed of College programs, events and activities.
  - 2.3.4. To ensure the MSU acts within the confines of Quebec and Canadian law.
  - 2.3.5. To ensure the MSU respects and fulfills the legal responsibilities of a non-profit

accredited Student Union

3. Article 3: Congress Elections and Appointment Procedures
  - 3.1. The following positions, considered Upper-Year positions, will be filled during the Winter Elections through electoral processes: the President, the Vice-President of Administrative Affairs, the Coordinator of Social Activities, the Coordinator of Social Justice and the Coordinator of Student Advocacy. Only students who are currently studying at the College and returning for another full Academic year are eligible to seek election for these positions.
  - 3.2. The following positions, considered Upper-Year positions, will be filled following the Winter Elections during the Winter Appointments through appointment: the Vice-President of Finance and the Coordinator of Communications. Only students who are currently studying at the College and returning for another full Academic year are eligible to seek appointment for these positions.
  - 3.3. The following positions, considered First-Year positions, will be filled during the Fall Elections through electoral processes: the Coordinator of Charities and Volunteering, the Coordinator of Cultural Affairs and the Coordinator of External Affairs. Only students who are currently in their first year of studies at the College are eligible to seek election for these positions.
  - 3.4. The following positions, considered First-Year positions, will be filled during the Fall Appointments through appointment: the Coordinator of Internal Affairs, the Administrative Assistant and the Financial Assistant. Only students who are currently studying at the College for a full Academic year are eligible to seek appointment for these positions.
  - 3.5. If all the applicants during the Winter Appointments are deemed unqualified, or if there aren't any applicants, the appointment process will resume during the Fall semester following the procedure of the Fall Appointments. In such an event, the elected President will assume the responsibilities of those positions. Applicants who previously applied in the Winter semester may re-apply in the Fall semester.
  - 3.6. All students appointed to Congress positions or elected to Congress positions must be in good in Academic Standing (i.e. not a PAS student) at the time of their appointment or election, and must maintain good Academic Standing to remain on Congress, or otherwise risk removal from Congress (as outlined in the Congress Bylaws).
  - 3.7. All members of the MSU have the right to vote in all Congress elections, and seek election to Congress, as long as all other requirements are met.
  - 3.8. Should a Congress member resign or be removed from Congress in accordance with the Congress bylaws before two months of the semester have elapsed, then the position must be filled as soon as possible by either election or appointment depending on the nature of the position. If a member resigns or is removed after two months of the semester have elapsed, then Congress can choose to either appoint a new member according to the

appointment procedures, or can keep the position vacant while assuming the responsibilities of the position for the remainder of its term.

- 3.9. Candidates in a Congress election must each be nominated by fifty other members of the MSU and no more for each position.
- 3.10. The Chief Electoral Officer is responsible for ensuring that all the membership requirements, electoral and appointment requirements, and specific Congress rules are upheld throughout the electoral and appointments processes. When rules are broken, the Chief Electoral Officer must report these violations to the Elections and Referenda Committee.
- 3.11. A student wishing to be on Congress may submit applications for both elected and appointed positions; however, once a candidate is elected, their name will automatically be removed from the pool of candidates applying for the appointed positions.
  - 3.11.1. Winter Elections: The end of the Winter elections must be at least two weeks before the start of the College's General-Education exam week.
  - 3.11.2. The President and Vice-President run in separate streams. On the day of the elections, students will be given two choices: a vote for a Presidential candidate and a separate vote for a Vice-Presidential Candidate.
  - 3.11.3. The Winter Elections for Coordinators will take place exactly one week after the announcement of the winners of the Presidential and Vice- Presidential elections.
  - 3.11.4. If there is an insufficient number of candidates applying for Upper-Year positions, those who apply will assume responsibility for the roles they applied for and will be responsible for publicizing themselves in the school as new members of Congress.
- 3.12. Fall Elections:
  - 3.12.1. The start of the Fall Elections must take place within twenty days of the start of the Fall Semester.
- 3.13. Rules for Elections:
  - 3.13.1. Each election process must last no longer than seven (7) calendar days.
  - 3.13.2. The rules will be upheld by the Elections and Referenda Committee.
  - 3.13.3. Campaigning is defined as soliciting votes directly and indirectly (i.e. through posters, T-shirts, etc.) while respecting school property (i.e. vandalism, littering and the like are strictly prohibited). Candidates are not allowed to coerce other students to vote for them.
  - 3.13.4. Congress will be responsible for creating a written document with the rules and regulations to be followed, which must be made available five school days before any campaigns officially begin.
  - 3.13.5. Each candidate will be limited to spending of only up to a \$50 value on campaign expenses, with a full refund for each candidate that asks for one.
    - 3.13.5.1. The value of all campaign expenses are to be determined by the members of the ERC.
    - 3.13.5.2. The value of the expense will be associated to the lowest non-discount

