



D. Harder #1  
14 April 2008

No. **S-082674**  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SIMON FRASER STUDENT SOCIETY

PETITIONER

AND:

CANADIAN FEDERATION OF STUDENTS, CANADIAN  
FEDERATION OF STUDENTS – SERVICES, CANADIAN  
FEDERATION OF STUDENTS – BRITISH COLUMBIA  
COMPONENT

RESPONDENT

**AFFIDAVIT OF DERRICK HARDER #1**

I, Derrick Harder, Student, Burnaby, British Columbia, MAKE OATH AND SAY THAT:

1. I am an undergraduate student at Simon Fraser University and President of the Petitioner Simon Fraser Student Society ("SFSS") and, as such, I have personal knowledge of the matters and facts set out herein except where my knowledge of the facts is based on information and belief in which case I believe them to be true.
2. I was elected President of the SFSS in December 2006, for a term ending 31 April 2007 and again in March 2007 for a term ending 30 April 2008. I had previously served as a Director of the SFSS between May 2005 and April 2006.
3. I expect to graduate from Simon Fraser University ("SFU") at the end of the semester ending on 30 April 2008. My term as President of the SFSS and membership in the SFSS will end as of 30 April 2008.

#7

4. The SFSS is a society incorporated under the *Society Act, R.S.B.C. 1996, c.433* and is the local student association that represents students at SFU. Historically, all students at SFU have been members of the SFSS. However, as of 1 May 2008, the graduate students at SFU will have their own organization and will no longer be members of the SFSS. A copy of the SFSS Constitution and Bylaws are attached as Exhibit "A" to my Affidavit.
5. The Board of Directors of the SFSS is elected annually. There are sixteen (16) Directors on the Board, including a seven person Executive Committee that is responsible for the day-to-day governance of the SFSS in between Board meetings.
6. The Canadian Federation of Students ("the CFS") is a non-profit student organization that claims to represent students nationally. There are three components to the CFS. The CFS National has its head offices in Ottawa and is a federal non-profit association and extra-provincial society under the *Society Act*. The CFS also has provincial component in British Columbia, Ontario and Quebec. In British Columbia, the CFS-BC components is a society registered under the *Society Act*, with head offices in Vancouver. The CFS -Services is a federal non-profit association and extra-provincial society under the *Society Act*. Members of the national CFS are also members of the other two organizations, and the SFU students were members of all three. For purposes of this Affidavit, the term "CFS" will refer to all three organizations unless otherwise specified. A copy of the Constitution and Bylaws for the National CFS component ("the CFS Bylaws") are attached as Exhibit "B" to my Affidavit.
7. There are two categories of members in the CFS, as set out in the CFS Bylaws:
  - (a) "Voting Members" refers to the local student associations at the universities or colleges whose students are members of the CFS. Voting Members are also referred to "Local Associations" in the CFS Bylaws. In the case of SFU, the Voting Member or Local Association is the SFSS.
  - (b) "Individual Members" refers to the individual students at the universities or colleges, who collectively make up the Voting Members. In the case of SFU, the

Individual Members are the individual students at Simon Fraser University ("SFU Students").

8. I have reviewed the SFSS files concerning membership in the CFS, which indicate that the SFSS joined the CFS in 1982. In return for membership, a portion of the student fees SFU collects from SFU students are paid to the CFS. During 2007-2008, SFU students paid the CFS \$470,524.08.
9. Under the CFS Bylaws, Individual Members of a university or college can only join the CFS if they vote in favour of doing so in a referendum. After the Individual Members vote to join the CFS, their Local Association signs an agreement with the CFS. A copy of the agreement between the CFS and SFSS ("the CFS -SFSS Contract"), dated 22 December 1982, is attached as Exhibit "C" to my Affidavit. Paragraph 5 of the CFS-SFSS Contract states the following:

The Member institution [SFSS] shall conduct all referenda required by the By-Laws of the Federation in the same manner as any other referendum it may conduct.
10. Under the CFS Bylaws, the decision to leave the CFS rests with the Individual Members of the Local Association and can only be done by way of referendum. Within the CFS, the process of leaving the CFS is often referred to as "Defederation" and I will use that term in this Affidavit.
11. The principle that membership decisions rest with the Individual Members is set out in Bylaw I, 3.1 (a)(i) and (iii) of the CFS Bylaws:

- (i) The individual members of the Federation collectively belonging to a member local association will have sole authority to make decisions through referendum on all questions of membership in the Federation, subject to the other provisions of this Bylaw.

...

- (iii) The individual members of the Federation collectively belonging to a member local association will have sole authority to initiate a de-Federation referendum, as described in Article 7[sic] of this Bylaw, by submitting to

the National Executive of the Federation a petition, signed by not less than 10% of the individual members of the association, calling for the referendum.

12. On 18-20 March 2008, the SFU students were asked to vote on five referendum questions, including the following question concerning membership in the CFS ("the Defederation Referendum"):

Are you in favour of maintaining membership in the Canadian Federation of Students?

13. The SFU students were also asked to vote on the following question concerning the allocation of CFS membership fees should the SFSS cease to be a member of the CFS:

If the Simon Fraser Student Society ceases to be a member of the Canadian Federation of Students, do you agree that the former CFS membership fees of \$7.64 per semester for full-time students and \$3.82 for part-time students should be redirected into a Society Development Fund which will result in no overall fee increase for students?

14. A copy of all of the referendum questions that were before the SFU students on 18-20 March 2008 are attached to my Affidavit as Exhibit "D".

15. The Defederation Referendum was held at same time as the SFSS elections, as is required under the SFSS Bylaws. Quorum for the referendum was 5% of our total membership. A total of 4490 (or 17%) of the SFU students qualified to vote did vote in the Defederation Referendum. Of those, 2976 (or 66.97%) voted not to remain in the CFS, while 1469 voted to remain in the CFS, and 42 ballots were spoiled or blank. A copy of the statement of the results of the Defederation Referendum, as presented by the Independent Electoral Commission to the SFSS Board, is attached as Exhibit "E" to my Affidavit.

16. In my experience, 4490 is a very high turnout for a referendum or election. For example, a total of only 1325 (or 5.6%) of SFU students turned out to vote at the elections and referendum held in March 2007. Only 1938 (or approx 7%) of students turned out to vote at the elections and referendum held in March 2006.

17. The CFS has taken the position that it does not consider the Defederation Referendum results to be valid or binding. It has taken the position that the SFSS can only leave the CFS in accordance with Bylaw I (6) of the CFS Bylaws and alleges that the Defederation Referendum held at SFU on 18-20 March 2008 was not held in accordance with that Bylaw.
18. In fact, while we do not agree with the CFS' interpretation of the Bylaws, the SFSS made every reasonable effort to comply with Bylaw I(6) in the interests of promoting an orderly and collegial referendum process. If that Bylaw does govern the Defederation process and if there was any failure to comply with Bylaw I(6), that failure can be attributed to the conduct of the CFS and not the SFSS.
19. In a document on its "votecfs" web cite called "Myths and Facts", which is attached as Exhibit "F" to my Affidavit, the CFS states the following:

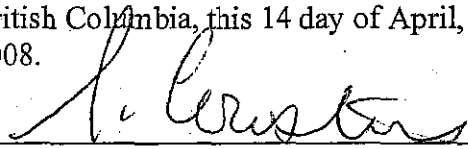
...The Executive of the Simon Fraser Student Society (SFSS) conducted an internal straw poll that broke the democratically set rules of the SFSS [sic]. Prior to the poll, the SFSS Executive engaged in a six month long campaign of lies and misinformation, almost identical to the campaign the KSA Executive conducted. The vote does not change Simon Fraser students' membership in the CFS. All it does is provide information to the Executive of the SFSS.
20. In my opinion, it is important that any legal dispute over the validity of the Defederation Referendum be resolved quickly for the following reasons:
  - (a) A number of the individuals at the SFSS who participated in the Defederation Referendum, and events leading up to it, are students at SFU. Some of them, like me, are graduating. Others are leaving for the summer or moving on to other projects. The SFSS may lose relevant evidence as time passes.
  - (b) A new Board of Directors will be assuming office on 1 May 2008. Only three of the Board members from 2007-2008 will be on that Board and

each had limited involvement in the details of the Defederation Referendum. It would not be responsible or fair, in my view, to leave it to them to sort out the dispute.

- (c) There is a new academic term commencing in May 2008 and SFU will be collecting student fees and it is my understanding that the CFS entitlement to those fees depends on whether the Defederation Referendum was a legally binding referendum on the issue of membership in the CFS.
- (d) The SFU students who voted in the Defederation Referendum have an interest in having this matter resolved conclusively and quickly.

21. I swear this Affidavit in support of the SFSS Petition and not for any other purpose.

SWORN BEFOR ME at Vancouver,  
British Columbia, this 14 day of April,  
2008.

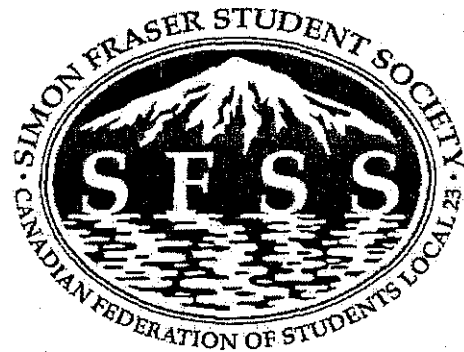
  
A Commissioner for taking Affidavits  
for British Columbia.

  
Derrick Harder

**simon fraser student society**  
**canadian federation of students - local 23**

**Constitution and Bylaws**

Approved by referendum: March, 2001  
Amended by general meeting: October, 2006



This is Exhibit "A" referred to in the  
affidavit of DERRICK HARDER  
sworn before me at Vancouver, BC this  
14th day of APRIL 2008  
[Signature]  
A Commissioner for taking Affidavits for  
British Columbia

## Constitution

1. The name of the Society shall be the Simon Fraser Student Society.
2. The purposes of the Society shall be:
  - a. To represent and advocate for the interests of students at Simon Fraser University
  - b. To coordinate and promote all student activities, of, by, and for the students of Simon Fraser University
  - c. To promote, among other goals democratically determined by the Society, the principles of public, universally accessible, high quality post-secondary education, and of meaningful student participation in all aspects of university governance
  - d. To facilitate collective action by students at Simon Fraser University, within the Province of British Columbia, and elsewhere in support of these principles
  - e. To acquire or hold any lands, buildings, facilities or other assets for the use or benefit of the Society or the students of Simon Fraser University
3. The operations of the Society shall be chiefly carried on at Simon Fraser University in the Province of British Columbia



## By-Law 1 – Interpretation

In these By-Laws:

All references to the singular shall include the plural and plural the singular, and all references to the masculine shall include the feminine and feminine the masculine.

"Active member" means a student who, for the purposes of elections and referenda, is registered in a course, program or graduate program for the current semester.

"Board" means the Society's Board of Directors.

"Caucus" means Graduate Caucus.

"Declared intention" means a student who through university regulation must first declare an intended major, minor or honors before being allowed to declare a major, minor or honors. For the purpose of interpreting the By-Laws, "declared intention of major, minor or honors" and "declared major, minor or honors" shall mean the same thing.

"Document" shall have the same meaning as in the *Society Act*.

"Executive Officer(s)" means the External Relations Officer, Graduate Issues Officer, Internal Relations Officer, Member Services Officer, President, Treasurer, and University Relations Officer.

"Fiscal year" means the period from May 1<sup>st</sup> to April 30<sup>th</sup> inclusive.

"Forum" means the Society's Student Forum.

"Honorary member of Forum" means a person who is entitled to speak and to propose motions at all meetings of Forum but who is not entitled to a vote nor to be counted for the purpose of establishing quorum.

"Honorary member of the Society" means a person who has been granted all the rights and privileges of members in good standing of the Society.

"Member in good standing of the Society" means a person who satisfies the requirements of By-Law 2 and has paid all fees, fines and penalties levied in accordance with these By-Laws or the Society's regulations.

"Member of the faculty or department" means a person in a faculty or department or school that offers a major, minor, honors or graduate program and who has satisfied one of the following conditions:

- a. She or he is enrolled in a degree program in the faculty or department or school,  
or
- b. She or he is registered in at least one course in the faculty or department or school

4.

"Ordinary resolution" shall have the same meaning as in the *Society Act*.

"Regulation" means any Rule, Standing Order or Administrative Policy enacted by the Board.

"Society" means the Simon Fraser Student Society.

"*Society Act*" means the *Society Act* of the Province of British Columbia in force, and as amended from time to time.

"Special Resolution" shall have the same meaning as in the *Society Act*.

"Union" means Department Student Union.

"University" means Simon Fraser University.

#### **By-Law 2 – Membership**

1. The membership of the Society shall be all Simon Fraser University students who are registered in a course, program or graduate program at the University.
2. Membership in the Society shall cease when a member fails to register for courses at the University for two consecutive registrations.
3. As membership is a condition of registration at the University, members who are registered shall not be expelled.
4. Notwithstanding the provisions of this By-Law, in order to be eligible to run for office and to vote at Annual General Meetings or Special General Meetings or in Society elections and referenda, a student must be an active member in good standing of the Society.

#### **By-Law 3 – Powers, Duties and Obligations of Members**

The powers, duties and obligations of members of the Society shall be as provided in these By-Laws or in regulations enacted by the Board.

#### **By-Law 4 – Powers, Duties and Obligations of Executive Officers**

1. The External Relations Officer shall:
  - a. Be responsible for keeping the Board informed of plans or actions of external organizations, outside the University, and federal and provincial governments that have a direct bearing on the Society or its members.
  - b. Be responsible for Society business related to, and shall organize Society representation at conferences held by external organizations, other than the University, in which the Society may have membership or interest.
  - c. Act as a liaison between the Society, other student unions, and the

## Canadian Federation of Students

2. The Graduate Issues Officer shall:
  - a. Act as a liaison between the Board and the Society's Graduate Issues Committee
  - b. Oversee the establishment and maintenance of Caucuses, and act as a liaison between the Board and these Caucuses
  - c. Act as a liaison between the Society, the University's Office of the Dean of Graduate Studies, and the National Graduate Council
3. The Internal Relations Officer shall:
  - a. Act as a liaison between the Board and its employees
  - b. Coordinate all staff relations functions, activities, and policies
  - c. Ensure compliance with and enforcement of all relevant Collective Agreements, employment contracts and staff relations policies
  - d. Be a signing officer
4. The Member Services Officer shall:
  - a. Assume and carry out the rights, duties and obligations of the President during her or his absence or in the event that she or he should resign, be impeached or abandon office
  - b. Act as a liaison between the Board, Forum, and other student groups at the University
  - c. Oversee the establishment and maintenance of Unions, and act as a liaison between the Board and these Unions
  - d. Coordinate the compilation of the Annual Report of the Board for consideration at the Annual General Meeting
  - e. Coordinate and facilitate activities and services for the members of the Society
  - f. Be a signing officer
5. The President shall:
  - a. Have the power to convene the Board or Forum at any time
  - b. Be an ex-officio voting member of all Board and Forum committees
  - c. Be a signing officer
  - d. Represent the Society on formal occasions
  - e. Undertake all other duties usually falling to the office of President of a Society
6. The Treasurer shall:
  - a. Ensure that all Society funds are deposited in an appropriate account at a financial institution selected by the Board
  - b. Keep careful account and be responsible for all monies received and disbursed by or on behalf of the Society. The Treasurer shall not disburse funds except as provided for in these By-Laws, or by regulation

- 6.
- c. Render, upon request of the Board and within fourteen calendar days, a detailed written report on the Society's financial affairs
  - d. Prepare a detailed written report on the Society's financial affairs for consideration at the Annual General Meeting
  - e. Coordinate the preparation of the budget of the Society
  - f. Coordinate the commercial and legal affairs of the society
  - g. Be a signing officer
7. The University Relations Officer shall:
- a. Act as a liaison between the Board and the University
  - b. Coordinate student representation on all University committees to which the Society nominates or appoints
  - c. Coordinate student involvement in University community affairs and activities

#### **By-Law 5 – Board of Directors**

1. The members of the Board shall be members in good standing of the Society and shall not miss more than one registration during tenure of office. In order to remain a member in good standing during a semester in which a member of the Board is not registered that member shall pay all Society fees for that semester at a rate equal to the prorated part-time student rate.
2. The Board shall consist of:
  - a. the Executive Officers
  - b. One student representative elected from each University faculty
  - c. Three at-large students, at least one of whom must be a graduate student
3. Members of the Board shall receive a stipend.

