

BYLAW 1: THE BETHUNE COLLEGE COUNCIL CONSTITUTION

As passed at the Bethune College Council Meeting on __,

©2022 Bethune College Council

CONTENTS

MISSION STATEMENT	3
ARTICLE I: INTERPRETATION AND CONFLICT OF INTEREST	4
ARTICLE II: COMMUNITY MEMBERSHIP	6
ARTICLE III: EXECUTIVE	7
ARTICLE IV: COUNCIL.....	10
ARTICLE V: STANDING COMMITTEES	16
ARTICLE VI: GENERAL MEETINGS.....	19
ARTICLE VII: STUDENT OMBUDS SERVICE	21
ARTICLE VIII: REFERENDA AND RECALL	22
ARTICLE IX: HONORARIA	24
ARTICLE X: AMENDMENTS, BYLAWS AND POLICIES.....	25

MISSION STATEMENT

We, the Bethune College Council, hereinafter referred to as the BCC, dedicate ourselves to the Bethune community in the provision of social and academic programs and services while ensuring we maintain a strong and representative voice within York University. BCC strives to enrich the lives of the Bethune student body through social and academic events. Additionally, the council will continue to guide and assist all affiliated clubs and organizations.

- The BCC recognizes and celebrates those values exhibited by the college's namesake, Dr. Norman Bethune, and strives to, at all times, protect the interests of the community in fulfilling its mandate.
- The BCC recognizes and celebrates the fact that it represents and serves a rich and diverse community and attempts to promote further harmony within this diversity.
- The BCC recognizes and celebrates that while it may be the primary voice of the community, that it must proactively interact with, and take suitable direction from, other community bodies such as the Bethune College Fellows, Alumni, staff, faculty, and students of the college.
- The BCC recognizes and celebrates a long history and relationship with the Head's Office of Bethune College. It further recognizes the service and guidance that has been provided to the BCC by the Head's Office. The BCC will strive at all times to further this relationship, ensuring equal representation of all community members on the council.

BCC acknowledges our presence on the traditional territory of many Indigenous Nations. The area known as Tkaronto has been caretaken by the Anishinabek Nation, the Haudenosaunee Confederacy, the Huron-Wendat, and the Métis Nation. It continues to be home to many Indigenous Peoples. We acknowledge the current treaty holders, the Mississaugas of the Credit River. This territory is subject of the “Dish With One Spoon Wampum Belt Covenant”, an agreement to peaceably share and care for the Great Lakes region.

ARTICLE I: INTERPRETATION AND CONFLICT OF INTEREST

1. General

- 1.1. This Constitution shall come into effect May 1st, 2022, and shall give guidance to succeeding Councils;
- 1.2. Any previous Constitutions of the BCC are hereby repealed, and all legislation, motions or other acts of the BCC inconsistent with this Constitution are hereby revoked; and are done so in the best interests of the Community;
- 1.3. The fiscal year of BCC shall conclude on the 30th of April each year

2. Interpretation

- 2.1. In this document and all other governing documents:
 - 2.1.1. The Bethune College Council shall be referred to as “Council” or “BCC”;
 - 2.1.2. York University shall be referred to as “University”;
 - 2.1.3. Chief Returning Officer shall be referred to as “CRO”;
 - 2.1.4. A person who has the right to authorize financial transactions on behalf of Council shall be referred to as a “Signing Authority”;
 - 2.1.5. The process by which a position-holder of the Council may be removed from their position without their consent shall be referred to as “Recall”
- 2.2. In the event of any ambiguity in a by-law or policy, its interpretation shall be ruled upon by the Speaker. The Speaker shall commit an item to the Constitution Committee to review the Bylaw or policy found to be in ambiguity and make a recommendation to Council.
- 2.3. The Speaker shall rule out of order any vote on an interpretation that is not reasonably plausible in the existing constitution or policy or that would contravene any act of Council
- 2.4. The interpretation and enforcement of Bylaw 3 during Election Periods, to the extent required to run free and fair elections, is the jurisdiction of the Chief Returning Officer
- 2.5. The CRO Shall consult the Speaker to ensure fair and consistent interpretations and judgements in accordance with adopted Bylaws, policy, and the principles of fundamental justice

2.6. In all other cases (i.e. interpretation of adopted Policy or the Constitution not strictly related to the administration of elections) the interpretation of Bylaws, Policy and the Constitution rests with the Speaker in accordance with Section 1.2b

2.6.1. Interpretations and rulings from the Speaker may be overruled by a two-thirds vote of Council

3. Conflict of Interest

3.1. It is the policy of the BCC to conduct its business and political affairs in compliance with applicable laws and in conformity with the highest ethical and moral standards.