retail value of the good.

- 3.13.6. For an MSU club or Demons Sports team to publicly endorse a candidate, the club must prove by show of evidence that at least two-thirds (2/3) of its active members voted, and that voting members unanimously support the said candidate.
  - 3.13.6.1. The club or Demons Sports team must make available to its members a Google Form including the following three exclusive and mandatory fields: name, student number, yes/no/abstain multiple choice, for each candidate (slates of two require a form for each);
  - 3.13.6.2. The title of the Google Form must include the full name of the candidate being endorsed;
  - 3.13.6.3. Absence of a legitimate answer to any of the three fields will result in the annulment of the said member's vote, and will not count in the total tally;
  - 3.13.6.4. The club or Demons Sports team may include, to their discretion, a description of the candidate in the Google Form;
  - 3.13.6.5. Upon reaching the two-thirds (2/3) count, the club or Demons Sports team must provide to ERC members proof of the count before publishing the public endorsement;
  - 3.13.6.6. Until a week from the end of voting period, Clubs or Demons Sports teams must keep all records of votes and numbers, and have them readily accessible to any ERC inquiries;
  - 3.13.6.7. Non-conformity with any of the above guidelines will result in automatic annulment of the endorsement and demerit points attributed to the candidate to the ERC's discretion.
  - 3.13.6.8. The endorsement must not be opposed by any club or team member. A club or Demons Sports team is not limited to endorse only one (1) candidate.
- 3.13.7. Votes will be counted in accordance to the instant runoff system:
  - 3.13.7.1. Each voter can rank candidates in order of preference;
  - 3.13.7.2. Vote tallying will happen in rounds, the first round being voters' first choices, where each round the candidate with the least amount of votes will be eliminated from the count and that candidate's votes will be redistributed to the other candidates based off of second choice, then third, and so forth.
  - 3.13.7.3. In the event of a tie when there are more than two candidates left, the elimination of one of the tied candidates based on relative ranking per individual MSU student ballot will serve as the tie-breaking method.
    - 3.13.7.3.1. Focusing solely on how one tied candidate compares to the other in each student ballot. For instance, if one student ranked Candidate 1 in second place, and Candidate 2 in fourth, Candidate 1 would win one point because they were ranked higher relatively to Candidate 2. This vote-tallying process would continue until all voters' ballots have been considered. The candidate with the least amount of points in this tie-

breaking process will be eliminated.

3.13.7.3.2. In the event of a tie that cannot be broken with the previous tie-breaking method, the winner of the tie will be determined randomly.

3.13.7.3.2.1. Prior to selecting the winner randomly, if the tie is between two finalists, Congress may hold a vote, that must be unanimous, on submitting a re-vote for the final candidates. If this re-vote also results in a tie, the winner will be determined randomly.

3.13.7.3.3. In the event of an unaccounted tie scenario that is not aforementioned, Congress will call to order an Election Review Board comprised of the ERC members and 6 random MSU students in no less than 5 days to come up with a solution.

3.13.8. All candidates are allowed to be present during the tallying of votes, or to have a representative of theirs present. The period during which the votes will be tallied must be set prior to the start of the elections by the Elections and Referenda Committee.

3.14. Winter Appointments:

3.14.1. The process of appointments must last no longer than seven consecutive days.

3.14.2. The Winter Appointments will occur within 30 days from the due date for the Winter Coordinator applications and end when the decision has been rendered by the selection committee.

3.14.3. The selection committee will consist of the following: the President, the Vice President of Administrative Affairs, the outgoing holder of the position in question, the President elect and the Vice-President elect.

