

## **Bylaw 8100**

### **A Bylaw Respecting Student Representative Associations**

#### **Short Title**

1. This Bylaw may be referred to as the “Student Representative Association Bylaw”.

#### **Amendments**

2. Any amendments to this Bylaw must be reported to each Association.

#### **Definitions**

3. For the purposes of this Bylaw:
  - a. “Faculty” shall refer to any entity defined by the University of Alberta General Faculties Council as a faculty and in which undergraduate students are registered;
  - b. “Campus” shall refer to Augustana Campus and/or Campus Saint-Jean, as the context requires;
  - c. “Residence” shall refer to a residential facility operated by Residence Services of the University of Alberta and in which undergraduate students live;
  - d. “Constituency” shall refer to the membership of an Association;
  - e. “Student Representative Association” shall refer to any association of undergraduate students that represents a definable and enumerable constituency, to which Students’ Council exclusively delegates its representative authority;
  - f. “Faculty Association” shall be any association of students, based upon enrollment in a “faculty”, that is recognized as such under this bylaw;
  - g. “Campus Association” shall be any association of students, based on enrollment on a “campus”, that is recognized as such under this bylaw;
  - h. “Residence Association” shall be any association of students, based on occupancy of a “residence”, that is recognized as such under this bylaw;
  - i. “Association” shall refer to a “Student Representative Association”;
  - j. “Council of Faculty Associations” shall refer to the council outlined as such under this bylaw;
  - k. “Residence Halls Association” shall refer to the council outlined as such under this bylaw;
  - l. “Departmental Association” shall be any association of students, based upon enrollment in a department, that is recognized as such under this bylaw and the appropriate legislation of an “Association”;
  - m. “Affiliated Association” shall be any association of students with ties to a faculty, including groups based on enrolment in a program, that is recognized as such under this bylaw and the appropriate legislation of an “Association”; and
  - n. “Student Issue” shall be any issue that specifically affects the constituents of an Association.

#### **Roles and Mandate**

4. The Students’ Union is responsible for the development and management of any Student Committees or Associations it wishes to delegate its representative authority to, as outlined in the Post Secondary Learning Act.

5. Every Faculty will be represented by one and only one Faculty Association, every Campus will be represented by one and only one Campus Association, and every Residence will be represented by one and only one Residence Association.
6. Every Faculty Association, Campus Association, and Residence Association is a Student Representative Association.
7. The mandate of an Association is to act on behalf of and for its constituency. The Association is to conduct itself in a manner that is transparent, open, democratic, credible, accountable, and fiscally prudent. The roles of an Association are to:
  - a. Act as the official representative of its membership on student issues;
  - b. Provide services which are beneficial to its membership; and
  - c. Foster student engagement and a sense of community within its constituency.
8. An Association shall not advocate on issues in contradiction to Students' Union political policy, unless they have first presented to and received approval from Students' Council.
9. The Council of Faculty Associations shall be an advisory body to the Students' Union on student issues and will:
  - a. Foster communication and collaboration between Associations; and
  - b. Provide a channel of communication with the Students' Union.
10. The voting composition of the Council of Faculty Associations Senior Board shall be one representative from each of the Associations and the Students' Union. The nonvoting composition of the Council of Faculty Associations shall determined by the Council of Faculty Associations. Council of Faculty Associations' meetings shall be chaired in accordance with relevant standing orders.
11. The University of Alberta Residence Halls Association shall be an advisory body to the Students' Union on student issues and will:
  - a. Foster communication and collaboration between Associations; and
  - b. Provide a channel of communication with the Students' Union.
12. The voting composition of the Residence Halls Association shall be in accordance with the University of Alberta Residence Halls Association Constitution.