#### **By-Law 6 – Powers, Duties and Obligations of the Board of Directors**

1. The Board shall be the only recognized medium of communication between the Society and:
  - a. its members
  - b. the University
  - c. the general public
2. The Board shall, subject to the provisions of these By-Laws, exercise full control over all activities of the Society.
3.
  - a. The Board may delegate such of its powers, duties and obligations as it may deem expedient for the practicable conduct of the affairs of the Society.
  - b. The Board shall not delegate its powers to expend or disburse funds except that:

- i) The Board may, by way of regulation, delegate its powers to expend or disburse funds to the Executive Committee, except that this power shall only be exercisable between the last quorate Board meeting of each semester, and the first quorate Board meeting of each subsequent semester, and any such expenditure or disbursement shall be limited to a maximum of \$20 000
  - ii) The Board may, by way of regulation, delegate its powers to expend or disburse funds to its standing committees, except that any such expenditure or disbursement shall be reported to the Board at its next meeting
  - iii) The Board may, by way of regulation, delegate its powers to expend or disburse funds to the Treasurer, except that any such individual expenditure or disbursement shall not exceed \$500
- 4.
  - a. The Board shall, subject to the provisions of these By-Laws, have power to make from time to time such regulations as it may deem necessary or advisable with respect to such activities, and to amend, suspend or repeal these regulations.
  - a. The Board shall, subject to the provisions of these By-Laws, have power to make rulings in connection with all such regulations, including any regulation governing the conduct of its members, and any such ruling made by it shall be final and binding.
  - c. The maximum fine that may be levied against a member of the Society in accordance with this By-Law shall be \$25.00.
- 5.
  - a. The Board shall maintain as a standing committee a Graduate Issues Committee. This committee shall receive and have exclusive authority over an annual budget of not less than 25% of the balance of the value of the unrestricted student fees collected from graduate students.
  - b. The Graduate Issues Committee shall be made up of graduate student members and be charged with discussing and addressing issues of specific importance to graduate students and advising the Board and other agents of the Society of its decisions.
  - c. Members of the Graduate Issues Committee shall receive a stipend.
- 6. No meeting of the Board in the Summer semester shall have the power to allocate from operating funds, nor shall the Treasurer disburse such funds, such that the total expenditures of the Society for the three semesters ending August 31 exceed the revenues for the same period, unless:
  - a. this excess expenditure over revenue has been previously budgeted, or
  - b. the expenditure of such funds is contractually required

7. No meeting of the Board in the Summer semester shall have the power to approve capital expenditures in excess of \$20 000 or 15% of the capital budget, whichever is the greater.
8. The Board may for the purpose of carrying out the objects of the Society, borrow, raise or secure the repayment of money. The Board may authorize the issue of bonds, perpetual or redeemable debentures, or any mortgage, charge or other security on the whole or part of the property or assets of the Society, present and future, including Society fees now or hereafter due or payable, except that no debenture shall be issued without sanction of a special resolution.
9. The Board may, by resolution, appoint persons not members of the Board as full or qualified signing officers, provided they are covered by liability insurance satisfactory to the Board and naming the Society as beneficiary.
10.
  - a. A member in good standing of the Society shall be elected to the position of Board Chair by a simple majority vote of the Board for a term of one semester.
  - b. The Board Chair shall not be counted towards quorum or have a vote unless she or he is a member of the Board.
  - c. If she or he has a vote the Board Chair shall exercise it in accordance with Robert's Rules of Order.
11.
  - a. The Board Chair shall convene a meeting of the Board at least once per month.
  - b. Upon receipt of a petition signed by at least one-half of the members of the Board the Board Chair shall convene a meeting within two working days.
12. Quorum for a meeting of the Board shall be a majority of the seats filled, including at least four (4) Executive Officers.
13. Robert's Rules of Order shall govern the conduct of all meetings of the Board and its committees.
14. No votes by proxy shall be allowed.

#### **By-Law 7 – Student Forum**

1. The members of Forum shall be members in good standing of the Society and shall not miss more than one registration during tenure of office. In order to remain a member in good standing during a semester in which a member of the Board is not registered that member shall pay all Society fees for that semester at a rate equal to the prorated part-time student rate.
2. Forum shall consist of:

- 9.
- a. The members of the Board
  - b. The Department Representatives
  - c. Constituent Group Representatives
3. Department Representatives shall consist of:
    - a. One undergraduate member from each University department offering a major, minor, or honors program, excluding those programs that are offered as double majors and excluding those programs that offer a minor but have no recognized Union
    - b. One graduate member from each University department offering a graduate program.
    - c. Four members from the Faculty of Education, at least one of which shall be a graduate student
    - d. Four members from the Faculty of Business Administration, at least one of which shall be a graduate student
  4. Constituent Group Representatives shall consist of one member from each constituent group recognized by Forum.

#### **By-Law 8 – Powers, Duties and Obligations of the Student Forum**

1. Forum shall serve as the primary medium for discussion and coordination of:
  - a. Issues of importance to members in different faculties, departments or schools at the University
  - b. Advocacy and other such matters of general interest to members of the Society
2. Forum shall advise the Board as necessary and may strike advisory committees, establish their terms of reference, and appoint their members, at its discretion.
3. Forum may appoint honorary members, both of Forum and of the Society, at its discretion.
4. Forum may, if the University establishes new faculties, departments, or programs offering majors, minors, honors or graduate programs establish a new seat or seats, as the case may be, on Forum for the Department Representatives from said faculty, department, or program through a vote requiring two-thirds majority and providing that three weeks notice of such a vote at a Forum meeting has been given as notice of motion to Forum.
5.
  - a. Forum may recognize a constituent group within the University community and establish a new seat on Forum for a Constituent Group Representative through a vote requiring two-thirds majority and providing that three weeks notice of such a vote at a Forum meeting has been given as notice of motion to Forum.
  - b. Forum may appoint active members in good standing of the Society to fill constituent group representative positions at its discretion.

6.
  - a. In the event a position on the Board becomes vacant, Forum may by two-thirds majority vote appoint an acting member to assume the powers, and fulfill the duties and obligations of the position so vacated.
  - a. To be eligible as an acting External Relations Officer, Internal Relations Officer, Member Services Officer, President, Treasurer or University Relations Officer, the nominee must be an active member in good standing of the Society and a regularly elected member of Forum.
  - c. Notwithstanding any other provision in these By-Laws, the Graduate Issues Committee shall have exclusive authority to appoint an acting Graduate Issues Officer or acting At-Large Graduate Student Representative to the Board, and such appointments shall not need ratification by Forum.
  - d. To be eligible as an acting faculty representative to the Board, the nominee must be an active member in good standing of the Society, a member of the appropriate faculty, and a regularly elected member of Forum.
  - e. To be eligible as an acting at-large representative to the Board, the nominee must be an active member in good standing of the Society and a regularly elected member of Forum.
7.
  - a. In the event that a position on Forum, other than a constituent group representative position, becomes vacant, Forum may by two-thirds majority vote appoint an acting member to assume the powers, and fulfill the duties and obligations of the position so vacated.
  - a. To be eligible as an acting Department Representative, the nominee must be an active member in good standing of the Society and a member of the appropriate department or faculty nominated by her or his Union or Caucus.
8. Notwithstanding the provisions of By-Law 8(6) a member of the Board removed from office in accordance with By-Law 16(2) shall be replaced by way of election, or by appointment by ordinary resolution to serve during the balance of the term.
9. Forum shall receive and administer an annual budget sufficient to maintain its activities.
10.
  - a. A member in good standing of the Society shall be elected to the position of Forum Chair by a simple majority vote of Forum for a term of one semester.
  - b. The Forum Chair shall not be counted towards quorum or have a vote unless she or he is a member of Forum.
  - c. If she or he has a vote the Forum Chair shall exercise it in accordance with Robert's Rules of Order.



11. a. The Forum Chair shall convene a meeting of Forum at least once per semester.
- b. Upon receipt of a petition signed by at least one-half of the members of Forum the Forum Chair shall convene a meeting within five working days.
12. Quorum for a meeting of Forum shall be a majority of the seats filled.
13. Robert's Rules of Order shall govern the conduct of all meetings of Forum.
14. No votes by proxy shall be allowed.

#### **By-Law 9 – Department Student Unions and Graduate Caucuses**

1. Unions and Caucuses shall be the recognized medium of student representation within the University faculties, departments and programs offering major, minor, honors or graduate programs.
2. Forum shall recognize a Union or Caucus provided that it is satisfied that the Union or Caucus:
  - a. Has a written constitution that has been ratified by a majority of its members, who shall be members in good standing of the Society, attending and voting at an advertised general meeting of the Union or Caucus, and
  - b. Has aims and objectives, stated in its Constitution, which are not inconsistent with those stated in the Constitution of the Society, and
  - c. Recognizes as its members those students who are members of the faculty, department or program, and
  - d. Seeks to represent the members in its department or academic program, and
  - e. Holds regular general meetings that are advertised and open to all of its members
3. a. Notwithstanding the provisions of By-Law 9(2)[a] and [b] the Board may, by way of regulation, vary the provisions of Union or Caucus constitutions.
- b. Notwithstanding the provisions of By-Law 9(2)[c], [d], and [e] Unions shall consist of all students and Caucuses shall consist of all graduate students within their respective faculty, department or program.
4. a. Students enrolled in a special program which is not a University faculty, department or program as per By-Law 9(1) may form a Union or Caucus, and may apply to Forum for recognition as such provided the Union or Caucus meets the criteria in By-Law 9(2).

- b. A Union or Caucus recognized under By-Law 9(4)(a) shall have the same powers, duties and obligations of any other Union or Caucus.

#### **By-Law 10 – Annual and Special General Meetings**

1. The Annual General Meeting of the Society shall be held between September 15<sup>th</sup> and October 31<sup>st</sup> each year.
2. In addition to any other business proposed by the Board, Forum or members of the Society, the following business shall be conducted at the Annual General Meeting:
  - a. Appointing a Chair for the Annual General Meeting
  - b. Receiving and filing the minutes of the previous year's Annual General Meeting and any Special General Meetings held since the last Annual General Meeting
  - c. Receiving the Annual Report of the Board
  - d. Receiving the Treasurer's report
  - e. Receiving the Auditor's report
  - f. Appointing the Auditor for the coming year
3. Notice of the Annual General Meeting or of any Special General Meeting shall be given at least twenty-one calendar days prior to the date on which the meeting is to be held, and all notices shall clearly state the date, time, location, and proposed agenda. Sufficient notice will be deemed to have been given with the posting of no less than the following:
  - a. A conspicuous notice not less than eleven inches by seventeen inches in size upon three or more different bulletin boards about the Burnaby Campus and upon at least one bulletin board at the Harbour Centre Campus
  - b. Written or electronic memoranda to all active Unions and Caucuses
  - c. An advertisement in the student newspaper or other student publication normally available to all members of the Society
  - d. A notice not less than eleven inches by seventeen inches in the vicinity of the Society's offices
4. Accidental omission in giving notice of the Annual General Meeting or a Special General Meeting, or the non-receipt of notice by the members of the Society, shall not constitute a violation of the proceedings of the meeting.
5. Each member in good standing of the Society shall be entitled to vote at the Annual General Meeting or at any Special General Meeting. In order to exercise her or his vote the member shall be present at the meeting at the time the vote is put, and no votes by proxy shall be allowed.
6. If within fifteen minutes from the time appointed for the Annual General Meeting a quorum is not present, quorum shall be twenty members in good standing of the Society, and the meeting shall transact only such business as is specifically referred to in By-Law 10(2)[a]-[f].

7.
  - a. Special General Meetings may be convened at any time by resolution of two-thirds of the members of the Board or Forum.
  - b. The President shall convene a Special General Meeting within thirty calendar days of receipt of a petition signed by five per cent or more of members in good standing of the Society.
8. Resolutions of the Annual General Meeting and of any Special General Meeting shall be governed by a simple majority of votes cast, except where the provisions of these By-Laws or the *Society Act* require otherwise.
9. Quorum for the Annual General Meeting and any Special General Meeting shall be five hundred members in good standing of the Society.
10. Robert's Rules of Order shall govern the conduct of the Annual General Meeting and of any Special General Meeting.

#### **By-Law 11 – Auditors**

1. The Auditors of the Society shall have the right of access to all documents and other property of the Society and shall be entitled to require from the Board, the employees, and any and all members of the Society, such information and explanation as may be required by the Auditors for the due performance of their duties.
2. The Auditors shall audit the previous fiscal year of the Society and report their findings to the Board and the Annual General Meeting.
3. In addition to any information the Auditors may deem appropriate to include, their report to the Annual General Meeting shall expressly state:
  - a. Whether they have obtained all information and explanation required and whether they have been granted free access to all necessary documents
  - b. Whether, in their opinion, the balance sheet and financial statements forming a part of their report are properly drawn so as to present fairly, in all material aspects, the financial position of the Society and the results of its operations and cash flows for the year then ended in accordance with generally accepted accounting principles

#### **By-Law 12 - The Seal of the Society**

The Seal of the Society shall be kept in the custody of the Society's Finance Office and shall not be affixed to any instrument or contract unless authorized by resolution of the Board.

#### **By-Law 13 – Amendments**

1. The Constitution and By-Laws may be amended by special resolution.

2. Notice of a proposed amendment however initiated shall be given in accordance with By-Law 10(3) providing for notice of the Annual General Meeting and any Special General Meeting, and shall include the actual wording of the proposed amendment.
3. Amendments may be initiated by:
  - a. The Board
  - b. Forum
  - c. Any member in good standing of the Society if twenty-one days notice of the actual wording of the proposed amendment is given in writing to the Society prior to the Annual General Meeting
  - d. Any member of the Society requesting a Special General Meeting for the consideration of a proposed amendment, provided that the proposed amendment shall be accompanied by a petition setting out the text of the proposed amendment and requesting a Special General Meeting for its consideration and accompanied by the signatures of not less than five percent of the members in good standing of the Society

#### **By-Law 14 – Elections**

1. Candidates nominated to any office must be active members in good standing of the Society.
2. Members elected to the Board or Forum shall hold office for one year, May 1<sup>st</sup> through April 30<sup>th</sup>, inclusive.
3. No member shall run for or hold more than one position on either the Board or Forum simultaneously.
4.
  - a. Any student who is an active member in good standing of the Society may run and may vote for the positions of External Relations Officer, Internal Relations Officer, Member Services Officer, President, Treasurer, and University Relations Officer, or for any at-large position on the Board.
  - b. Any student who is an active member in good standing of the Society and who is a registered graduate student may run for the position of Graduate Issues Officer or for the at-large position on the Board reserved for graduate students. Any student who is an active member in good standing of the Society and a registered graduate student at the University may vote for the Graduate Issues Officer or for the at-large position on the Board reserved for graduate students.
5. Any student who is an active member in good standing of the Society, and a member of the faculty may run and may vote for the position of faculty representative to the Board.
6.
  - a. Any undergraduate student who is an active member in good standing of

the Society, and a member of the department, may run and may vote for the position of undergraduate department representative to Forum.