3.2. No Member of the BCC should have any substantial business or financial interest or other involvement outside of the BCC which in any way conflicts with their duties and responsibilities to the BCC. A BCC Member should avoid situations that affect or are likely to affect their impartiality within BCC.

ARTICLE II: COMMUNITY MEMBERSHIP

1. General

1.1. There shall be two categories of membership in the Community:

1.1.1. Regular Members:

- a. The Head of the College;
- b. All full-time and part-time students, plus graduate and special students studying at York University and assigned to Bethune College as their College of Affiliation;
- c. The Fellows of the College include the Administrative Assistant, the Secretaries, Dons and the Residence Life Coordinator.

1.1.2. Honorary Members;

- a. Alumni of the College;
- b. The Persons that the BCC may from time to time designate as being Honorary Members of the Community.

2. Privileges of Membership

2.1. All members of the Bethune College Community shall be entitled:

- 2.1.1. To have reasonable access to the BCC's property;
- 2.1.2. To participate in General Meetings of the Community;
- 2.1.3. To attend all regular meetings of the BCC;
- 2.1.4. To propose or second the proposal of amendments to this constitution, in accordance with procedures set out below;
- 2.1.5. To propose referendum or recall proceedings in accordance with the rules set out below;
- 2.1.6. To nominate or second the nomination of candidates for the Council;
- 2.1.7. If they are a student as per Article II Section 1.1.1.2, to stand for election for council positions open to them.

2.2. All regular members of the Bethune College Community shall be entitled:

- 2.2.1. To vote in elections, or in BCC referenda;
- 2.2.2. To participate in all activities sponsored by the Community.

ARTICLE III: EXECUTIVE

1. General

- 1.1. The Executive of the Council shall be the President, the Executive Vice-President, the Vice-President Finance, the Vice-President Communications, the Vice-President Athletics and the Vice-President Social
- 1.2. Each Executive that holds a vote on Council, defined by Article IV, Section 3.1 shall be elected by the Members, and as defined in Bylaw 3
- 1.3. In case of infirmity, death, resignation, or other form of ineligibility of the President, the council is required to appoint an interim President no later than ten (10) business days following the resignation.
- 1.4. Should the Executive Vice President resign, the council is required to appoint an interim Vice President no later than fifteen (15) business days following the resignation.
- 1.5. In case of infirmity, death, resignation, or other form of ineligibility of any other Executive shall be subject to the selection or interim protocols process outlined in Bylaw 3.
- 1.6. Except in cases of Section 3.1c, no person shall hold two Executive positions simultaneously
- 1.7. Each Executive shall oversee Directors
- 1.8. The term of office for each Executive shall begin May 1st end April 30th.
- 1.9. The Executive Vice-President and Vice-Presidents shall:
 - 1.9.1. Represent the interests of BCC and its constituents at various levels within the University;
 - 1.9.2. Report at every BCC meeting;
 - 1.9.3. Report regularly to the President;
 - 1.9.4. Receive an honorarium, as determined by Council.
- 1.10. Each Executive shall have other duties as may be outlined in Bylaws or Policies
- 1.11. Executives shall be the official representatives of BCC, in the following order of precedence: President, Executive Vice-President
- 1.12. Each Executive shall be a Regular Member that fulfils the requirements as of Article II Section 1.1.1.2.

1.13. The President and VP Finance shall be at least eighteen (18) years of age at the start of their term.

1.14. For Executive positions possessing eligibility requirements, if no eligible candidate runs for the position, the CRO will open eligibility to members with one-year of council experience or will have one-year of council experience at the beginning of the said position's term and then to all regular members.