3.15. Fall Appointments:

3.15.1. The following positions will be filled during the Fall Appointments: one (1) Financial Assistant, one (1) Administrative Assistant, and one (1) Coordinator of Internal Affairs, who must all be first-years. The Fall Appointments must take place within twenty days of the start of the Fall Semester.

3.15.2. The selection committee will consist of the following: the President, the Vice-President of Administrative Affairs, and three rotating Congress members of those either elected during the Winter Elections or appointed during the Winter Appointments.

3.15.3. Interviews will be conducted at a predetermined date and time. The selection committee reserves the right not to interview all applicants.

3.16. The selection committees for the Winter and Fall Appointments must submit the nomination of their selected candidate to a referendum of the student body. The nomination will be deemed confirmed unless it is rejected by a two-thirds (2/3) majority of the students voting, with at least 10% of the eligible voters casting a ballot.

3.17. The confirmed nominees for appointments must be publicized no more than three school days after the results have been determined and after all candidates have been

notified of the results. The full outcome of each election, including the total number of votes and the number of votes cast for every candidate, must be publicized simultaneously to all members of the Union as soon as the results are determined. The results must then remain posted for at least three days.

4. Article 4: Student Referenda and Opinion Polls
  - 4.1. Petitions must follow the format determined by Congress. The purpose should be clearly stated, printed and legible. The full name, student ID and signature of students are all required items in order for the petition to be recognized by Congress.
  - 4.2. If one hundred members of the MSU sign a petition appealing a Congress decision, then the President must call a General Assembly no later than seven school days after the receipt of the petition, and the President must address the issue relating to the petition. Within ten school days of the assembly, a general student referendum must be held, which will fall under the responsibility of the Chief Electoral Officer.
  - 4.3. The Chief Electoral Officer must ensure that, if possible, both sides of the debate are given equal representation throughout the course of the referendum.
  - 4.4. In a referendum, polls must remain open for a minimum of eight hours.
  - 4.5. The decision of a referendum is binding on Congress if twenty-five percent or more of the students of the MSU vote. The outcome is decided by a 50% + 1 margin.
  
5. Article 5: The General Assembly of the members of the Marianopolis Student Union
  - 5.1. All registered students of Marianopolis College are sitting members of its General Assemblies with the right to speak, vote and hold office.
  - 5.2. A General Assembly (GA) must be publicized at least seven school days prior to the GA taking place.
  - 5.3. The President of the Assembly will be the President of Congress or their delegate and the co-chair will be the Coordinator of Student Advocacy or their delegate, who both must ensure the good order of the GA.
  - 5.4. The agenda for the Assembly will be set by the President of Congress on the recommendations of Congress and the MSU.
  - 5.5. All members of the MSU may speak at a General Assembly.
  - 5.6. Members must be present in order to exercise their right to vote. Voting will take place by show of hands, or by secret ballot if necessary. In the case of a tie, the President of the Assembly must break the tie.
  - 5.7. The required quorum of members needed in order for the decisions made at a General Assembly to be binding is sixty members of the MSU.
  - 5.8. No Club meetings and activities are permitted during the Annual General Assembly.
  - 5.9. General Assemblies can be called in the following situations:
    - 5.9.1. At Congress' discretion.
    - 5.9.2. At the request of members of the MSU, who may make such a request through the

use of a petition.

5.9.3. On an annual basis, in the form of an Annual General Assembly, at the end of the academic year during an Activity Period.

5.10. A General Assembly can serve to deal with the following:

5.10.1. Poll the MSU on issues of interest to it.

5.10.2. Inform the Union of College and Congress policies relevant to them.

5.10.3. Advertise positions available to MSU members in Congress or its affiliated organizations.

5.10.4. Opt by simple majority, to affiliate or disaffiliate the Student Union from any other organization.

5.10.5. Opt by simple majority, if it deems advisable, to hold a referendum on any question, subject to the provisions on referenda outlined in the Constitution and Congress Bylaws.