- b. Any student who is an active member in good standing of the Society, who is a registered graduate student, and a member of the department, may run and may vote for the department representative to Forum positions reserved for graduate students.
- 7.
- a. For the duration of any Society election the Society shall maintain an Independent Electoral Commission, and ensure that it has the facilities, equipment and funding required to carry out its mandate effectively.
  - b. The Independent Electoral Commission shall consist of a Chief Commissioner, who shall act as Chair, and four other Commissioners.
  - c. All members of the Independent Electoral Commission shall be active members in good standing of the Society, except that no member of the Board or Forum may serve as a member of the Commission.
  - d. All members of the Independent Electoral Commission shall be elected by a two-thirds majority vote of the Board.
  - e. Members of the Independent Electoral Commission shall receive a stipend.
8. The Independent Electoral Commission:
- a. Shall be responsible to ensure that Society elections and referenda occur in the prescribed manner as set out in these By-Laws, and any regulations governing the conduct of elections or referenda
  - b. May delegate to a group of students the task of supervising polling for any positions and may appoint members in good standing of the Society to assist in counting the ballots
  - c. Shall require all candidates to produce a signed statement of campaign expenses within seventy-two hours of the close of elections
  - d. May rule a candidate's candidacy or election invalid, or may impose a fine of up to \$100 for any violation of the By-Laws or election regulations which from time to time may be established
  - e. May rule any referenda invalid, or may impose a fine of up to \$100 for any violation of the By-Laws or referenda regulations which from time to time may be established
  - f. Shall be responsible for regulation and control of scrutineering at the polling stations
9. Due notice of an election shall be deemed sufficient if the following is adhered to:
- a. Twenty-five notices not less than eleven inches by seventeen inches in size announcing upcoming elections have been posted in prominent locations throughout the University at least two weeks before the opening of the nomination

period, but no earlier than the first Monday of classes in the same semester. The notices shall include the following information:

- i. the date voting will take place
- ii. the positions vacant
- iii. dates for the opening and closing of the nomination period
- iv. the regulations governing the nomination of candidates
- v. the place for pick-up and deposit of nomination papers
- vi. the length of time for campaigning for office and the limitation on campaign expenses

- b. An advertisement announcing the dates for the opening and closing of the nomination period shall be placed in the student newspaper at least fourteen calendar days prior to the opening of nominations.
10. The nomination period shall open Monday, no earlier than week four of classes in the semester. Nominations shall close at noon on the Monday of the first day of classes two weeks following the opening of nominations.
  11. Nomination papers shall be signed out by prospective candidates and shall contain the name and student number, address, telephone number and email address of the member nominated, the position being sought, and signatures of no fewer than ten members in good standing of the Society who are entitled to vote in elections for that position.
  12. Following the close of nominations:
    - a. Twenty-five notices not less than eleven inches by seventeen inches announcing the candidates nominated and the date, times of polling and places of polling shall be placed in prominent positions throughout the University no more than seventy-two hours following the close of nominations
    - b. An advertisement announcing the candidates nominated, the date, times of polling and places of polling shall be placed in the student newspaper in the first issue following the close of nominations
    - c. With respect to (a) and (b) above, the names of nominees for each office shall be placed after the title of each office in alphabetical order according to surname
  13.
    - a. Each candidate shall forward copies of all campaign literature to the Independent Electoral Commission for approval as it is produced.
    - b. Campaign literature shall not be libelous, inflammatory, in bad taste, or discriminatory on the basis of By-Law 20.
  14. Campaign expenses shall be limited to fifty dollars, at least half of which shall be reimbursed by the Society.
  15. All campaign posters and related paraphernalia shall be removed by midnight prior to the day of commencement of polling.

16. The form of the ballot shall be decided by the Independent Electoral Commission, except that the candidates for each office shall be listed alphabetically by surname.
17. If only one valid nomination is received for a particular office, the Independent Electoral Commission shall declare, at the close of the nomination period, that the candidate has been duly elected to the position by way of acclamation.
18. a. Voting shall take place during a period of not less than two nor more than four days, as determined by the Independent Electoral Commission, and this period shall begin no sooner than two weeks following the close of nominations.
- b. Polling for all positions shall occur between the hours of 9:30am and 7:30pm.
19. The Independent Electoral Commission may establish off-campus polling stations in those areas, where, in its view, number warrant.
20. a. Sealed ballot boxes shall be secured by the Independent Electoral Commission immediately upon the completion of voting.
- b. The ballots will be counted under the supervision of the Independent Electoral Commission.
- c. Where positions are contested, the candidate receiving the most votes for that position shall be declared duly elected.
21. A candidate may request a recount of votes cast, within seventy-two hours of the close of polls. After that time the ballots for the election shall be destroyed by written instruction of the Chief Commissioner.
22. In the event of a strike, Act of God, or other event that delays the electoral procedure, the Independent Electoral Commission shall make the decision as to how and when the electoral procedure may be best completed.

#### **By-Law 15 – By-Elections**

1. By-Elections may be called by the Board to fill vacant positions on the Board, except that the Board shall only call a by-election once per year and then only in the Fall semester.
2. By-Elections shall occur in the prescribed manner as set out in these By-Laws, and any regulations governing the conduct of elections.
3. Notwithstanding the provisions of By-Law 15(1), in the event the number of regular members of the Board falls below the number required for quorum, the Board must call a by-election to fill all vacant positions.
4. Members elected to the Board in a by-election shall take office on the date of the first meeting of the Board following the by-election.

18

### By-Law 16 – Resignation, Impeachment or Abandonment

1. Once any member of the Board or Forum ceases to be a member in good standing of the Society, her or his resignation shall be deemed to have been delivered to and accepted by the Society, and the Board or Forum Chair shall declare the position vacant forthwith.
2. A member of the Board or Forum may be removed from office by special resolution.
3. Any member of the Board or Forum who, without prior authorization by the Board or Forum, is absent from two consecutive and regularly scheduled meetings of the Board or Forum shall be deemed to have abandoned their position and the Board or Forum Chair shall declare that position vacant forthwith.

### By-Law 17 - Referenda

1. a. The members may vote on resolutions concerning the activities of the Society by means of a referendum. Referenda regarding fees to be levied only upon undergraduate students or regarding the expenditure of funds raised through such fees shall be voted on by undergraduate students only; referenda regarding fees to be levied only upon graduate students or regarding the expenditure of funds raised through such fees shall be voted on by graduate students only.  
b. Any such resolution shall require a majority of the votes cast except where prohibited by these By-Laws or the *Society Act*.
2. Such resolutions as are presented to the Society shall be placed on a ballot concurrently with the next regularly scheduled Society election.
3. Resolution may be put to referendum by a simple majority vote of the Board or Forum, except where prohibited by these By-Laws, or upon presentation of a petition to the Board which contains the text of the proposed resolution and the signatures of five percent of the members in good standing of the Society.
4. Upon presentation of a duly signed petition for referendum the Board must place the question on the ballot of the next regularly scheduled election.
5. The referendum shall be conducted by the Independent Electoral Commission in accordance with By-Law 14.
6. Due notice shall be deemed to have been given by compliance with the provisions of By-Law 10(3) relating to notice.
7. No referendum shall be deemed valid or binding on the Society unless a minimum of five percent of the members in good standing of the Society have cast ballots in the referendum.



8. The Independent Electoral Commission shall report on the conduct and results of the referendum to the Board for ratification.

#### **By-Law 18 – Records**

1. All documents of the Society, as well as the minutes and accounting records, shall be kept at the offices of the Society at the Burnaby Campus of the University.
2. All documents of the Society may be inspected by the members at the offices of the Society on any business day during regular business hours.

#### **By-Law 19 – Ombuds Office**

1. The Ombuds Office shall be an agency of the Society, independent and autonomous of all existing administrative structures of the University.
2. The Ombuds Office shall serve as an agency for all members of the University community.
3.
  - a. The Ombuds Office shall be entitled to investigate any issue concerning the University, which affects any member of the University community.
  - b. The Ombudsperson(s) shall have personal responsibility and autonomy in the conduct of individual cases, without undue interference from the Society.
4.
  - a. The primary responsibility of the Ombudsperson(s) is to be available to the members of the University community to serve as a source of information and assistance with respect to University related rules, including informing members of the various University procedures governing the redress of grievances of all types.
  - b. The secondary responsibility of the Ombudsperson(s) is to act as a consultant for the Society with respect to University rules and procedures.
5. The Ombudsperson(s) shall not disclose any information provided to her or him in confidence by a complainant. Complainants shall, upon written request, be entitled to a copy of their individual case files.
6. The Ombudsperson(s) shall ensure that all complaints presented to the Ombuds Office by members are dealt with in a fair and timely manner.
7. The Ombudsperson(s) shall not hold any elected position on campus, nor shall she or he hold any appointed position or other employment in the University, Society, or any affiliated organization.
8. The Society shall, subject to budgetary constraints, ensure that the Ombuds Office has the facilities, equipment, and funding it requires to carry out its duties effectively.

**By-Law 20 – Prohibition on Discrimination**

The Society shall not discriminate against any person on any ground enumerated in the *Canadian Charter of Rights and Freedoms* or the *British Columbia Human Rights Code*.

**By-Law 21 – Primacy of By-Laws**

In the event of a conflict between these By-Laws and any regulation, resolution of the Board or Forum, or the provisions of any Union or Caucus constitution, the terms of these By-Laws shall prevail.

## TABLE OF CONTENTS Bylaws

Preamble
Statement of Purposes
Définitions
BYLAW-I
Membership
BYLAW-II
General Meetings
BYLAW-III
Policy of the Federation
BYLAW-IV
Standing Resolutions of the Federation
BYLAW-V
National Executive
BYLAW-VI
Election of the National Executive
BYLAW-VII
Provincial Components
BYLAW-VIII
Constituency Groups
BYLAW-IX
Caucuses
BYLAW-X
Finances
BYLAW-XI
Officers
BYLAW-XII
Seal, Documents and Records
BYLAW-XIII
Head Office
BYLAW-XIV
Official Languages
BYLAW-XV
Amendment of Constitution and Bylaws
BYLAW-XVI
Winding Up
BYLAW-XVII
Interpretation

## TABLE DES MATIÈRES Règlements

Préambule
Déclaration de principes
Définitions
RÈGLEMENT-I
Adhésion
RÈGLEMENT-II
Assemblées générales
RÈGLEMENT-III
Politique de la Fédération
RÈGLEMENT-IV
Résolutions permanentes de la Fédération
RÈGLEMENT-V
Exécutif national
RÈGLEMENT-VI
Élection de l'Exécutif national
RÈGLEMENT-VII
Éléments provinciaux
RÈGLEMENT-VIII
Associations modulaires
RÈGLEMENT-IX
Caucus
RÈGLEMENT-X
Finances
RÈGLEMENT-XI
Dirigeant-e-s
RÈGLEMENT-XII
Sceau, documents administratifs et registres
RÈGLEMENT-XIII
Siège social
RÈGLEMENT-XIV
Langues officielles
RÈGLEMENT-XV
Modifications des statuts et règlements
RÈGLEMENT-XVI
Dissolution
RÈGLEMENT-XVII
Interprétation

This is Exhibit "B" referred to in the  
affidavit of DERRICK HADGEC  
sworn before me at Vancouver, BC this  
14th day of APRIL 2008  
A. Corsetti  
A Commissioner for taking Affidavits for  
British Columbia

## PREAMBLE

We, the students of Canada, recognizing the need to speak with one voice in asserting our legitimate needs and concerns, wish to express our support for one national student organization whose basic aims will be as follows:

1. to organize students on a democratic, cooperative basis in advancing our own interests, and in advancing the interests of our community;
2. to provide a common framework within which students can communicate, exchange information, and share experience, skills and ideas;
3. to ensure the effective use and distribution of the resources of the student movement, while maintaining a balanced growth and development of student organisations that respond to students needs and desires;
4. to bring students together to discuss and cooperatively achieve necessary educational administrative, or legislative change wherever decision-making affects students;
5. to facilitate cooperation among students in organising services which supplement our academic experience, provide for our human needs, and which develop a sense of community with our peers and other members of society;
6. to articulate the real desire of students to fulfil the duties, and be accorded the rights of citizens in our society and in the international community;
7. to achieve our ultimate goal — a system of post-secondary education which is accessible to all, which is of high quality, which is nationally planned, which recognizes the legitimacy of student representation, and validity of student rights, and whose role in society is clearly recognized and appreciated.

In consideration to these needs, students from throughout Canada met in October, 1981, to found the Canadian Federation of Students/Fédération canadienne des étudiantes et étudiants.

The organisations that founded the Canadian Federation of Students were:

The National Union of Students/Union nationale des étudiant(e)s  
The Association of Student Councils (Canada)/Association des conseils étudiants (Canada)  
The Federation of Alberta Students  
The British Columbia Students Federation  
The Students Union of Nova Scotia  
The Ontario Federation of Students/Fédération des étudiant(e)s de l'Ontario  
The Saskatchewan Federation of Students

## STATEMENT OF PURPOSE

The Canadian Federation of Students/Fédération canadienne des étudiantes et étudiants exists to perform the following functions:

1. to further the goals of the Canadian Federation of Students/Fédération canadienne des étudiantes et étudiants as outlined in the Preamble;
2. to represent, promote and defend the common interests of Canadian post-secondary students;
3. to promote and support the interests and activities of democratic student organisations in all provinces and at all educational institutions in Canada;
4. to bring together post-secondary students from all parts of Canada to discuss and take common, democratic positions on questions affecting students;
5. to represent Canadian students in the federal level of decision-making and to do so by speaking on their behalf with one united voice;
6. to formulate a national programme that will serve as a framework for coordinating the efforts of representative post-secondary student organisations throughout Canada. This programme will summarize a long-term strategy for achieving the objectives of students in post-secondary education; will describe general ways of reaching those objectives; and will be revised periodically as new objectives and approaches become appropriate;
7. to do all other things that are incidental or conducive to these purposes.

## DEFINITIONS

1. The Canadian Federation of Students/Fédération canadienne des étudiantes et étudiants will hereafter be referred to as the Federation.
2. A provincial component will be taken for all purposes as an organisation within the Canadian Federation of Students comprised of all member local associations within a particular province.
3. A local student association will be taken for all purposes of these By-laws to mean an organisation of students which satisfies the following criteria:
  - it is locally and democratically-controlled;
  - it is autonomous from other organizations;
  - it represents students at only one post-secondary institution.

or, the graduate students belonging to an organisation that fulfills these criteria and is comprised of both graduate and undergraduate members, not belonging to the Federation, provided that the graduate students have an identifiable infrastructure and a legal structure enabling it to enter into contracts .
4. For all purposes of these By-laws, a referendum will be taken to mean a general vote of the members of a local student association, whether conducted at balloting locations or at a formal general meeting of the local students association.
5. For all purposes of these By-laws, a semester shall be taken to mean a period of time approximately four months in duration. An academic year shall be defined as per the policy of the member local.
6. For all purposes of these By-laws, a delegate shall be any individual member or staff member of a member local association having paid the applicable general meeting delegates fee.