1.14.1. VP Athletics eligibility shall also open for members of the Bethune Athletics Committee along with all council members before it is then opened to all regular members

2. President

2.1. Have been a BCC Executive or Orientation Chair for at least one-year* prior, (unless no Executive members or Orientation Chair(s), wish to run for president in which case a member of the non-Executive or non-Chair may run for president) or been on Council for two (2) years;

2.2. Act as the Chief Council Officer of the Community, and therefore shall be charged with final responsibility for carrying out the wishes, legislation, policies, and the Constitution of the BCC;

2.3. Assist in the coordination of social, athletics, finance, academic and orientation programming

3. Executive Vice-President

3.1. Have been a member of the BCC for at least one-year* prior (unless no such person wishes to run for EVP, at which point any person can run);

3.2. Oversee management and upkeep of council offices;

3.3. Be responsible for internal relations and operations within the BCC;

3.4. Re-assign the remaining duties of the Executive under the discretion of the Executive Committee in the role of Acting President in the absence of a President.

4. Vice-President Finance

4.1. Be responsible for all the financial matters of the BCC;

4.2. Ensure that the audit is completed by August and that the Interim Audit is completed by the end of January.

5. Vice-President Communications

5.1. Be responsible for all BCC promotions including digital signage, postering, social media and website upkeep.

6. Vice-President Athletics

6.1. Have been a BAC Executive Member or Senior Member for at least one year prior or been on Council for one (1) year;

6.2. Be responsible for all athletic programming of the BCC;

6.3. Endeavour to encourage and increase participation of Community members in both Council and Community athletic activities.

7. Vice-President Social

7.1. Assist in the creation and maintenance of a vibrant social life within and at the service of the Community;

7.2. Oversee the implementation of all events throughout the academic year that are aimed specifically at all Bethune constituents. These events may be social, academic, or educational in nature.

ARTICLE IV: COUNCIL

1. General

1.1. The business and affairs of Bethune College community shall be managed by the Council

1.2. The Council shall be empowered to:

- a. To uphold and enforce the provisions of this Bylaws, subsequent Bylaws and Policies
- b. To play its proper role in holding referenda, including referenda on this Constitution, set out in Article XIII;
- c. To administer funds accruing to the BCC, and to engage in any undertaking necessary for the achievement of the goals and objectives of the BCC, in the best interests of the Community, and with all due regard to proper bookkeeping, to fiscal responsibility, and to good citizenship within the wider York context;
- d. To create and supervise such further BCC bodies, committees, clubs, and commissions as may from time to time be deemed necessary for the definition and achievement of the BCC's goals and objectives, in the best interests of the Community, and to delegate representatives to serve on other appropriate Community or York bodies, committees, clubs and commissions;
- e. To receive, comment and act upon appropriate reports, communications, and requests from accredited or recognized spokespersons for other Community, York University, or non-York University bodies, committees, clubs, and commissions;
- f. To grant unto any such bodies, committees, clubs or commissions funds requested for their activities, after taking into account the opinions and recommendations of the Vice-President Finance, and to retain regulatory control, including the right to withdraw any grant or allocation of funds made to any such bodies, committees, clubs and commissions if in the documented opinion of the Finance Committee or of that of the BCC itself, the monies so granted or allocated are being used for purposes for which they were not granted or allocated
- g. To set forth financial accounting criteria through the Vice-President Finance and the Finance Committee to which bodies, committees, clubs, and commissions applying for BCC funds shall adhere;

- h. To give further advice regarding the actions of any such bodies, committees, clubs, commissions, and spokespersons as the BCC may deem to be necessary, in the best interests of the BCC and the Community;
- i. To employ personnel, provide for the remuneration and define their responsibilities, or to discontinue such employment for just cause;
- j. To appoint a Chief Returning Officer and their assistants as per Bylaw 3
- k. To provide for and maintain any assets or facilities shown to be necessary for the furtherance of the goals and objectives of the BCC in the best interests of the Community