### **Membership**

13. The base membership:
  - a. Of a Faculty Association shall be defined as all undergraduate students enrolled in the faculty represented by the Faculty Association;
  - b. Of a Campus Association shall be defined as all undergraduate students enrolled in a faculty located on the campus represented by the Campus Association;
  - c. Of a Residence Association shall be defined as all undergraduate students living in the residence represented by the Residence Association;
  - d. Of any other Student Representative Association shall be agreed upon by the Association and Students' Council upon the formation of the Association.
14. The membership of an Association may be defined by criteria agreed upon by the Association and Students' Council. Where no such agreement is in place the membership of an Association shall be equal to the base membership of the Association.
15. An Association may create membership categories based on reasonable criteria such as program of study, year of study, or level of fees paid.
16. The members of an Association have the following rights:

- a. To resign one's membership by notifying the Association;
- b. To reinstate one's membership by notifying the Association;
- c. For one to be afforded the same voting power as any other member of the Association at a General Meeting, in a referendum or plebiscite, and in an election for its officers;
- d. For one to be afforded the same voting power as any other member of a membership category of the Association in an election for a representative of that membership category; and
- e. For one to be afforded the same access to services and events as any other member in the same membership category of the Association.

### **Delegation**

17. All determinations by the Students' Union required by this bylaw shall be made by the Vice President (Academic) in consultation with Discover Governance, the Manager of Student Group Services and the following:
  - a. The Vice President Student Life, Dean of Students, and Residence Services on all matters pertaining to residence-based Associations;
  - b. The Chief Returning Officer on all matters pertaining to Association elections, plebiscites and referenda;
  - c. The Chair of Audit Committee on all matters pertaining to Association finances;
  - d. The Dean of Students and the Dean of all affected faculties on all matters pertaining to Association recognition, probation or derecognition; and
  - e. Students' Council on matters pertaining to all other Associations they have delegated their representative authority to.
18. Discover Governance shall maintain a schedule of Student Representative Associations, their status, and any modifications to the qualifications for membership.
19. An Association shall be responsible for the oversight of all Departmental Associations, Affiliated Associations, or other sub-groups within its constituency that it recognizes as being representative in nature. The Association shall exercise this oversight in a manner that conforms to the basic principles of the relationship between the Students' Union and the Associations, specifically:
  - a. The Association shall have the authority to recognize, derecognize or place on probation the aforementioned groups;
  - b. The Association shall maintain consistent lines of communication with the aforementioned groups, both individually and collectively;
  - c. The Association's decisions pertaining to the aforementioned groups may be appealed to the Students' Union; and
  - d. The Students' Union reserves for itself the power to impose mandatory fees on the student body or any subsection thereof.
20. An Association shall maintain a schedule of its Departmental Associations, Affiliated Associations, and other sub-groups, if such exist, which shall be provided to its membership and/or the Students' Union upon request.

### **Derecognition**

21. The Students' Union shall initiate a probation investigation upon the Association's no longer being a student group.
22. The Students' Union may derecognize an Association, thus leaving an unrepresented constituency, if:

- a. The Association applies for derecognition;
  - b. A majority of the students which the Association represents petition for derecognition;
  - c. An Association is found to be in gross violation of its conditions of probation;
  - d. A probationary Association does not meet its conditions of probation in accordance with the timelines set out in section 26; or
  - e. An Association is found to be in gross negligence of its fiduciary responsibility.
23. During the period of an unrepresented constituency the Students' Union shall assume responsibility of the affairs of the constituency.
24. Upon the derecognition of a Faculty Association, Campus Association, or Residence Association:
- a. The Students' Union shall recognize a new Association with probationary status after two calendar weeks and before the end of two calendar months;
  - b. Assets will be assumed by the Students' Union and held in trust for the next recognized Association for that Faculty, Campus, or Residence.

### **Recognition**

25. Students' Council may choose to delegate its representative authority to any student association that wishes to advocate for its membership to the University or Students' Union, provided that:
- a. The student association represents a definable and enumerable constituency.
  - b. The student association has legislation and procedures that are compliant with Students' Union bylaw respecting Student Representative Associations;
26. Official student group status is not a necessary prerequisite for being recognized as a Student Representative Association.