## BYLAW I - MEMBERSHIP

### 1. Types of Memberships

**General Description:** There are two types of members of the Federation, individual members and voting members. Students, or individual members, are represented through the local student association to which they belong. Local student associations representing individual members are called voting members.

- a. Local student associations are eligible to receive the status of voting members in the Federation as provided for in Bylaw I, Section 2, and 3;
- b. Individual members of the Federation will be all students in local student associations that are voting members.

### 2. Types of Voting Membership Status

#### a. Full Membership

**General Description:** Full membership is the standard form of membership in the Federation.

- i. A local association is eligible to apply for full membership in the Federation if its members have approved by referendum membership in the Canadian Federation of Students, the Canadian Federation of Students-Services, and the applicable provincial component as described in Bylaw VII-Provincial Components;
- ii. A written application for full membership submitted by an eligible local student association will be considered as a binding contract to accept the rights and responsibilities of full membership in the Canadian Federation of Students, the Canadian Federation of Students-Services, and the applicable provincial component.
- iii. Within 90 days of the receipt by the National Executive of a written application for membership, the National Executive will examine the application to determine whether it is in order, and will make a recommendation to the voting members of the Federation concerning the application.
- iv. At the next general meeting of the Federation, the full membership application shall be put to a vote and shall require a majority of at least two-thirds of the votes cast to be accepted.
- v. A local association's application for membership, once accepted by the Federation, shall constitute a binding contract to collect and remit to the Federation full membership fees for the duration of membership.
- vi. Notwithstanding Section 2.a.vii. of this Bylaw, the fees for full member local associations shall be:
  - \$3.00 per semester, or \$6.00 per academic year, per local association individual member of the Canadian Federation of Students/Canadian Federation of Students-Services, pro-rated as per the policy of the member local association; and
  - the applicable provincial component fee.
- vii. Beginning in 1996, the Federation membership fee shall increase on August 1 each year by the rate of increase in the national Consumer Price Index during the previous calendar year.

#### b. Prospective Membership

**General Description:** Prospective membership is a trial membership of limited duration.

- i. A local student association is eligible to apply for prospective membership if it has passed a motion of its members, executive, council or equivalent representative body to apply for prospective membership in the Federation and its applicable provincial component as described in Bylaw VII-Provincial Components;
- ii. A written application for prospective membership submitted by an eligible local student association will be considered as a binding contract to accept the rights and responsibilities of prospective membership in the Canadian Federation of Students, the Canadian Federation of Students-Services, and the applicable provincial component.
- iii. Within 90 days of the receipt by the National Executive of a written application for prospective membership, the National Executive will examine the application to determine whether it is in order, and will make a recommendation to the voting members of the Federation concerning the application.
- iv. At the next general meeting of the Federation, the prospective membership application shall be put to a vote and shall require a majority of at least two-thirds of the votes cast to be accepted.
- v. A local student association's application for prospective membership, once accepted by the Federation, shall constitute a binding contract to pay prospective membership fees, as described in

Section 2 b-vi, and conduct a full membership referendum, as described in Section 2 b-viii;

- vi. The fee for prospective membership in the Federation shall be five per cent (5%) of the regular Federation membership fee, notwithstanding that the fee may be reduced or waived by a majority vote of a national general meeting or the National Executive;
- vii. A prospective member association shall have full voting rights in Federation national general meetings, but shall not be permitted to designate a proxy to vote on its behalf, and shall have the same access to Federation resources and materials, except the International Student Identity Card, that a full member has;
- viii. A prospective member association must hold a referendum on full membership in the Federation, in accordance with Section 5 of this Bylaw, within twelve (12) months following its acceptance as a prospective member unless an extension is granted by the National Executive of the Federation;
- ix. In the event that the majority of those voting in the referendum support full membership in the Federation, full membership will be granted at the subsequent national general meeting, at which point prospective membership shall cease;
- x. In the event that the majority of those voting in the referendum oppose full membership in the Federation, prospective membership will immediately cease;
- xi. In the event that the referendum fails to achieve quorum, prospective membership will be automatically extended and another referendum on full membership will be held within the subsequent six (6) months in accordance with Section 5 of this Bylaw; and
- xii. In the event that a prospective member fails to conduct a referendum on full membership as required by this Bylaw, the Federation shall have the option to either cancel or extend, by majority vote of a national general meeting, the prospective membership until a referendum on full membership is conducted.

### 3. Membership Rights and Responsibilities

#### a. Rights of Individual Members

- i. The individual members of the Federation collectively belonging to a member local association will have sole authority to make decisions through referendum on all questions of membership in the Federation, subject to the other provisions of this Bylaw.
- ii. The individual members of the Federation collectively belonging to a member local association will have sole authority to initiate, by petition signed by not less than ten percent (10%) of the individual members and delivered to the National Executive, a referendum to federate as described in Article 5 of this Bylaw.
- iii. The individual members of the Federation collectively belonging to a member local association will have sole authority to initiate a de-Federation referendum, as described in Article 7 of this Bylaw, by submitting to the National Executive of the Federation a petition, signed by not less than ten percent (10%) of the individual members of the association, calling for the referendum.
- iv. Individual members of the Federation have the right to have their interests represented collectively in the Federation through their local student association, but will not have voting rights at the Federation general meetings.
- v. The Federation will attempt to ensure that a Federation membership card is issued to each individual member of the Federation who is a member of a full voting member of the Federation.

#### b. Rights of Voting Members

- i. Each voting member of the Federation will have one vote at and participate in general meetings of the Federation provided all outstanding delegate fees for past meetings have been paid in full. This is subject to review by the National Executive on a case by case basis upon request.
- ii. Voting members of the Federation have the right to be represented collectively to the federal government and to other national organisations.
- iii. Each voting member of the Federation is entitled to the protection and support of the Federation in accordance with the objectives of the Federation.
- iv. Each voting member of the Federation is entitled to have access to Federation research, information, materials, staff, and other resources.
- v. Each voting member of the Federation is entitled to have access to all information and official documents concerning the operations and activities of the Federation and of the National Executive.



- vi. Delegates sent by voting members to general meetings of the Federation will have the right to stand for election to any vacant position on a committee of the Federation subject to such other conditions as may be specified at the time of formation of the committee.

**c. Responsibilities of Voting Members**

Although Federation staff and executive members will handle many day-to-day operations, the structures of the Federation can only function if there is full cooperation among Federation voting members. The achievement of the work and goals of the Federation depends on the active participation of students and student associations.

- i. Each voting member of the Federation is responsible for supporting the objectives of the Federation and will abide by all provisions of these By-laws.
- ii. Each voting member will ensure that Federation fees are collected each year at its institution and forwarded to the Federation, according to the contract of membership and the fee agreement if applicable, signed when the member joined.
- iii. The voting member will not represent the membership fees collected on behalf of the Federation as an expense and/or revenue of the member in its budgets, its financial statements, its audits or any other documents of the voting member.
- iv. Each voting member will be responsible for representing the interests and concerns of its member students at general meetings of the Federation.
- v. Each voting member is responsible for contributing to the formulation of Federation policy and where possible and by resolution of the local council for supporting and implementing that policy.
- vi. Each voting member will be responsible for communicating information from the Federation and the provincial Federation components to its students.
- vii. Each member local association will communicate and work cooperatively with Federation staff and members of the National Executive.

**4. Vote to Federate**

In accordance with Section 2 of this Bylaw, the following shall be the rules and procedures for a referendum, in which the individual members of a prospective member local association may vote on full membership in the Federation:

**a. Scheduling of the Referendum**

The referendum will be scheduled by the prospective member association in consultation with the Federation.

**b. Referendum Oversight Committee**

The referendum shall be overseen by a committee composed of two (2) members appointed by the prospective local association and two (2) members appointed by the Federation, that shall be responsible for:

- i. establishing the notice requirement for the referendum in accordance with Section 4-c of this Bylaw and ensuring that notice is posted.
- ii. establishing the campaign period in accordance with Section 4-d of this Bylaw.
- iii. approving all campaign materials in accordance with Section 4-e of this Bylaw and removing campaign materials that have not been approved.
- iv. deciding the number and location of polling stations.
- v. setting the hours of voting in accordance with Section 4-f of this Bylaw.
- vi. overseeing all aspects of the voting.
- vii. counting the ballots following the vote.
- viii. establishing all other rules and regulations for the vote.

**c. Notice of Referendum**

Notice of the referendum, that includes the referendum question and voting dates, shall be provided to the individual members of the prospective member association no less than two (2) weeks prior to voting in the referendum.

**d. Campaigning**

- i. There shall be no less than ten (10) days on which campaigning is permitted, during which classes are in session, immediately preceding and during voting; and

- ii. Only individual members and representatives of the prospective member association, representatives of the Federation and representatives of the Federation member local associations shall be permitted to participate in the campaign.

**e. Campaign Materials**

- i. Campaign materials shall include all materials developed specifically for the referendum campaign.
- ii. Materials produced by Federation that promote campaigns and services of the Federation shall not be considered as campaign materials unless they include specific content about the referendum.
- iii. The Federation website shall not be considered a campaign material unless it includes specific content about the referendum.
- iv. The Federation's annual report, financial statements, research and submissions to government shall not be considered a campaign material.
- iv. Campaign materials shall not be misleading, potentially libelous or false.

**f. Voting and Tabulation**

- i. Voting shall be conducted at voting stations or, subject to the agreement between the prospective member association and the Federation, at a general meeting of the prospective member association or by a mail-out ballot.
- ii. There shall be no less than sixteen (16) hours of polling over no less than two (2) days, except in the case of voting being conducted at a general meeting.
- iii. Unless mutually agreed otherwise by the prospective member association and the Federation, the referendum question shall be: "Are you in favour of membership in the Canadian Federation of Students?"
- iv. In the event that polling is conducted at a general meeting, representatives of the Federation and Federation member local associations shall be extended full speaking rights in the meeting.
- v. The prospective member association and the Federation shall each be permitted to appoint one poll clerk for each polling station.
- vi. The prospective member local association and the Federation shall each be permitted to appoint one poll scrutineer to oversee the counting of ballots.

**g. Appeals**

Any appeals of the referendum results or rulings by the Referendum Oversight Committee shall be adjudicated by an Appeals Committee composed of one (1) member appointed by the prospective member association and one (1) member appointed by the Federation, who were not members of the Referendum Oversight Committee.

**5. Suspension and Expulsion of Members**

A member local association may have its voting privileges suspended or may be expelled for violating its responsibilities as outlined in Bylaw I, Section 3 (c), subject to the following procedure:

**a. Process for Initiating the Procedure of Suspension or Expulsion**

The procedure for suspending the voting privileges or expelling a member local association may be initiated by:

- i. resolution of the National Executive; or
- ii. a petition, submitted to the National Executive, signed by not less than one-third (1/3) of the voting member local associations and listing the reasons for the proposed suspension of voting privileges or expulsion.

**b. Notice of the Suspension or Expulsion Procedure**

Upon resolution of the National Executive or receipt of a petition by the National Executive, initiating the process for suspending or expelling a member local association, the National Executive will:

- i. place the matter on the agenda for the next regularly scheduled national general meeting for which no less than four (4) week notice can be given; and
- ii. inform, by registered mail, the member local association against which the suspension or expulsion procedure has been initiated no less than four (4) weeks prior to the national general meeting at which the matter of suspension or expulsion will be considered.

**c. Required Majority**

A two-thirds vote of a national general meeting shall be required in order to suspend the voting privileges or expel a member local association.

**d. Appeal of Suspension or Expulsion**

Any student association, which has had its voting privileges suspended or has been expelled, may appeal the decision to the next world congress of the International Union of Students.

**e. Reinstatement of Voting Privileges**

A member local association, which has had its voting privileges suspended, may have its voting privileges reinstated subject to the following procedure:

- i. Upon receipt of a written application from a member local association requesting reinstatement of voting privileges, the National Executive will assess the merits of the application and make a recommendation to the voting member local associations at the next regularly-scheduled national general meeting.
- ii. A two-thirds majority vote shall be required to reinstate a member local association's voting privileges.

**6. Vote on Defederating**

The individual members of the Federation belonging to a member local association may vote on whether to defederate, subject to the following rules and procedures:

**a. Petition**

As per Bylaw I, 3.1.a.iii a petition calling for a referendum shall be signed by no less than ten percent (10%) of the individual members of the association and sent to the National Executive of the Federation.

**b. Notice**

- i. No vote on de-federating may be held between:
  - April 15 and September 15; and
  - December 15 and January 15.
- ii. Notice of a vote on defederating must be delivered by registered mail to the head office of the Federation not less than six (6) months prior to the vote.
- iii. Notice of the vote must include the exact dates and times of voting.
- iv. In the case of a withdrawal referendum incorporating a mail-out component, the exact date of the referendum shall be the date the ballots are mailed to the individual members;
- v. Failure to adhere to the notice provisions in Articles b.i. b.ii. and b.iii. shall invalidate the results of the vote.

**c. Campaigning**

- i. There shall be no less than two (2) weeks of campaigning immediately preceding the voting during which time classes are in session.
- ii. Only individual members and representatives of the member local association, representatives of the Federation and representatives of other Federation member local associations shall be permitted to participate in the campaign.

**d. Voting**

- i. Voting will be conducted at voting stations or, subject to the agreement of the Federation, at a general meeting of the member local association or by a mailout ballot.
- ii. There shall be no less than sixteen (16) hours of polling over no less than two (2) days, except in the case of voting being conducted at a general meeting.
- iii. In the event that polling is conducted at a general meeting, representatives of the Federation and Federation member local associations shall be extended full speaking rights in the meeting.

**e. Quorum**

Quorum for the vote shall be that of the member local association's or five percent (5%) of the individual members of the local association, whichever is higher.

**f. Administering the Campaign and Voting**

Within three (3) months of the receipt of notice, a committee composed of two (2) members appointed by the Federation and two (2) members appointed by the member local shall be formed. The committee shall

**Bylaw I**

be responsible for:

- i. deciding the manner of voting, be that by referendum, general meeting or mailout ballot.
- ii. deciding the number and location of polling stations;
- iii. approving all materials to be distributed during the campaign;
- iv. deciding the ballot question;
- v. overseeing the voting;
- vi. counting ballots;
- vii. adjudicating all appeals; and
- viii. establishing all other rules and regulations for the vote.

**g. Advance Remittance of Outstanding Membership Fees**

In addition to Articles a. to f., in order for a de-federation referendum to proceed, a member local association must remit all outstanding Federation fees not less than six (6) weeks prior to the date of referendum.

**h. Minimum Period Between De-Federation Votes**

In addition to Articles a. to g, in order for a de-federation referendum to take place, a member local association may not have held a de-federation referendum within the previous twenty-four (24) months.

This clause may be waived, by a two-thirds majority vote of the National Executive, if the procedures of the de-federation referendum are questionable in the extreme.

**i. Minimum Period Between Federation and De-Federation Votes**

In addition to Articles a. to h, in order for a de-federation referendum to proceed, a member local association may not have held a referendum to join the Federation within the previous twenty-four (24) months. This clause may be waived, by a two-thirds majority vote of the National Executive.