2. Duties

2.1. All student Council Members must:

- a. Be a full-time student and be in good academic standing.
- b. Comply with the constitution and bylaws and take a proactive role in BCC matters;
- c. Attend all Council meetings to the best of their ability and inform the speaker if unable to attend;
- d. Attend all BCC social/academic events to the best of their ability;
- e. Participate in at least two intramural sports each semester or the deemed equivalent(s) by the Vice-President Athletics;
- f. Staff the BCC office as scheduled by the Executive Vice-President;
- g. Actively participate in Social Orientation in the role of leader

2.2. All Executives must:

- a. Represent the interests of BCC and its constituents at various levels within the University;
- b. Provide updates at every BCC meeting;
- c. Report regularly to the President;
- d. Receive an honorarium, as determined by Council.

3. Membership

3.1. The Voting Members of the Council shall include:

- a. The President;
- b. The Executive Vice-President;
- c. The Vice-President Athletic(s);

- d. The Head of the College, or designate when Head unavailable;
- e. The Fellows' Representative;
- f. Four (4) General Members;
- g. Two (2) First Year Representatives;
- h. The Commuter Director(s)
- i. The Outreach Director
- j. The Lassonde Representative;
- k. The YFS Director;

3.2. The Non-Voting Members of Council shall include:

- a. The Vice-President Finance;
- b. The Vice-President Social;
- c. The Vice-President Communications;
- d. The Director(s) of Finance;
- e. The Secretary;
- f. The Orientation Chair(s);
- g. The Bethune Academic Advisor
- h. The Academic Representative
- i. The Residence Life Representative (DLLO);

3.3. For the position of Vice-President Athletics, the members may receive up to two votes when two Vice-President Athletics are elected. However, if one Vice-President Athletics is selected, only one vote shall be granted;

3.4. The following positions shall be allowed to be split two ways between members:

- a. The Vice-President Social;
- b. The Vice-President Communications;
- c. The Outreach Coordinator;
- d. The Commuter Director; and
- e. The Orientation Chair

3.5. The following positions should not be allowed to be split between members:

- a. The President,
- b. The Executive Vice-President,
- c. The Vice-President Finance,

- d. The Vice-President Athletics,
- e. The General Members,
- f. The Lassonde Representative,
- g. The First Year Representatives,
- h. The SOS Representative,
- i. The YFS Director,
- j. The Residence Representative,
- k. The Fellows Alumni Representative, and
- l. The Secretary.

3.6. All other positions within council may not be split two ways between members unless specified in Section 3.3.

4. Votes and Quorum

- 4.1. Each voting Council Member outlined in Section 3.1 shall hold one (1) vote
- 4.2. Quorum of Council shall require one-half (1/2) of the voting members of the Council at meetings during the academic year (September-April, inclusive)
- 4.3. Quorum of Council shall require one-quarter (1/4) of the voting members of the Council at meetings during the summer (May-August, inclusive).
- 4.4. A voting member may cast a vote by proxy, provided that the Speaker and/or Secretary is notified prior to the meeting concerned, indicating how they would vote on resolution put forth in such meeting
- 4.5. All votes of the BCC shall be by a public show of hands, counted by the Speaker and/or Secretary
- 4.6. In the event of a tie vote, the Speaker shall cast the tie-breaker.

5. Speaker

- 5.1. The Speaker shall act as Chair of the Council and shall ensure proper procedure during all meetings of the Council.
- 5.2. In the absence of the Speaker, the President shall act as Chair of the Council, except as determined by a majority vote of the Council.
- 5.3. The Speaker shall be a non-voting member of the Council.
- 5.4. The Speaker shall use applicable law, the Bethune College Council Constitution, other Bylaws of the BCC, York University policy, College policy, Robert's Rules of Order,

their own discretion, and a flip of a coin, in that order, in determining all questions of procedure before them.

- 5.5. Only the Speaker shall have the authority to bar Council members from voting on a motion where the Member has a conflict to interest
- 5.6. All decisions of the Speaker may be reversed by a two-thirds majority vote of the Council, except regarding applicable law, the Constitution and Bylaws of the BCC from which there is no appeal.