### **Probation**

27. Any decisions made pertaining to an Association's status must include thorough investigation, consultation, transparency, and adherence to the principles of natural justice.
28. The Students' Union may recognize an Association as having probationary status if:
- a. Multiple significant issues, including but not limiting the generality of the foregoing: financial misrepresentation, constitutional violations, alleged violations of the Code of Student Behaviour, or failure to adhere to basic standards of democratic accountability or administrative and financial transparency, arise out of the annual recognition process;
  - b. The Association applies for probation; or
  - c. Fifteen percent (15%) or more of the members that the Association represents petition for probation, subject to ratification by Students' Council on the condition that the petition is deemed to be representative of the membership, and not a niche interest.
29. The Students' Union and the Association, having probationary status, shall agree to and sign Conditions of Probation, which shall govern the Association while it retains its probationary status.
30. After three calendar months and before one calendar year of an Association being recognized as having probationary status, the Students' Union shall:

- a. Recognize the as no longer having probationary status and no longer being subject to their conditions of probation, if the Association has met their conditions of probation;
- b. Extend the probationary period of an Association for up to six months, if all parties to the conditions of probation consent to the extension or if the Students' Union has reason to believe that the conditions of probation will be met during the period of extension; or
- c. Derecognize the Association, if the conditions of probation are not met and the Students' Union has no reason to believe that the conditions of probation will be met during the period of extension.

### **Legislation**

31. An Association shall have legislation, consistent with the requirements of Students' Union bylaws, specifying, at minimum:
  - a. The official name of the Association;
  - b. The mandate of the Association;
  - c. The membership, membership categories, and rights of members of the Association;
  - d. The procedure for adoption, amendment, and rescission of its legislation;
  - e. The procedure for adoption, amendment, and rescission of its policies and/or procedures;
  - f. The mechanism for calling a General Meeting;
  - g. The powers and responsibilities of each of its officers;
  - h. The powers and responsibilities of each of its boards, committees and/or councils;
  - i. The rights, privileges and responsibilities, individually and collectively, of its Departmental Associations and Affiliated Associations;
  - j. The manner of selection of its officers and the manner of removal of its officers;
  - k. The manner in which elections, if applicable, are to be conducted;
  - l. The manner in which finances and property are managed including the budgeting and auditing processes;
  - m. Procedures outlining the annual transition of its executive and board officers.

### **Procedure Manual**

32. An Association may adopt procedures, consistent with the requirements of Students' Union bylaws and the Associations' legislation, which serve to operationalize their legislation.

### **Reporting**

33. Annually, an Association shall provide the Students' Union with:
  - a. A schedule of any Departmental Associations, Affiliated Associations, and any other sub-groups it has delegated its representative authority to;
  - b. A document confirming the legitimate selection of the Association's officers and their contact information;
  - c. Statements of expectation signed by each of the Association's officers on their mandated responsibilities as per SU and Association bylaws;
  - d. Confirmation that the Association is in compliance with University policy regarding Faculty Councils, Departmental Councils, Dean Selection & Review Committees, and Chair Selection & Review Committees;
  - e. An outline of organizational and financial goals; and

- f. Financial reports, as outlined in the Bylaw Regarding Student Representative Association Finances.

### **Governance Structure**

- 34. An Association shall adopt a governance structure which satisfies the following:
  - a. Legislation is adopted, amended, or rescinded by:
    - i. A General Meeting which meets at least once per Fall Term and Winter Term; or
    - ii. A Council which meets at least twice per Fall Term and Winter Term where a General Meeting may overturn the adoption, amendment, or rescission.
  - b. Policy and Procedure is adopted, amended, or rescinded by:
    - i. A Council which meets at least twice per Fall Term and Winter Term; or
    - ii. An Executive Committee or Board which meets at least once per month during each Fall Term and Winter Term where a Council may overturn the adoption, amendment, or rescission.
  - c. The executive and board officers, as applicable, of the Association are held accountable to and removable by:
    - i. A General Meeting which meets at least once per Fall Term and Winter Term;
    - ii. A Council which meets at least twice per Fall Term and Winter Term; or
    - iii. Another mechanism agreed to by the Students' Union.
  - d. Minutes from Council, Executive Committee or Board Meetings, and General Meetings are publicly available;
  - e. Financial statements are available to members;
  - f. Elections, plebiscites and referenda, if applicable, are conducted by an Association Deputy Returning Officer who acts at arms length from the other bodies of the Association.
    - i. An Association shall have the right to use the Students' Union Executive or Councillor Election polling stations for members, and the electronic ballot for base members, to vote for the purpose of the election of such positions and voting on such plebiscites and/or referenda as may be required by that Association.