**7. Procedure for Application for Withdrawal**

- a. Within 90 days of the receipt of a letter from a member local association notifying the Federation of its withdrawal from the Federation, the National Executive will examine the notification to determine whether it is in order, and will make a recommendation to the voting members of the Federation concerning the application.
- b. At the opening plenary of the next general meeting of the Federation, ratification of the withdrawal shall be put to a vote.
- c. The withdrawal shall take effect on June 30 following the ratification of the withdrawal.

## BYLAW II - GENERAL MEETINGS

**General Descriptions:** There are three types of General Meetings: Annual General Meetings, Semi-Annual General Meetings, and Special General Meetings.

### 1. Annual General Meetings

- a. The Annual General Meeting of the Federation will be held between October 15 and November 30 of each year.
- b. At the Annual General Meeting, in addition to any other business that may be transacted, the report of the National Executive, the financial statement, and the report of the auditors will be presented; and the auditors for the ensuing year will be appointed; and the elections for the next National Executive will occur.

### 2. Semi-Annual General Meetings

The Semi-Annual General Meeting of the Federation will be held between April 30 and May 31 of each year.

### 3. Special General Meetings

- a. The National Executive may call a Special General Meeting of the Federation at any time.
- b. If more than one-half of the voting members of the Federation indicate a desire for an immediate Special General Meeting, the National Executive must immediately call a Special General Meeting for the earliest possible date.

### 4. Notice of General Meetings

- a. Notice of each General Meeting will be sent to each voting member of the Federation at least nine weeks prior to the date of the meeting.
- b. Each voting member will be asked to indicate its intention to attend or not to attend each General Meeting. If one-half or more of the voting members indicate that they will not attend, the National Executive will cancel the meeting.
- c. The Notice will include all positions that are to be elected at the general meeting.

### 5. Location of General Meetings

- a. Each general meeting of the Federation will be held in the greater Ottawa/Hull/Nepean area. In extenuating circumstances the National Executive may select an alternative meeting location.
- b. The cost of travel to a general meeting for delegates of each voting member will be equalized, taking into account members ability to pay, by such a system of pooling travel costs as may be determined from time to time by the National Executive.

### 6. Quorum at General Meetings

A quorum for the transaction of business at any meeting of voting members shall consist of not less than one-half of the members of the Federation having voting rights at the time in person or by proxy.

### 7. Procedure at General Meetings

- a. The rules of procedure at general meetings will be those described in the most recent edition of *Robert's Rules of Order*, supplemented or modified by rules of procedure which may from time to time be established by standing resolutions.
- b. Voting by Proxy  
A voting member may appoint another member to act as its proxy for all or portions of any national general meeting, subject to the following restrictions:
  - i. A voting member that wishes to appoint a proxy must adopt a motion of its executive, council or other equivalent representative body stating the member appointed to serve as its proxy;
  - ii. Written notice, that is signed by a representative of the voting member appointing the proxy and

## Bylaw II

- includes the text of the motion described in Section b-i, must be delivered to the National Chairperson of the Federation prior to the commencement of the opening plenary of the general meeting; and
- iii. A voting member may serve as proxy for no more than three other members at any national general meeting.

### 8. Travel Pool

Each member local association having representation in a general meeting will participate in the general meeting travel pool.

### 9. Authority of the National Plenary

- a. The national plenary is the final and absolute decision-making authority in the organisation. Its authority is only detracted from by explicit constitutional provision.
- b. The national plenary may overturn any National Executive decision, except where such a decision has been implemented and has resulted in a legal contract.

## BYLAW III - POLICY OF THE FEDERATION

**General Description:** Policy positions established in accordance with Sections 1 and 2 of this By-law are the sole official policy positions the Federation can take, and they stand until revoked as per Section 1 (c) of this By-law.

### 1. Established at General Meetings

- a. Notice of all the substance of a policy proposal must be received by the National Executive at least six (6) weeks before the general meeting at which the proposal is to be introduced so that four weeks notice can be made to voting members by mail. The declaration by the National Executive that due notice has or has not been received will be held to be sufficient proof of such notice or lack thereof.
- b. Policy proposals may be submitted by member local associations, provincial components/caucuses, constituency groups, and the National Executive.
- c. In order to amend or revoke an established Federation policy, procedures regarding notice, distribution, and consideration shall conform with the regulations set out in Section 1 (a) and (b) above.
- d. Policy may be enacted, amended or repealed by a two-thirds vote at a general meeting, provided sufficient notice has been given as per By-law III, Sections 1(a) and 1(b).

### 2. Policy Established Between Meetings

- a. Policy may only be established between meetings through a vote by mail of voting members.
- b. If a policy position must be taken by the Federation before it is possible to do so at a general meeting, the National Executive may initiate a vote by mail by sending the motions in question, a ballot, plus any necessary documentation, to each voting member.
- c. Ballots are to be returned to the head office of the Federation when completed.
- d. After a predetermined period specified on the ballots, but in no case less than one month, the National Executive will count the ballots which have been returned and inform the voting members of the result.
- e. The quorum for a vote by mail is at least one-half of the voting members of the Federation.
- f. The voting members of the Federation may, by a two-thirds vote, adopt policy provided that Sections 2 (a) through (e) are met.

### 3. Policy Manual

- a. All Federation policy statements will be compiled in a policy manual. The manual will be updated after each general meeting.
- b. The updated policy manual will be distributed to member local associations no later than twelve (12) weeks following each national general meeting.

### 4. Policy Jurisdiction

The Federation recognizes the authority of each provincial component to establish policy on matters affecting only its province. The Federation will not establish policy which lies only within those areas unless requested by the Provincial Component.

## **BYLAW IV - STANDING RESOLUTIONS OF THE FEDERATION**

1. Standing Resolutions may be enacted, amended or repealed by a two-thirds vote at a general meeting.
2. Standing Resolutions automatically come into force at all subsequent meetings until revoked or amended.
3. All Standing Resolutions will be identified as such and appended to copies of the Bylaws of the Federation.



## BYLAW V - NATIONAL EXECUTIVE

The affairs of the Federation will be managed by the board of directors, known as the National Executive.

### 1. Composition

The National Executive will be comprised of:

- a. The following at-large positions elected by the national plenary:
  - i. National Chairperson
  - ii. National Deputy-Chairperson
  - iii. National Treasurer
- b. The following representatives elected by its respective provincial components or caucuses:
  - i. Alberta Representative
  - ii. British Columbia Representative
  - iii. Manitoba Representative
  - iv. New Brunswick Representative
  - v. Newfoundland-Labrador Representative
  - vi. Nova Scotia Representative
  - vii. Ontario Representative
  - viii. Prince Edward Island Representative
  - ix. Québec Representative
  - x. Saskatchewan Representative
  - xi. Graduate Student Representative
  - xii. Aboriginal Student Representative
  - xiii. Francophone Students Representative
  - xiv. Students of Colour Commissioner
  - xv. Women's Representative

### 2. Powers and Responsibilities of the National Executive

The National Executive:

- a. shall observe and uphold the objectives of the Federation;
- b. shall be responsible for the execution and implementation of all Federation decisions;
- c. will co-ordinate work of Federation members and of the staff of the Federation, as well as any work undertaken in conjunction with provincial components or with local associations;
- d. is responsible for the management of the office(s) and staff of the Federation;
- e. will prepare the agenda for each national general meeting of the Federation and will distribute the agenda to all member local associations no later than four (4) weeks prior to the start of the national general meeting;
- f. will present a written report to each national general meeting that will include a review of:
  - i. the activities undertaken on its authority since the previous general meeting; and
  - ii. the disposition of all directives given the National Executive by the national plenary of the previous general meeting;
- g. will administer the affairs of the Federation in all things and make or cause to be made for the Federation in its name, any kind of contract into which the Federation may lawfully enter, subject to the direction of the national plenary;
- h. will be bound and guided by the policy established by the Federation in all decisions made and positions taken;
- i. is expressly empowered to purchase, lease, acquire, sell, exchange, or otherwise dispose from time to time, of shares, stocks, rights, warrants, options, and other securities; lands, buildings or other property, moveable or immovable, real or personal; or of any right or interest therein owned by the Federation, for such consideration and upon such terms as the Executive deems advisable;

- j. may from time to time delegate such of its collective or individual duties and powers, excepting the casting of votes and signing authority, as it deems fit;
- k. shall comply with the will of the national plenary unless in the opinion of the National Executive:
  - i. significant new facts have been discovered; and
  - ii. the interest of the Federation would be adversely affected by acting in accordance with the national plenary's will.

In the event that the National Executive acts contrary to the will of the national plenary, it will immediately inform the member local associations in writing of its decision and the reasons for the decision, and include the matter on the agenda of the next national general meeting.

**3. Duties and Powers of the National Chairperson**

The National Chairperson shall:

- a. be a full-time salaried position;
- b. act as chief spokesperson and representative of the Federation; and
- c. perform all duties as described in the National Chairperson job description established as a Standing Resolution.

**4. Duties and Powers of the National Deputy Chairperson**

The National Deputy Chairperson shall:

- a. be a full-time salaried position;
- b. assume the duties and powers of the National Chairperson in the event that the National Chairperson is unable or unwilling to fulfil her duties and powers;
- c. serve as a signing authority for cheques of the Federation; and
- d. shall perform all duties as described in the Deputy Chairperson job description established as a Standing Resolution.

**5. Duties and Powers of the National Treasurer**

The National Treasurer shall:

- a. be a full-time salaried position;
- b. disburse the funds of the Federation under the direction of the National Executive and will report at each National Executive and national general meeting on her transactions as National Treasurer and on the financial position of the Federation; and
- c. perform all duties as described in the National Treasurer job description established as a Standing Resolution.

**6. Duties and Powers of Provincial Component Representatives**

The Provincial Component Representative shall:

- a. be expected to hold a portfolio position as assigned by the National Executive;
- b. communicate the views and perspectives of their respective provincial components at National Executive meetings;
- c. perform all duties as established by a Standing Resolution.

**7. Duties and Powers of the Graduate Student Representative**

The Graduate Student Representative shall perform all duties as established by Standing Resolution.

**8. Duties and Powers of the Aboriginal Student Representative**

The Aboriginal Students Representative shall perform all duties as established by Standing Resolution.

**9. Duties and Powers of the Francophone Students Representative**

The Francophone Students Representative shall perform all duties as established by Standing Resolution.

**10. Duties and Powers of the Students of Colour Commissioner**

The Students of Colour Commissioner shall perform all duties and have such powers as established by Standing Resolution.

**11. Duties and Powers of the Women's Representative**

The Women's Representative shall perform all duties and such powers as established by Standing Resolution.

**12. Calling of National Executive Meetings**

- a. The National Executive will meet at least four (4) times between each semi-annual general meeting.
- b. Except as otherwise required by law, the National Executive may hold its meetings at such places it may from time to time determine.
- c. Notice of meetings of the National Executive must be:
  - i. received orally or in writing by each member of the National Executive and each member local association not less than seven (7) days prior to the start of the meeting; or
  - ii. sent for delivery to each member of the National Executive and each member local association not less than fourteen (14) days prior to the start of the meeting.
- d. Emergency National Executive Meetings

The National Executive shall have the authority to convene a National Executive meeting by teleconference.

  - i. teleconference meetings of the Executive may be formally called upon written request by the National Chairperson, National Deputy Chairperson and/or National Treasurer; and
  - ii. notice of such meeting must be sent orally or in writing to each member of the National Executive not less than three (3) days prior to the start of the meeting and, if notice is provided orally, notice of the meeting shall also be transmitted electronically or via facsimile that same day.
- e. No formal notice of a meeting of the National Executive is required provided:
  - i. all National Executive Members are present; or
  - ii. those absent have signified their consent to hold a meeting.
- f. Meetings of the Executive may be formally called upon written request of quorum by any member of the National Executive.

**13. Procedure at National Executive Meetings**

- a. The Quorum for the transaction of business at meetings of the National Executive will be at least one-half of the members of the National Executive.
- b. The most recent edition of *Robert's Rules of Order* shall govern the conduct of all meetings of the National Executive.

**14. National Executive Remuneration**

- a. Any remuneration paid to members of the National Executive shall be determined by the national plenary except as otherwise provided for in this Bylaw.
- b. Should any member of the National Executive be employed by or perform services for the Federation other than as a member of the National Executive, or be a member of a firm or shareholder, director or officer, of a company that is employed by, or performs services for the Federation, this shall not disentitle such member of the National Executive or such firm, as the case may be, from receiving proper remuneration for such services.

## BY-LAW VI - ELECTION OF THE NATIONAL EXECUTIVE

### 1. Eligibility of Nominees for the National Executive

- a. A nominee for the National Executive must have been an individual member of the Federation within the previous six (6) months, or a full-time salaried executive member of the Federation or of a provincial component of the Federation and must simultaneously come from a member local association.
- b. In addition to subsection (a), nominees for National Chairperson, National Deputy Chairperson, and National Treasurer must be a delegate of a member local association or provincial component, or a member of the National Executive at the general meeting in which the election is being conducted.
- c. In addition to Subsections (a) and (b) but not withstanding Section (d), a nominee for National Chairperson shall be able to comprehend and speak:
  - i. French and English, except where a documented disability prevents learning a second language; or
  - ii. French or English, and a First Nations language, except where a documented disability prevents learning a second language.
- d. In the event that a nominee for National Chairperson fails to demonstrate second language proficiency, as described in the Standing Resolutions, the nominee shall be eligible to stand for election provided that she declares her intention to be able to comprehend and speak a second language by no later than five (5) weeks prior to assuming the position of National Chairperson.

### 2. Timing of Elections for National Executive Members

- a. **Timing of Elections of At-Large Members**
  - i. The election of the National Chairperson shall be conducted at the annual general meeting.
  - ii. The election of the National Deputy Chairperson shall be conducted at the annual general meeting.
  - iii. The election of the National Treasurer shall be conducted at the Annual General Meeting.
- b. **Timing of Elections for Provincial Component Representatives**
  - i. The election of Provincial Component Representatives shall be conducted at such times as set out in the bylaws of the applicable provincial components; or
  - ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the election of the Provincial Component Representative shall be conducted at a meeting of the component member local associations convened by the National Executive at the semi-annual general meeting.
- c. **Timing of Elections for the Graduate Student Representative**  
The election for Graduate Student Representative shall be conducted at such times as established by Standing Resolution.
- d. **Timing of Elections of the Aboriginal Student Representative**  
The election for the Aboriginal Student Representative shall be conducted at such times as established by Standing Resolution.
- e. **Timing of Elections of the Students of Colour Commissioner**  
The election for the Students of Colour Commissioner shall be conducted at such times as established by Standing Resolution.
- f. **Timing of Election of the Francophone Students Representative**  
The election for the Francophone Students Representative shall be conducted at such times as established by Standing Resolution.
- g. **Timing of Elections of the Women's Representative**  
The election for the Women's Representative shall be conducted at such times as established by Standing Resolution.