6. Meetings

- 6.1. The rules contained in the latest edition of Robert's Rules of Order Newly Revised shall govern the Council, and in which they are not inconsistent with the Bylaws or the rules of order of Council.
- 6.2. The Council shall hold at least three, duly advertised meetings during the summer (May-August, inclusive) to prepare for the fall term and for Orientation Activities
- 6.3. The BCC shall meet for at least twelve Council meetings during the academic year (i.e. September-April, inclusive), at least five meetings being held per term.
- 6.4. The BCC shall agree at the beginning of each term as to which day and time in the week shall be the recognized as the Council meeting time;
- 6.5. There shall be at least one joint meeting of the outgoing Council and Council elect following the elections.
- 6.6. No meeting of the BCC shall be greater than two and one-half (2 ½) hours in duration, unless a motion to continue past this time is made and receives a two-thirds (2/3) majority vote;
- 6.7. All motions must be submitted a minimum of 24 hours before the start of a meeting

7. Special Meetings

- 7.1. The President or Speaker may call a Special Meeting of the Council and shall call a meeting within one (1) week of receiving a written request to call such a meeting signed by one half (1/2) of the members of the Council.
- 7.2. Any petition to hold a Special Meeting shall specify the purpose of the Meeting and no business shall be conducted at the Special Meeting unless it is related to purpose for which the Meeting was called.

8. Notice of Meetings

- 8.1. All Council Meetings shall be advertised no less than 72 hours in advance, through the posting of signs in prominent locations throughout the College and Residence structures; Lexicon should also be informed

9. Minutes

- 9.1. Minutes are to be sent out to the Community within 2 business days of the previous meeting by the Secretary.
- 9.2. Minutes shall record the rationale for a secret ballot vote
- 9.3. Minutes shall reflect the use of proxy votes
- 9.4. Minutes shall indicate each voting member's vote on each motion, whether in favour, against, or in abstention

10. Voting Member Attendance

- 10.1. If a voting council member misses 3 consecutive meetings without 24 hours' notice, this will result in the removal of voting rights and not counted towards quorum for Council meetings.
 - a. All voting member rights will be returned if the Council member attends a council meeting in full.

11. Community Challenge

- 11.1. The decisions of the meeting may be challenged by presenting to the Chair a petition containing the signatures of one hundred (100) regular members of the Bethune Community asking that a Special General Meeting be held.

ARTICLE V: STANDING COMMITTEES

1. General

- 1.1. The rules contained in the latest edition of Robert's Rules of Order Newly Revised shall govern all Standing Committees, and in which they are not inconsistent with the Bylaws or the special rules of order of this Council.
- 1.2. All decisions by Standing Committees must be approved by a majority vote of the Council
- 1.3. The following shall be considered Standing Committees of the Board:
 - a. The Executive Committee
 - b. The Finance Committee
 - c. The Social Committee
 - d. The Hiring Committee
 - e. The Bethune Athletics Committee
 - f. The Orientation Committee
 - g. The Constitution Committee
 - h. The Bethune Communications Committee
 - i. The Sponsorship Committee
- 1.4. Further regulation of the Standing Committees can be found in Bylaw 6

2. Standing Committees

- 2.1. The Executive Committee shall:
 - a. Consist of the President (Chair), the Executive Vice-President, the Vice-President Finance, the Vice-President Communications, the Vice-President Athletics and the Vice-President Social;
 - b. Be responsible for management of the storage spaces;
 - c. Meet bi-weekly to inform each other of council matters and make plans for the year.
- 2.2. The Finance Committee shall:
 - a. Consist of at minimum, the President, Vice-President Finance (Chair), Executive Vice President, Head of the College or delegate, and four (4) General Members and the Director of Finance;
 - b. Oversee all BCC financial matters in the best interests of the Bethune College Council ensuring a balance of the books.