5.10.6. Approve changes to the Constitution, Congress Bylaws and/or Club Bylaws with a two thirds majority.

5.11. A decision made that affects the MSU's legal standing as an accredited student union must be approved at a General Assembly that meets the following requirements:

5.11.1. The President will act as chairperson for the Assembly.

5.11.2. Quorum will be set at  $\frac{1}{4}$  of MSU members.

5.11.3. The decision will be adopted and binding on Congress if an affirming vote occurs with  $\frac{2}{3}$  support.

## 6. Article 6: College Committees

6.1. Any MSU or Congress member can be elected by Congress through a majority vote of Congress members to represent the MSU on a College Committee.

6.2. A congress member must nominate any student or Congress member wishing to run for the aforementioned committees, and another Congress member must second such a nomination.

6.3. The MSU's one representative on the College's Financial Committee will be the Vice-President of Finance or their delegate.

6.4. Of the MSU's two representatives on the Board of Governors, one will be the President of Congress and one will be the Vice-President of Administrative Affairs, provided they are 18 years or older. If not, they will be replaced by a Congress member of age until they turn 18.

6.5. Of the MSU's two representatives to the Anti-Harassment Education Committee, one will be the Coordinator of Student Advocacy or their delegate, and one will be a member of the MSU appointed by Congress or the Coordinator of Student Advocacy.

6.6. The MSU's one representative on the Academic Council will be the Coordinator of Student Advocacy. The Coordinator shall be responsible for finding two other committee members selected from the general student body in a manner they deem

appropriate; the appointments may be subject to approval by Congress. The Coordinator of Student Advocacy is encouraged to appoint students from different programs.

6.7. Of the MSU's two representatives to the Sexual Violence Policy Committee, one will be the Coordinator of Student Advocacy or their delegate, and one will be the Coordinator of Social Justice or their delegate.

## 7. Article 7: Financing Students

7.1. Any member of the MSU who requests financial support to attend or participate in an educational trip or conference should make their request to the Financial Committee.

7.2. In order for the trip, or conference, to be considered as educational, it must meet one of the following criteria:

7.2.1. The trip consists of attending a conference.

7.2.2. The trip is volunteer based.

7.2.3. The trip is skill based (e.g. cooking lessons, language camp).

7.3. Funds will be allocated at the discretion of the Financial Committee based on available resources.

7.3.1. Each student can be granted a maximum of \$500.

7.3.2. A student may request for funding only once, exceptional circumstances notwithstanding.

7.4. These funds are allocated on an individual basis and students to whom funding is granted will have to account for their experiences publicly by means of, but not limited to, a presentation, article or display.

## 8. Article 8: Amendments to the MSU Constitution, Congress Club Bylaws and/or Congress Bylaws

8.1. Any Congress member may move for amendments to the MSU Constitution Congress Bylaws and/or Congress Club Bylaws.

8.2. When amendments are presented, Congress must show a united front (i.e. not formally publicly oppose Congress' proposed agreement).

8.3. Amendments to the MSU Constitution can be passed at a General Assembly with a two-thirds majority vote of attending MSU members.

8.4. Amendments proposed by directors of the Marianopolis Student Union follow the procedures outlined in article 185.3 of the Corporations Act (C-38): The directors may administer the affairs of the company in all things, and may make or cause to be made for it in its name any kind of contract which it may lawfully enter into. The directors may repeal, amend or re-enact such by-laws; but every such by-law (except by-laws made respecting the matters set forth in paragraph d of subsection 2 of this section) and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the company duly called for that purpose, shall have effect only until the next annual meeting of the company, and, in default of confirmation thereat, shall, at

and from that time only, cease to be in force.

9. Article 9: Access to Information

- 9.1. Should any member of the MSU seek information about Congress and its activities, they are invited to directly contact a member of Congress.
- 9.2. Any request for access to information must be processed within ten days of its receipt by Congress. Such a request must be granted at most ten (10) days after it is received, unless it is rejected for a reasonable motive by a unanimous vote by Congress.
  - 9.2.1. A request for access to information must be a written to any member of Congress and must outline the motivation behind the request.
    - 9.2.1.1. That Congress member must bring the request before Congress at the nearest subsequent meeting.
  - 9.2.2. If the request is rejected, the Coordinator of Student Advocacy must notify the MSU member immediately and inform them of the reasonable motive through which Congress rejected the request.
- 9.3. Any member of the MSU may attend the weekly Congress meeting if a formal request is submitted to any member of Congress at least twenty-four hours before the meeting is scheduled to occur.