### 3. Procedures for Election of National Executive Members

- a. **Procedure for the Election of At-Large Members**  
Elections for National Chairperson, National Deputy-Chairperson and National Treasurer shall be conducted at national general meetings subject to the following rules and procedures:

## Bylaw VI

- i. elections shall be conducted by secret ballot;
  - ii. each member local association present at the general meeting will be permitted one (1) vote in each election;
  - iii. a nominee must receive a majority of the votes cast in order to be elected;
  - iv. elections shall be preceded by a separate questions and answer session for each position to be elected to be held in accordance with the following guidelines:
    - each candidate will be allowed a minimum of ten minutes in which to speak to the entire assembly;
    - after each candidate has been given the opportunity to speak, the assembly shall be given the opportunity to ask questions of any candidate or candidates for a time period not less than thirty minutes in duration.
- b. Procedure for the Election of Provincial Component Representatives**
- i. The procedure for the election of Provincial Component Representatives shall be as set out in the bylaws of the applicable provincial components; or
  - ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the procedure for election of the Provincial Component Representative shall be determined by the National Executive, notwithstanding that the election will be conducted by secret ballot and a nominee must receive a majority of the votes cast in order to be elected.
- c. Procedure for the Election for the Graduate Student Representative**  
The election for the Graduate Student Representative shall be as established by Standing Resolution.
- d. Procedure for the Election for the Aboriginal Student Representative**  
The election for the Aboriginal Student Representative shall be as established by Standing Resolution.
- e. Procedure for the Election for the Students of Colour Commissioner**  
The election for the Students of Colour Commissioner shall be as established by Standing Resolution.
- f. Procedure for the Election of the Francophone Students' Representative**  
The election for the Francophone Students' Representative shall be as established by Standing Resolution.
- g. Procedure for the Election of the Women's Representative**  
The election for the Women's Representative shall be as established by Standing Resolution.
- 4. Term of Office for National Executive Members**
- a. Term of Office for At-Large Members**  
The term of office of the National Chairperson, National Deputy Chairperson and National Treasurer shall commence at the end of the closing plenary of the semi-annual general meeting immediately following the annual general meeting at which they were elected and shall expire at the end of the closing plenary of the following semi-annual general meeting.
- b. Term of Office for the Provincial Component Representatives**
- i. Provincial Component Representatives shall hold office for a term as set out in the Bylaws of the applicable provincial components; or
  - ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the Provincial Component Representative shall hold office from the adjournment of the semi-annual general meeting at which the Representative is elected until the adjournment of the following semi-annual general meeting.
- c. Term of Office for the Graduate Student Representative**  
The Graduate Student representative shall hold office for a term as established by Standing Resolution.
- d. Term of Office for the Aboriginal Student Representative**  
The Aboriginal Student Representative shall hold office for a term as established by Standing Resolution.
- e. Term of Office for the Students of Colour Commissioner**  
The Term of Office for the Students of Colour Commissioner shall be as established by Standing Resolution.
- f. Term of Office for the Francophone Students' Representative**  
The Term of Office for the Francophone Students' Representative shall be as established by Standing Resolution.

**g. Term of Office for the Women's Representative**

The Term of Office for the Women's Representative shall be as established by Standing Resolution.

**5. Removal from Office of National Executive Members**

**a. Removal of At-Large Members**

The National Chairperson, National Deputy-Chairperson and National Treasurer may be removed from office by a two-thirds vote at a national general meeting or by mail-out vote.

**b. Removal of Provincial Component Representatives**

i. Provincial Component representatives may be removed from office as set out in the bylaws of the applicable provincial components; or

ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the Provincial Component Representative may be removed from office by a two-thirds vote:

- at a meeting of the component member local associations convened by the National Executive at a national general meeting;
- at a meeting of the component member local associations convened by the National Executive outside of an national general meeting; or
- by a vote-by-mail conducted by the National Executive;

= following a petition by the National Executive of a petition signed by not less than one-half of the

**Bylaw V**

- j. may from time to time delegate such of its collective or individual duties and powers, excepting the casting of votes and signing authority, as it deems fit;
- k. shall comply with the will of the national plenary unless in the opinion of the National Executive:
  - i. significant new facts have been discovered; and
  - ii. the interest of the Federation would be adversely affected by acting in accordance with the national plenary's will.

In the event that the National Executive acts contrary to the will of the national plenary, it will immediately inform the member local associations in writing of its decision and the reasons for the decision, and include the matter on the agenda of the next national general meeting.

**3. Duties and Powers of the National Chairperson**

The National Chairperson shall:

- a. be a full-time salaried position;
- b. act as chief spokesperson and representative of the Federation; and
- c. perform all duties as described in the National Chairperson job description established as a Standing Resolution.

**4. Duties and Powers of the National Deputy Chairperson**

The National Deputy Chairperson shall:

- a. be a full-time salaried position;
- b. assume the duties and powers of the National Chairperson in the event that the National Chairperson is unable or unwilling to fulfil her duties and powers;
- c. serve as a signing authority for cheques of the Federation; and
- d. shall perform all duties as described in the Deputy Chairperson job description established as a Standing Resolution.

**5. Duties and Powers of the National Treasurer**

The National Treasurer shall:

- a. be a full-time salaried position;
- b. disburse the funds of the Federation under the direction of the National Executive and will report at each National Executive and national general meeting on her transactions as National Treasurer and on the financial position of the Federation; and
- c. perform all duties as described in the National Treasurer job description established as a Standing Resolution.

**6. Duties and Powers of Provincial Component Representatives**

The Provincial Component Representative shall:

- a. be expected to hold a portfolio position as assigned by the National Executive;
- b. communicate the views and perspectives of their respective provincial components at National Executive meetings;
- c. perform all duties as established by a Standing Resolution.

**7. Duties and Powers of the Graduate Student Representative**

The Graduate Student Representative shall perform all duties as established by Standing Resolution.

**8. Duties and Powers of the Aboriginal Student Representative**

The Aboriginal Students Representative shall perform all duties as established by Standing Resolution.

**9. Duties and Powers of the Francophone Students Representative**

The Francophone Students Representative shall perform all duties as established by Standing Resolution.

**10. Duties and Powers of the Students of Colour Commissioner**

The Students of Colour Commissioner shall perform all duties and have such powers as established by Standing Resolution.

**11. Duties and Powers of the Women's Representative**

The Women's Representative shall perform all duties and such powers as established by Standing Resolution.

**12. Calling of National Executive Meetings**

- a. The National Executive will meet at least four (4) times between each semi-annual general meeting.
- b. Except as otherwise required by law, the National Executive may hold its meetings at such places it may from time to time determine.
- c. Notice of meetings of the National Executive must be:
  - i. received orally or in writing by each member of the National Executive and each member local association not less than seven (7) days prior to the start of the meeting; or
  - ii. sent for delivery to each member of the National Executive and each member local association not less than fourteen (14) days prior to the start of the meeting.
- d. Emergency National Executive Meetings  
The National Executive shall have the authority to convene a National Executive meeting by teleconference.
  - i. teleconference meetings of the Executive may be formally called upon written request by the National Chairperson, National Deputy Chairperson and/or National Treasurer; and
  - ii. notice of such meeting must be sent orally or in writing to each member of the National Executive not less than three (3) days prior to the start of the meeting and, if notice is provided orally, notice of the meeting shall also be transmitted electronically or via facsimile that same day."
- e. No formal notice of a meeting of the National Executive is required provided:
  - i. all National Executive Members are present; or
  - ii. those absent have signified their consent to hold a meeting.
- f. Meetings of the Executive may be formally called upon written request of quorum by any member of the National Executive.

**13. Procedure at National Executive Meetings**

- a. The Quorum for the transaction of business at meetings of the National Executive will be at least one-half of the members of the National Executive.
- b. The most recent edition of *Robert's Rules of Order* shall govern the conduct of all meetings of the National Executive.

**14. National Executive Remuneration**

- a. Any remuneration paid to members of the National Executive shall be determined by the national plenary except as otherwise provided for in this Bylaw.
- b. Should any member of the National Executive be employed by or perform services for the Federation other than as a member of the National Executive, or be a member of a firm or shareholder, director or officer, of a company that is employed by, or performs services for the Federation, this shall not disentitle such member of the National Executive or such firm, as the case may be, from receiving proper remuneration for such services.



## BY-LAW VI - ELECTION OF THE NATIONAL EXECUTIVE

### 1. Eligibility of Nominees for the National Executive

- a. A nominee for the National Executive must have been an individual member of the Federation within the previous six (6) months, or a full-time salaried executive member of the Federation or of a provincial component of the Federation and must simultaneously come from a member local association.
- b. In addition to subsection (a), nominees for National Chairperson, National Deputy Chairperson, and National Treasurer must be a delegate of a member local association or provincial component, or a member of the National Executive at the general meeting in which the election is being conducted.
- c. In addition to Subsections (a) and (b) but not withstanding Section (d), a nominee for National Chairperson shall be able to comprehend and speak:
  - i. French and English, except where a documented disability prevents learning a second language; or
  - ii. French or English, and a First Nations language, except where a documented disability prevents learning a second language.
- d. In the event that a nominee for National Chairperson fails to demonstrate second language proficiency, as described in the Standing Resolutions, the nominee shall be eligible to stand for election provided that she declares her intention to be able to comprehend and speak a second language by no later than five (5) weeks prior to assuming the position of National Chairperson.

### 2. Timing of Elections for National Executive Members

#### a. Timing of Elections of At-Large Members

- i. The election of the National Chairperson shall be conducted at the annual general meeting.
- ii. The election of the National Deputy Chairperson shall be conducted at the annual general meeting.
- iii. The election of the National Treasurer shall be conducted at the Annual General Meeting.

#### b. Timing of Elections for Provincial Component Representatives

- i. The election of Provincial Component Representatives shall be conducted at such times as set out in the bylaws of the applicable provincial components; or
- ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the election of the Provincial Component Representative shall be conducted at a meeting of the component member local associations convened by the National Executive at the semi-annual general meeting.

#### c. Timing of Elections for the Graduate Student Representative

The election for Graduate Student Representative shall be conducted at such times as established by Standing Resolution.

#### d. Timing of Elections of the Aboriginal Student Representative

The election for the Aboriginal Student Representative shall be conducted at such times as established by Standing Resolution.

#### e. Timing of Elections of the Students of Colour Commissioner

The election for the Students of Colour Commissioner shall be conducted at such times as established by Standing Resolution.

#### f. Timing of Election of the Francophone Students Representative

The election for the Francophone Students Representative shall be conducted at such times as established by Standing Resolution.

#### g. Timing of Elections of the Women's Representative

The election for the Women's Representative shall be conducted at such times as established by Standing Resolution.

### 3. Procedures for Election of National Executive Members

#### a. Procedure for the Election of At-Large Members

Elections for National Chairperson, National Deputy-Chairperson and National Treasurer shall be conducted at national general meetings subject to the following rules and procedures:

- i. elections shall be conducted by secret ballot;
  - ii. each member local association present at the general meeting will be permitted one (1) vote in each election;
  - iii. a nominee must receive a majority of the votes cast in order to be elected;
  - iv. elections shall be preceded by a separate questions and answer session for each position to be elected to be held in accordance with the following guidelines:
    - each candidate will be allowed a minimum of ten minutes in which to speak to the entire assembly;
    - after each candidate has been given the opportunity to speak, the assembly shall be given the opportunity to ask questions of any candidate or candidates for a time period not less than thirty minutes in duration.
- b. **Procedure for the Election of Provincial Component Representatives**
- i. The procedure for the election of Provincial Component Representatives shall be as set out in the bylaws of the applicable provincial components; or
  - ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the procedure for election of the Provincial Component Representative shall be determined by the National Executive, notwithstanding that the election will be conducted by secret ballot and a nominee must receive a majority of the votes cast in order to be elected.
- c. **Procedure for the Election for the Graduate Student Representative**  
The election for the Graduate Student Representative shall be as established by Standing Resolution.
- d. **Procedure for the Election for the Aboriginal Student Representative**  
The election for the Aboriginal Student Representative shall be as established by Standing Resolution.
- e. **Procedure for the Election for the Students of Colour Commissioner**  
The election for the Students of Colour Commissioner shall be as established by Standing Resolution.
- f. **Procedure for the Election of the Francophone Students' Representative**  
The election for the Francophone Students' Representative shall be as established by Standing Resolution.
- g. **Procedure for the Election of the Women's Representative**  
The election for the Women's Representative shall be as established by Standing Resolution.
4. **Term of Office for National Executive Members**
- a. **Term of Office for At-Large Members**  
The term of office of the National Chairperson, National Deputy Chairperson and National Treasurer shall commence at the end of the closing plenary of the semi-annual general meeting immediately following the annual general meeting at which they were elected and shall expire at the end of the closing plenary of the following semi-annual general meeting.
- b. **Term of Office for the Provincial Component Representatives**
- i. Provincial Component Representatives shall hold office for a term as set out in the Bylaws of the applicable provincial components; or
  - ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the Provincial Component Representative shall hold office from the adjournment of the semi-annual general meeting at which the Representative is elected until the adjournment of the following semi-annual general meeting.
- c. **Term of Office for the Graduate Student Representative**  
The Graduate Student representative shall hold office for a term as established by Standing Resolution.
- d. **Term of Office for the Aboriginal Student Representative**  
The Aboriginal Student Representative shall hold office for a term as established by Standing Resolution.
- e. **Term of Office for the Students of Colour Commissioner**  
The Term of Office for the Students of Colour Commissioner shall be as established by Standing Resolution.
- f. **Term of Office for the Francophone Students' Representative**  
The Term of Office for the Francophone Students' Representative shall be as established by Standing Resolution.

**g. Term of Office for the Women's Representative**

The Term of Office for the Women's Representative shall be as established by Standing Resolution.

**5. Removal from Office of National Executive Members**

**a. Removal of At-Large Members**

The National Chairperson, National Deputy-Chairperson and National Treasurer may be removed from office by a two-thirds vote at a national general meeting or by mail-out vote.

**b. Removal of Provincial Component Representatives**

- i. Provincial Component representatives may be removed from office as set out in the bylaws of the applicable provincial components; or
- ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the Provincial Component Representative may be removed from office by a two-thirds vote:
  - at a meeting of the component member local associations convened by the National Executive at a national general meeting;
  - at a meeting of the component member local associations convened by the National Executive outside of an national general meeting; or
  - by a vote-by-mail conducted by the National Executive;
  - following receipt by the National Executive of a petition signed by not less than one-half of the member local associations, belonging to the component, requesting such a vote.

**c. Removal of the Graduate Student Representative**

The Graduate Student Representative may be removed from office as established by Standing Resolution.

**d. Removal of the Aboriginal Student Representative**

The Aboriginal student representative may be removed from office as established by Standing Resolution.

**e. Removal of the Students of Colour Commissioner**

The Students of Colour Commissioner may be removed from office as established by Standing Resolution

**f. Removal of the Francophone Students' Representative**

The Francophone Students' Representative may be removed from office as established by Standing Resolution.

**g. Removal of the Women's Representative**

The Women's Representative may be removed from office as established by Standing Resolution.

**h. Initiation of Removal from Office Proceedings**

Removal from Office Proceedings against an at-large member of the National Executive may be initiated by:

- i. a two-thirds vote of the National Executive; or
- ii. a petition signed by no less than three member local associations presented to the National Executive.

**i. Removal of National Chair for Failure to Achieve Second Language Proficiency**

In the event that a member elected to the position of National Chairperson fails to achieve second language proficiency, as described in the Standing Resolutions, by no later than five (5) weeks prior to the general meeting at which the member is to assume the position of National Chairperson, the position will be declared vacant.

**j. Attendance at National Executive Meetings**

A member of the National Executive who, without authorisation of the National Executive, is absent from two (2) consecutive, regularly-scheduled meetings of the National Executive shall be deemed to have resigned her position on the National Executive.