2.3. Social Committee shall:

- a. Consist of at minimum the Vice-President Social (Chair), Four (4) General Members, and both First Year Representatives;
- b. Plan, and organize and promote all BCC social and/or academic functions;
- c. Have all events planned and approved by the BCC at their specified date

2.4. The Hiring Committee shall:

- a. Consist of the incoming Executive Vice-President (Chair), the incoming President, the outgoing Executive Vice-President, the outgoing President, the Administrative Assistant to the Head or designate, any elected members of Council as deemed appropriate by the committee, and optionally a special members familiar with the position as decided upon by the committee to hire all hired council positions;

2.5. The Bethune Athletics Committee shall:

- a. Consist of at minimum the Vice-President Athletics (Chair), the Bethune Athletic Committee Director of Operations, the Bethune Athletic Committee Director of Communications, the Bethune Athletic Committee Director of Promotions and the General and Senior Members of the Bethune Athletic Committee;
- b. Promote and implement the Intramural Program in Norman Bethune College ensuring good sportsmanship and fair play by all participants.

2.6. The Orientation Committee shall:

- a. Consist of the President (Chair), the Orientation Chair(s), the Vice-President Finance, the Head of the College, the Assistant to the Head and any other member of Council that is deemed appropriate by the Chair;
- b. Meet on a weekly basis during the Summer semester;
- c. Work with the Orientation Chair(s) and the President to ensure that plans for Social Orientation are running on time and on budget;
- d. Submit recommendations on expenditures and events for Social

2.7. The Constitution Committee shall:

- a. Consist of the President (Chair), the Executive Vice-President, Speaker and the Head of the College.

- b. Meet a minimum of once a year to review the constitution and bylaws and make recommendations for revisions as needed. The committee may elect to consult other members or bodies as part of this process.
- c. Receive all proposals from the membership for revisions to the constitution and/or bylaws. The committee shall ensure that proposals are clearly presented, create no conflicts or inconsistencies within the governing documents, and include a clear and reasonable rationale. Any proposal for revision must be accompanied by a clear and reasonable rationale.
- d. Prepare motions for council that clearly document proposed revisions from the committee and/or the membership, together with rationales.
- e. Ensures a meeting is organized with the Bethune Community to review and ratify any revisions to the Constitution and Bylaws that have been approved by Council.

2.8. The Bethune Communications Committee shall:

- a. Consist of at minimum, the Vice-President Communications (Chair), The Promotion Director(s), the Promotion Assistants and four (4) general members;
- b. Shall oversee promoting and advertising all council related events to the regular and honorary members of the Bethune community
- c. Shall work in conjunction with the Bethune College Council as well as its various committees

2.9. The Clubs Committee shall:

- a. Consist of at minimum the President (Chair), Executive Vice President, VP Communications, Lassonde Representative and Outreach Director.

ARTICLE VI: GENERAL MEETINGS

1. General

- 1.1. The duties specified in this chapter, where they relate to:
 - a. General Meetings, are the responsibility of the Executive-Vice President
 - b. Other General Meetings, are the responsibility of the Executive-Vice President

2. Calling a Meeting

- 2.1. A General Meeting shall be called at minimum once per fiscal year
- 2.2. A General Meeting shall be called upon:
 - a. A resolution of the Council requesting such a meeting;
 - b. The receipt of a requisition by the Speaker requesting such a meeting signed by one hundred (100) Members;
 - c. A resolution passed at a General Meeting such as the Semi-Annual General Meeting during that same academic year.

3. Agenda

- 3.1. Motions and discussion items from the Community shall be added to the agenda of a General Meeting upon receipt of notice in writing to the Speaker at any time earlier than seven (7) days prior to the meeting.
- 3.2. The agenda of a General Meeting shall be circulated to the Membership five (5) days prior to the General Meeting.

4. Notice

- 4.1. Notice shall be given at least fourteen (14) days prior to any General Meeting
- 4.2. Notice shall be given through the following means:
 - a. Posting signs in prominent locations throughout the College and Residence structures
 - b. Electronically through email to the Community

5. Voting

- 5.1. Each BCC Community member shall be entitled to one (1) vote at General Meetings.
- 5.2. A Member may proxy their vote at a General Meeting to any member
 - a. The Proxyholder shall bring the signed proxy form to the Speaker at the start of a General Meeting or sent by email at least three (3) days prior to said General Meeting.

- b. The Proxyholder shall hold no more than two (2) votes at a General Meeting, including their own.

6. Quorum

- 6.1. Quorum is fifty (50) Members present, in person or by proxy
- 6.2. At least half of quorum shall be maintained after the meeting has started

7. Order

- 7.1. The Speaker of the Council shall preside over General Meetings
- 7.2. All General Meetings shall be governed by Robert's Rules of Order where these rules of order do not conflict with the Bylaws of the society
- 7.3. The Speaker shall not hold more than one (1) vote at any General Meeting

ARTICLE VII: STUDENT OMBUDS SERVICE

1. The BCC recognizes SOS as an integral part of the Bethune and York community and shall support SOS in whatever way possible in effort to further strengthen the community and further the academic goals of the service.

ARTICLE VIII: REFERENDA AND RECALL

1. Referenda

- 1.1. Upon receipt of a petition signed by ten percent (10%) of the Regular Members of the Community or by a motion approved by a two-thirds majority of the current Council, the President must call a Referendum within ten days and with all due publicity if the matter at issue involves:
 - a. Any change to the Constitution
 - b. Alleged loss of confidence in the BCC in entirety by most of the Community, or attempted recall for grave and documented cause;
 - c. A resolution by the BCC to consult the Community on an important matter facing the College;
- 1.2. Any such referendum shall involve the BCC in consultation with the CRO (refer to Bylaw 3) and shall be held under their supervision and authority;
- 1.3. The referendum, to be successful, or binding, must: Be voted in favour of by two-thirds (2/3) of the regular members of the community present at the General Meeting with due posting of the results;
- 1.4. The decision of the referendum shall be binding on the BCC.

2. Recall

- 2.1. Council may, for any reason(s) it considers appropriate, recall a Member of Council. A motion of impeachment must be passed by a two-thirds majority vote of those present and voting.
- 2.2. In the case of hired positions, a motion of recall may be passed by a simple majority of those present and voting.
- 2.3. Conduct that may be considered in a recall are as follows:
 - a. Incompetence;
 - b. Misappropriation of Council funds;
 - c. Flagrant abuse of powers and responsibilities of a member's position;
 - d. Acting in any manner detrimental to the intent, image, and direction of the BCC;
 - e. Failure to attend two (2) consecutive regular meetings without advance notice;
 - f. If any Council member is habitually late for meetings of Council, consistently misses office hours, or consistently fails to perform their duties;

- g. Any Member who is censured or suspended more than once shall immediately be considered for impeachment.
- 2.4. Any member of Council must be given at least 14 days' notice of a motion to recall.
- 2.5. In the case of a motion to recall in the case of severe dereliction of duty, or if a member is deemed to be hazardous to the integrity of the Council, the Council can expedite the proceedings. Reasons for expediting the proceedings must be given and supported by the Speaker. Then, through a vote of consensus (excluding the accused) the notice can be given a minimum of 7 days before the recall meeting.
- 2.6. The Speaker shall present a list of offences against the Member to which a motion of impeachment applies or, if the person is absent, shall state the offences to Council.
- 2.7. The Member of Council to which a motion of impeachment applies may make a statement and answer questions posed by the council, and thereafter shall withdraw during the time the matter is in debate.
- 2.8. If a member of council has two or more counts of violating the listed offenses in Article VIII (2.3) , shall automatically be put to a recall vote;
- 2.9. . If a member of council is successfully recalled , then the potential honoraria for that member shall be forfeit and a by-election shall be called for (refer to Bylaw 3)
- 2.10. Any recall motion, by two-thirds majority vote, may be amended to a motion of censure or suspension;
- 2.11. Upon receipt of a petition signed by two percent (2%) of the Regular Members of the Community, any member may be put to a recall vote. Before voting, the BCC shall summon the person(s) concerned to explain and clarify the matter and witnesses may be called. If successfully recalled, a by-election shall be called for (refer to Bylaw 3);
- 2.12. Penalties regarding honoraria are cumulative