**6. Replacement of National Executive Members**

**a. Vacancy in an At-large National Executive Position**

In the event of a vacancy in the position of National Chairperson, National Deputy-Chairperson, or National Treasurer:

- i. the National Executive shall have the authority to appoint a member of the National Executive to fill the

- position, until the next national general meeting; and
  - ii. an election for the position shall be conducted at the next national general meeting as per the election procedures set out in the Bylaws.
- b. Vacancy in the Position of Provincial Component Representatives**
- i. The procedure for filling a vacancy in a position of Provincial Component Representative shall be as set out in the bylaws of the applicable provincial component; or
  - ii. In the event that a provincial component does not have a functioning set of bylaws, as determined by the National Executive, the procedure for filling a vacancy in the position of Provincial Component Representative shall be determined by the National Executive, notwithstanding that the vote will be conducted by secret ballot, a nominee must receive a majority of the votes cast in order to be elected and that the vote shall be conducted:
    - at a meeting of the component member local associations convened by the National Executive at a national general meeting;
    - at a meeting of the component member local associations convened by the National Executive outside of an national general meeting; or
    - by a vote-by-mail conducted by the National Executive.
- c. Vacancy in the Position of Graduate Student Representative**  
A vacancy in a position of Graduate Student Representative shall be filled in a manner as established by Standing Resolution.
- d. Vacancy in the Position of Aboriginal Student Representative**  
A vacancy in a position of Aboriginal Student representative shall be filled in a manner as established by Standing Resolution.
- e. Vacancy in the Position of Students of Colour Commissioner**  
A vacancy in the position of Students of Colour Commissioner shall be filled in a manner as established by Standing Resolution.
- f. Vacancy in the Position of Francophone Students Representative**  
A vacancy in the position of Francophone Students Representative shall be filled in a manner as established by Standing Resolution.
- g. Vacancy in the Position of Women's Representative**  
A vacancy in the position of Women's Representative shall be filled in a manner as established by Standing Resolution.
- 7. Appointment of a Chief Returning Officer**  
The National Executive will appoint one member of the staff of the Federation to act as Chief Returning Officer for any National Executive election conducted at a national general meeting.
- 8. Notice of Elections for National Executive Positions**  
Information to be posted to member locals that includes, but is not limited to:
- a. rate of remuneration
  - b. outline of duties and responsibilities
  - c. outline travel obligations and/or necessary relocation.
- 9. Announcement of Election Results**  
Following the tabulation of votes for at-large positions, the Chief Returning Officers will announce to the plenary:
- a. the nominees elected;
  - b. the process for additional balloting in the event that no nominees for a particular position receives a majority of the votes cast; and
  - c. the vote count for each candidate if directed to do so by a two-thirds majority vote of the plenary.

## BYLAW VII - PROVINCIAL COMPONENTS

### 1. General Description

A provincial component shall be comprised of all member local associations within a particular province.

### 2. Current Provincial Components

The current provincial components of the Federation are:

- a. Canadian Federation of Students - Alberta Component
- b. Canadian Federation of Students - British Columbia Component
- c. Canadian Federation of Students - Manitoba Component
- d. Canadian Federation of Students - New Brunswick Component
- e. Canadian Federation of Students - Newfoundland and Labrador Component
- f. Canadian Federation of Students - Nova Scotia Component
- g. Canadian Federation of Students - Ontario Component
- h. Canadian Federation of Students - Prince Edward Island Component
- i. Canadian Federation of Students - Québec Component
- j. Canadian Federation of Students - Saskatchewan Component

### 3. Funding of Provincial Components

A provincial component shall have the right to automatically receive a minimum level of funding established by a standing resolution.

### 4. Rights of Provincial Components

#### a. Appointment of Representatives to General Meeting Committees

A provincial component shall have the right to appoint representatives to committees at all Federation national general meetings.

#### b. Establishment of Committees

A provincial component may establish steering committees or other standing committees.

#### c. Policy

A provincial component may establish policy in its own name provided the policy does not contradict policy of the Federation.

### 5. Automatic Membership in a Provincial Component

A member local association automatically belongs to the particular provincial component corresponding to the province in which said member is located.

### 6. Voting in Provincial Component Meetings

Each member local association belonging to a Federation provincial component shall have one vote in meetings of the provincial component at national general meetings.

### 7. Designating of Provincial Components

Upon the request of the member local associations located within a particular province, the member local associations within that province shall comprise a provincial component, subject to a ratification vote by the national plenary and provided that the provincial component includes in its Constitution the national preamble and statement of purpose.

## BYLAW VIII - CONSTITUENCY GROUPS

### 1. General Description

A constituency group shall be comprised of individual delegates attending Federation national general meetings who share a common characteristic as recognized by the national plenary, except as provided for by the relevant Standing Resolutions.

### 2. Establishment of Constituency Group

A constituency group may be established subject to the following procedure:

- a. a group of delegates, wishing to be established as a constituency group, shall apply in writing to the national plenary for recognition;
- b. upon receipt of an application by a prospective constituency group, the National Plenary shall strike a review committee, comprised of at least one representative of the proposed constituency group and such other persons as selected by the national plenary, to review and make a recommendation concerning the application;
- c. in the event that the review committee recommends the establishment of the constituency group, its report to the national plenary must consist of a draft standing resolution outlining the goals, membership and general constitutional provisions of the constituency group; and
- d. a constituency group must, as a stated goal, support the Statement of Purpose of the Federation.

### 3. Current Constituency Groups

The current Constituency Groups are:

- Student Artists Constituency Group
- Students of Colour Constituency Group
- Students with Disabilities Constituency Group
- Francophone Students Constituency Group
- International Students Constituency Group
- Part-Time and Mature Students Constituency Group
- Queer Students' Constituency Group
- Women's Constituency Group

### 4. Constituency Groups Rights

#### a. Funding

A constituency group shall have the right to automatically receive a minimum level of funding established by a Standing Resolution.

#### b. Appointment of representatives to General Meeting Committees

A constituency group shall have the right to appoint representatives to committees at all Federation general meetings.

#### c. Establishment of Committees

A constituency group may establish steering committees or other standing committees.

#### d. Policy

A constituency group may establish policy in its own name provided the policy does not contradict policy of the Federation.

### 5. Meetings of Constituency Group

Meetings of constituency group shall be held during Federation general meetings.

### 6. Voting in Constituency Group Meetings

Each delegate belonging to a Federation constituency group shall have one vote in meetings of the constituency group, except where provided for by the relevant Standing Resolutions.

**Bylaw VIII****7. Reporting Structure**

- a. Commissioners shall make reports to their respective constituency groups when requested by the constituency group. The reports shall be made available to the membership.
- b. National Executive Representatives and Commissioners with a vote on the National Executive must be ratified by plenary.
- c. Constituency groups are not otherwise obligated to report to plenary.

## BYLAW IX - CAUCUSES

### 1. General Description

A caucus shall be comprised of Federation member local associations with a common interest or concern.

### 2. Establishment of Caucuses

A caucus may be established subject to the following procedure:

- a. a group of member local associations, wishing to be established as a caucus, shall apply in writing to the national plenary for recognition;
- b. upon receipt of an application by a prospective caucus, the national plenary shall strike a review committee comprised of at least one representative of the proposed caucus and such other persons as selected by the national plenary, to review and make a recommendation concerning the application;
- c. in the event that the review committee recommends the establishment of a caucus, its report to the national plenary must consist of a draft standing resolution outlining the goals, membership and general constitutional provisions of the caucus; and
- d. a caucus must, as a stated goal, support the Statement of the Purpose of the Federation.

### 3. Designated Caucuses

The designated caucuses of the Federation are:

- National Aboriginal Caucus
- Caucus of College and Institute Associations
- Caucus of Large Institute Associations
- Caucus of Small University Associations
- National Graduate Caucus

### 4. Caucuses Rights

#### a. Appointment of Representatives to General Meeting Committees

A caucus shall have the right to appoint representatives to committees at all Federation national general meetings.

#### b. Establishment of Committees

A caucus may establish steering committees or other standing committees.

#### c. Policy

A caucus may establish policy in its own name provided the policy does not contradict policy of the Federation.

### 5. Scheduling of Meetings

Meetings of caucuses shall be held during Federation general meetings.

### 6. Voting in Caucus Meetings

Each member local association belonging to a Federation caucus shall have one vote in meetings of the caucus, except as provided for by the relevant Standing Resolutions.



## BYLAW X - FINANCES

### 1. Financial Year

The Fiscal year of the Federation will end on June 30th.

### 2. Cheques

- a. All cheques, bills of exchange, or other notes for the payment of money issued in the name of the Federation must be signed by the Chairperson, the Treasurer and/or such officers or agents of the Federation and in such manner as will from time to time be determined by the National Executive.
- b. The Treasurer or any such officer or agent may alone endorse notes, drafts for collection by, or deposit with the financial institutions which hold the accounts of the Federation and may alone arrange, settle, balance, and certify all accounts with those institutions.

### 3. Borrowing

The National Executive shall be empowered to:

- a. borrow money on the credit of the Federation;
- b. limit or increase the amount to be borrowed;
- c. issue or sell debentures or other securities of the Federation and set the sums and prices thereof;

## BYLAW XI - OFFICERS

1. For official purposes, the Officers of the Federation will be the Chairperson, the Deputy Chairperson, the Treasurer and such other persons as the National Executive may from time to time determine.
2. The remuneration and conditions of employment of all officers will be settled from time to time by the National Executive subject to confirmation of remuneration by the voting members at the next general meeting of the Federation.

## BYLAW XII - SEAL, DOCUMENTS, AND RECORDS

### 1. Custodian of the Seal and Records

The National Executive will appoint one member of the staff of the Federation to be the custodian of the seal of the Federation and of all books, papers, records, correspondence, contracts and other documents belonging to the Federation.

### 2. Execution of Documents

- a. Deeds, transfers, licenses, contracts, and engagements on behalf of the Federation will be signed by two Officers of the Federation and, where required, have the seal of the Federation affixed.
- b. The Treasurer or any other person appointed by the National Executive for that purpose may transfer or accept the transfer of any and all shares, bonds, or other securities in the name of the Federation; may affix the seal and deliver under the seal of the Federation all documents necessary for such purposes, including the appointment of attorneys.
- c. Notwithstanding any other provision of these Bylaws, the National Executive may at any time direct the manner in which any contract, obligation, or instrument of the Federation is executed.

### 3. Books and Records

The National Executive is responsible for ensuring that all books and records required by law or by these Bylaws are regularly and properly kept.

## BYLAW XIII - HEAD OFFICE

The head office of the Federation will be in the City of Ottawa, in the Province of Ontario, and at such locations as may be determined from time to time by the National Executive.

## BYLAW XIV - OFFICIAL LANGUAGES

The official languages of the Federation shall be French, English, and Aboriginal Languages. The working languages of the Federation shall be French and English.

## **BYLAW XV - AMENDMENT OF CONSTITUTION AND BYLAWS**

### **1. Procedure for Amendment**

The Constitution and Bylaws of the Federation may only be repealed or amended by the vote of at least two-thirds of the voting members present at a general meeting.

### **2. Notice**

Notice of the substance of an amendment to this Constitution and Bylaws must be received by the National Executive at least six weeks before the general meeting at which it is to be considered. The National Executive shall mail notice of all proposed amendments to the voting members not less than four weeks before the general meeting at which they are to be considered. All said proposed amendments shall be made available simultaneously in both working languages of the Federation. The declaration of the National Executive that due notice has or has not been served will be held to be necessary proof of notice or of the lack thereof, unless evidence to the contrary is presented.

### **3. Amendment of Preamble**

It is understood that the Preamble is a fundamental document and should not be amended except after extensive consultation amongst the Provincial Components and member local associations of the Federation.

### **4. Implementation of Constitution and By-law Amendments**

The repeal or amendment of this Constitution and Bylaws will not be enforced or acted upon until the approval of the Minister of Consumer and Corporate Affairs has been obtained.

## BYLAW XVI - WINDING UP

Upon the winding up of the Federation, all assets of the Federation will be left to another non-profit organisation promoting the interests of students in Canada at a national level, which has policies, aims and goals congruent with those of the Federation.

## BYLAW XVII - INTERPRETATION

### 1. Number and Gender of Words

Unless the context requires otherwise, all pronouns and possessive adjectives used in these Bylaws refer to persons of either gender, and all singular or plural meanings.



60

THIS AGREEMENT made the 22 day of December , 19 82 ,

B E T W E E N :

CANADIAN FEDERATION OF STUDENTS  
FEDERATION CANADIENNE DES ETUDIANTS

hereinafter referred to as the "Federation"

- and -

THE SIMON FRASER STUDENT SOCIETY

This is Exhibit "C" referred to in the  
affidavit of DERRICK HARDER  
sworn before me at Vancouver, BC this  
14th day of APRIL 20th  
1982  
A Commissioner for taking Affidavits for  
British Columbia

hereinafter referred to as the "Member Institution"

WHEREAS the Member Institution has complied with all prerequisites for full membership in the Federation;

AND WHEREAS the Federation has agreed to accept the Member Institution as a full Member of the Federation;

IN CONSIDERATION of the covenants herein contained, the parties hereby agree as follows:

1. The Member Institution shall abide by all provisions of the By-Laws of the Federation as amended from time to time.
2. Membership fees as established from time to time by the Federation in accordance with the By-Laws of the Federation shall be collected by the Member Institution, either directly or on its behalf, by the post-secondary institution at which it is located, in trust for the benefit of the Federation. Forthwith upon receipt, the Member Institution shall forward such funds to the Federation.

61.

3. In the event the said funds are not forwarded in accordance with the above paragraph, the Member Institution shall pay the Federation interest at the rate of two per cent (2%) calculated monthly from a date thirty (30) days after receipt of the said funds until such funds are paid.

4. Upon receipt of such funds by the Federation, the Member Institution and individual members of the Federation at its post-secondary institution shall be entitled to all rights and privileges afforded to them according to the By-Laws of the Federation.

5. The Member Institution shall conduct all referenda required by the By-Laws of the Federation in the same manner as any other referendum it may conduct.

6. This Agreement shall remain in force for so long as the Member Institution shall remain a Member of the Federation.

CANADIAN FEDERATION OF STUDENTS  
FEDERATION CANADIENNE DES ETUDIANTS

Per: \_\_\_\_\_ (Seal)

(NAME OF MEMBER INSTITUTION)

*Phonetic Lawton*  
Per: Simon Fraser Student (Seal)  
*Society*

This is Exhibit "D" referred to in the  
affidavit of DERRICK HARDER  
sworn before me at Vancouver, BC this  
14th day of APRIL 2008  
[Signature]  
A Commissioner for taking Affidavits for  
British Columbia

Are you in favour of  
maintaining membership  
in the  
Canadian Federation  
of Students?

☐ YES ☐ NO

OFFICIAL RESULTS OF THE  
2008 SIMON FRASER STUDENT SOCIETY GENERAL ELECTION

## MEMBERS ELECTED AND ACCLAIMED

TO THE 2008-2009 BOARD OF DIRECTORS OF THE SIMON FRASER STUDENT SOCIETY.

<i>Name.</i>	<i>Position.</i>	<i>Status.</i>
Joseph Paling.....	President.....	Elected
Anna Belkine.....	Treasurer.....	Elected
Natalie Bocking.....	External Relations Officer.....	Elected
Andrew Fergusson.....	Internal Relations Officer.....	Elected
Earl Von Tapia.....	Member Services Officer.....	Elected
Ali Godson.....	University Relations Officer.....	Elected

Jonathan Brockman.....	Member-at-Large.....	Elected
Mona Law.....	Member-at-Large.....	Elected
Ada Nadison.....	Faculty of Arts Representative.....	Elected
Daniel Carter.....	Faculty of Applied Science Rep'.....	Elected
Henry Liu.....	Faculty of Business Representative.....	Elected
Sara Olson.....	Faculty of Education Representative.....	Acclaimed
Tara Azimi.....	Faculty of Health Sciences Representative.....	Acclaimed
Stephanie Hendy.....	Faculty of Science Representative.....	Elected

TO THE 2008-2009 STUDENT FORUM OF THE SIMON FRASER STUDENT SOCIETY.