ARTICLE IX: HONORARIA

1. General

- 1.1. In this Article, “honoraria” means financial remuneration as recognition for dedication toward Council activities.
- 1.2. As a principle, the BCC believes in the use of honoraria as a way of ensuring responsible and accountable student government and to recognize the contributions made by its Council Members
- 1.3. The total amount of honoraria awarded to all elected members of Council each year shall be no greater than 10% of the total Council Operating Budget, unless Council Members have their Honoraria decreased by a two-thirds (2/3) vote of Council.
- 1.4. All honoraria procedures shall be governed by Bylaw 4

ARTICLE X: AMENDMENTS, BYLAWS AND POLICIES

1. General

- 1.1. The Bethune College Council shall be the sole authority for the interpretation of this constitution.
- 1.2. The BCC shall make all determinations of construction and interpretation with due regard to the accepted rules of procedure of York University.
- 1.3. There shall be three levels of documents specifying the organization of the Council, in order of precedence;
 - a. Bylaw 1 (The Bethune College Council Constitution)
 - b. Bylaws 2-6;
 - c. Policies
 - d. All the documents contained under each of the levels of documents listed in 1.2c must be written using gender neutral pronouns

2. Bylaw 1 (The Bethune College Council Constitution)

- 2.1. Bylaw 1 shall specify the fundamental organization of the Council
- 2.2. Bylaw 1 may only be amended by:
 - a. A two-thirds (2/3) majority vote at a Council Meeting, with a subsequent two-thirds (2/3) majority vote at a General Meeting to confirm the amendment; or
 - b. The receipt of a requisition by the Speaker proposing such an amendment signed by one hundred (100) Members, with a subsequent two-thirds (2/3) majority vote at a General Meeting to confirm the amendment; or
 - c. A unanimous minus one (voting members present -1) vote at a Council Meeting
 - d. In the case of 2.2c, such an amendment is effective only until the next General Meeting unless confirmed thereat and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new by-law of the same or like substance has any effect until confirmed at a General Meeting.
 - 2.2.d.1. If such approval has not occurred by the next General Meeting the amendment is struck down and neither it nor any substantially similar amendment may be proposed at a meeting of Council for one year following the date of the General Meeting.

3. Other Bylaws

3.1. Other Bylaws shall:

- a. Provide additional order to the organization specified in Bylaw 1; and/or
- b. Specify the organization of other areas of Council

3.2. Other Bylaws may only be amended by:

- a. A two-thirds (2/3) majority vote at a General Meeting; or
- b. A two-thirds (2/3) majority vote at a Council Meeting

3.3. Amendments made in a General Meeting on any other bylaws shall not be amended or repealed by Council for the rest of said fiscal year

4. Policies

4.1. Policies shall:

- a. Describe details of the functioning of the Council
- b. Provide continuity in Council
- c. Shall complement the Bylaws

4.2. Policies may only be passed, repealed, or amended by a majority vote of:

- a. A General Meeting; or
- b. A meeting of the Council; or
- c. A meeting of the Bethune Athletics Committee; or
- d. A meeting of the Bethune Communications Committee.

4.3. When a policy is passed, repealed, or amended, it shall be noted which governing body or committee of Council did so (i.e., a General Meeting, Council, BAC etc.).

4.4. A notice shall be given to the Council when a policy is repealed, reinstated, or amended at a meeting of the Bethune Athletics Committee

4.5. A notice shall be given to the Council when a policy is repealed, reinstated, or amended at a meeting of the Bethune Communications Committee

4.6. Policies passed, repealed, or amended at a General Meeting may only be repealed, reinstated, or amended at another General Meeting for a period of one (1) semester.

4.7. Policies passed, repealed, or amended at a meeting of the Council may only be repealed, re-instated, or amended at another meeting of the Board, or a General Meeting for a period of one (1) semester.

- 4.8. Policies passed, repealed, or amended at a meeting of either the Bethune Athletics Committee or the Bethune Communications Committee may only be repealed, amended, or re-instated at another meeting of the respective Committee, a Council meeting, or a General Meeting.
- 4.9. One (1) semester after a policy has been passed, repealed, or amended; it may again be amended or repealed by anybody outlined in Article X Section 4.2.