<i>Name.</i>	<i>Position.</i>	<i>Status.</i>
Yushadha Joseph Bogodu..	Faculty of Business Representative.....	Acclaimed
Ivy Cheung.....	Department of Geography Representative.....	Acclaimed
Jordan Kohn.....	Department of History Representative.....	Acclaimed

The final results herein attached were approved by the Independent Electoral Commission on their meeting held on the date of April the Third, Two-Thousand and Eight.

This is Exhibit E referred to in  
the Affidavit of Derrick HARBER  
sworn before me at Vancouver  
this 14th day of April 2008  
[Signature]  
A Commissioner for taking Oaths in the  
Province of British Columbia

**NOTES.**

Votes are tabulated in two different columns, one of which counts "votes" and the other "ballots." The "ballot" count consists of *all* ballots returned for any given race, including the unusable blank and spoiled ballots. The "vote" count consists of all *valid* votes, subtracting blanks and spoiled. According to *Roberts' Rules of Order*, blank and spoiled ballots are counted towards voters quorums, as they indicate voter participation, but such votes are not counted in final tallies of actual results.

A "spoiled" vote constitutes any ballot which was rendered invalid due to improper or incorrect completion (usually deliberate) and is thus unable to be read either by machine or hand. This category can include, for example, ballots that had multiple circles colored in, lines scrawled through all names or circles, or slogans written across the entire ballot paper.

Ballot totals for each race do not equal the total number of voters in the entire General Election, as in many cases voters only requested certain ballots from poll clerks and declined to fill out others.

There are no "spoiled" tallies for the ERO, IRO, URO, or Treasurer races, nor for the Member-at-Large, Arts, Science, or Applied Science Rep. races, as the ballots for these races were counted by machine. The machine, in turn, does not distinguish between blank and spoiled ballots, instead reading all as simply being "invalid." The "blank" tallies for these races thus presumably includes some spoiled ballots as well.

# SUMMARY OF 2008 SFSS ELECTION—FINAL VOTE TALLY

63(h)

## Pt. I—BOARD OF DIRECTORS.

POSITION.	CANDIDATE.	TOTAL.	% OF VOTES.	% OF BALLOTS.
<i>President.</i>	Xenia Menzies.....	981	30.04%	24.37%
	<b>Joe Paling</b> .....	<b>1,048</b>	<b>32.09%</b>	<b>26.03%</b>
	Colin Shen.....	553	16.93%	13.74%
	Jason Town.....	684	20.94%	16.99%
	Blank ballots.....	741	-	18.41%
	Spoiled ballots.....	19	-	0.47%
		<b>4,026</b>	<b>100.00%</b>	<b>100.00%</b>
<i>External Relation Officer.</i>	Wisam Abdulla.....	499	15.27%	11.78%
	<b>Natalie Bocking</b> .....	<b>1,727</b>	<b>52.86%</b>	<b>40.77%</b>
	Maegan Thomas.....	1,041	31.86%	24.58%
	Blank ballots.....	969	-	22.88%
		<b>4,236</b>	<b>100.00%</b>	<b>100.00%</b>
<i>Member Services Officer.</i>	Aman Bains.....	1,101	34.67%	27.81%
	Ray Su.....	447	14.07%	11.29%
	Michael "Dutch" Vandenaeker.....	492	15.49%	12.43%
	<b>Earl Von Tapia</b> .....	<b>1,136</b>	<b>35.77%</b>	<b>28.69%</b>
	Blank ballots.....	779	-	19.68%
	Spoiled ballots.....	4	-	0.10%
		<b>3,959</b>	<b>100.00%</b>	<b>100.00%</b>
<i>Internal Relations Officer.</i>	Haida Arsenault-Antolick.....	1,222	38.02%	28.87%
	<b>Andrew Fergusson</b> .....	<b>1,425</b>	<b>44.34%</b>	<b>33.66%</b>
	Meghan Jeffery.....	567	17.64%	13.39%
	Blank ballots.....	1,019	-	24.07%
		<b>4,233</b>	<b>100.00%</b>	<b>100.00%</b>
<i>University Relations Officer.</i>	Ryan Daw.....	561	19.25%	13.78%
	<b>Ali Godson</b> .....	<b>862</b>	<b>29.57%</b>	<b>21.17%</b>
	Clinton Hallahan.....	393	13.48%	9.65%
	Christopher Mulvena.....	286	9.81%	7.02%
	Andy Shen.....	587	20.14%	14.42%
	William Shen.....	226	7.75%	5.55%
	Blank ballots.....	1,157	-	28.41%
		<b>4,072</b>	<b>100.00%</b>	<b>100.00%</b>
<i>Treasurer.</i>	<b>Anna Belkine</b> .....	<b>1,502</b>	<b>53.09%</b>	<b>37.42%</b>
	Robin Steudel.....	1,327	46.91%	33.06%
	Blank ballots.....	1,185	-	29.52%
		<b>4,014</b>	<b>100.00%</b>	<b>100.00%</b>

*Member-At-Large.*

<b>Jonathan "Jono" Brockman</b> .....	1,070	21.34%	17.75%
Aman Deol.....	429	8.56%	7.12%
<b>Mona Law</b> .....	951	18.97%	15.78%
Joni Morris.....	634	12.64%	10.52%
John Morrison III.....	861	17.17%	14.28%
Richard Vickery.....	344	6.86%	5.71%
Colin Whelan.....	725	14.46%	12.03%
Blank ballots.....	1,014	-	16.82%
	6,028	100.00%	100.00%

636d)

*Faculty of Arts Representative.*

Camille MacDonald.....	775	35.21%	28.61%
<b>Ada Nadison</b> .....	1,017	46.21%	37.54%
James Plett.....	409	18.58%	15.10%
Blank ballots.....	508	-	18.75%
	2,709	100.00%	100.00%

*Faculty of Science Representative.*

<b>Stephanie Hendy</b> .....	293	35.39%	28.81%
Jun-ki Hong.....	163	19.69%	16.03%
Nathan Nastili.....	171	20.65%	16.81%
Juan Tolentino.....	201	24.28%	19.76%
Blank ballots.....	189	-	18.58%
	1,017	100.00%	100.00%

*Faculty of Applied Sci. Rep.*

<b>Dan Carter</b> .....	449	42.08%	33.56%
Mohammedreza Kopahi.....	155	14.53%	11.58%
Bryan Ottho.....	353	33.08%	26.38%
Ahmad Sidiqi.....	110	10.31%	8.22%
Blank ballots.....	271	-	20.25%
	1,338	100.00%	100.00%

*Faculty of Business Rep.*

Jared Dawson.....	263	48.08%	40.28%
<b>Henry Liu</b> .....	284	51.92%	43.49%
Blank ballots.....	106	-	16.23%
Spoiled ballots.....	0	-	0.00%
	653	100.00%	100.00%


63(e)

Pt. II—REFERENDA.

BALLOT/QUESTION.	RESPONSE.	TOTAL.	% OF VOTES.	% OF BALLOTS.
<i>Orange (C.F.S. Membership).</i>	Yes.....	1,469	33.03%	32.72%
	No.....	2,979	66.97%	66.35%
	Blank ballots.....	30	-	0.67%
	Spoiled ballots.....	12	-	0.27%
		4,490	100.00%	100.00%
<i>Pink (Society Development Fund).</i>	Yes.....	3,021	72.81%	71.18%
	No.....	1,128	27.19%	26.58%
	Blank ballot.....	78	-	1.84%
	Spoiled ballots.....	17	-	0.40%
		4,244	100.00%	100.00%
<i>Yellow (Ending Acclamations).</i>	Yes.....	3,134	78.61%	73.92%
	No.....	853	21.39%	20.12%
	Blank ballots.....	231	-	5.45%
	Spoiled ballots.....	22	-	0.52%
		4,240	100.00%	100.00%
<i>Blue (Amy's Bylaw).</i>	Yes.....	2,505	68.65%	60.06%
	No.....	1,144	31.35%	27.43%
	Blank ballots.....	473	-	11.34%
	Spoiled ballots.....	49	-	1.17%
		4,171	100.00%	100.00%
<i>Green (Undergrad Health Plan).</i>	Yes.....	3,569	82.52%	80.20%
	No.....	756	17.48%	16.99%
	Blank ballots.....	102	-	2.29%
	Spoiled ballots.....	23	-	0.52%
		4,450	100.00%	100.00%

TOTAL NUMBER OF VOTERS IN 2008 GENERAL ELECTION.....4,544

NUMBER OF VOTERS AS PERCENTAGE OF S.F.U. STUDENT  
POPULATION.....17.93% (4,544 out of 25,326)

J.J. McCullough   
J.J. McCullough, Chief Electoral Officer



64

This is Exhibit "F" referred to in the  
 affidavit of DERRICK HARDEE  
 sworn before me at Vancouver, BC this  
14th day of APRIL 2008  
[Signature]  
 A Commissioner for taking Affidavits for  
 British Columbia

Home All about CFS Kwantlen Victories & Successes Myths Lir  
 &  
 Facts

## MYTHS & FACTS

Over the past several months, the KSA executive has engaged in a campaign of deliberate misinformation about the Canadian Federation of Students that has included claims that to say the least, questionable. The following is an attempt to correct the more frequently heard falsehoods by responding to some of the KSA campaign posters against members in the CFS.

LOBBYING  
 SERVICES  
 PUBLICITY  
 ACCOUNTABILITY  
 MEMBERSHIP FEES  
 CAMPAIGNS  
 CRITICISM  
 PERSONAL RELATIONSHIPS  
 WORKING TOGETHER  
 REPRESENTATION  
 LAWSUITS  
 SIMON FRASER  
 UBC  
 KWANTLEN  
 A LAWYER

### LOBBYING

**MYTH:** The CFS is ineffective at lobbying for students

**FACT:** Untrue. In fact, the CFS actively lobbied for and won the national system of grants that was recently unveiled in the federal budget.

The Canadian Federation of Students uses a sophisticated, three-pronged approach to its campaigns: this includes intensive lobbying and government relations, thorough research and large-scale mobilizations of students. Materials like posters, petitions, postcards, factsheets, are produced centrally, while campus student associations coordinate campaigns

65

implementation. The active participation of individual students, coordinated across campuses, is what makes the Federation's campaigns effective.

CFS campaigns have also won: \$800 million in increased funding to improve the quality of universities and colleges after a successful nation-wide Day of Action (2007), international students' right to work off campus (2006), \$1.5 billion allocated to increase access to university and college, and many other victories. All of these issues are important to Kwantlen Students but these victories can only be accomplished when students are working together.

## SERVICES

**MYTH:** Kwantlen students will still have access to CFS services

**FACT:** Wrong. If Kwantlen students left the CFS, you would immediately lose access to CFS services, such as the free International Student Identity Card (ISIC), which you would have to purchase for \$16 each year – more than the cost of membership. You would also lose your 15% discount on the Student Work Abroad Program (SWAP) and you would no longer receive cell phone and Studentsaver discounts. These and other services are an entitlement for CFS members, but not for non-member students.

## PUBLICITY

**MYTH:** The CFS is a magnet for negative publicity

**FACT:** False. The CFS has an excellent reputation among the media and is the primary source of student opinion for most national media outlets.

By issuing dozens of media releases every year, conducting hundreds of interviews each month, and maintaining an open relationship with corporate and campus journalists, the CFS generates more positive media coverage than any single student association, located anywhere in the region, could generate on its own. Representatives of the Canadian University Press regularly attend meetings of the CFS.

The reality is that students don't control the mainstream media and there will always be reporters whose bias against students' goal of reduced tuition fees leads them to cover student issues negatively. In fact, the more effective and powerful an organization becomes, the more susceptible it is to attack. Thankfully, such articles are few and far between.

## ACCOUNTABILITY

**MYTH:** The CFS is not accountable to Kwantlen students

**FACT:** False. Accountability is something that your KSA executive seems to have difficulty understanding. Not only is the CFS accountable to Kwantlen students (and the students comprise the other 85 member student associations), but students run the CFS.

All CFS bylaws, policies, budgets, and campaign priorities are decided by student representatives at two national general meetings each year. The staff of the CFS provide support for elected student representatives who exercise all decision-making authority and have no voting rights.

66

At general meetings of the Federation, member student associations can bring as many student representatives as they want in order to ensure participation, diversity, and accountability. It is the KSA representatives that select participants for meetings and restricts the number of Kwantlen students who can attend meetings of the CFS. In fact, the KSA that has chosen to bring its paid staff people to represent and vote for you at meetings.

If Kwantlen students vote to leave the CFS, you will lose your place at the decision-making table and your ability to influence the priorities of the student movement.

## **MEMBERSHIP FEES**

**MYTH:** The CFS has mismanaged your membership fees

**FACT:** False. The CFS has a record of clean audits throughout its entire 26 year history.

The budget of the CFS is passed at the annual general meeting at which all member student associations have a vote. Audited statements are received by the members and it is the responsibility of your KSA representatives to ensure that all documents are publicly available on campus.

The loan provided to the Douglas Students' Union was approved by the Executive Committee of the CFS-BC, an autonomous provincial organization, after being secured by a mortgage. Since then, the loan has been fully repaid, with interest.

The loan enabled Douglas Students' Union to continue to function at a time when the administration of the College illegally withheld student membership fees.

## **CAMPAIGNS**

**MYTH:** The KSA can successfully campaign for Kwantlen students

**FACT:** Untrue. It is ridiculous to claim that the KSA can provide national representation for Kwantlen students all by itself. Given that Kwantlen is situated in a limited number of electoral ridings in the Lower Mainland, the KSA would have virtually no influence with the federal government.

Besides, imagine the cost for the KSA to employ its own researchers and lobbyists in Ottawa. By nationally coordinating campaigns to reduce student debt, increase college and university funding, and improve public transit, the cost is shared by 500,000 students; the impact is much greater. In the last year, the CFS has met with over 200 Members of Parliament in Ottawa leading to the new Canada Student Grants Program.

## **CRITICISM**

**MYTH:** The CFS is unwilling to accept constructive criticism

**FACT:** False. Basically, your KSA representatives have difficulty working in a democracy. All decisions of the CFS are made by the membership. Any member student association can review or change the operations of the CFS by serving a motion to a general meeting; it will be debated and adopted if the majority of other members are in agreement.

Such changes have happened at every meeting over the past 26 years. The CFS meets

67.

have decided not to collaborate with the Canadian Alliance of Student Associations (CASA) because of the CASA's support for tuition fee increases and other policies that are harmful to students.

Unfortunately, your current KSA executive has taken the approach that if they don't get their way, they will walk away. A healthy democracy has to be founded on cooperation and respect for the decisions of the group.

## PERSONAL RELATIONSHIPS

**MYTH:** Aaron Takhar Liaised with Joey Hansen, a major CFS supporter

**FACT:** Huh? Does this sound like a rational argument to you?

## WORKING TOGETHER

**MYTH:** The KSA can continue to work with other student groups in Canada

**FACT:** Wrong. The CFS is how student associations work together - it is a formal, democratic framework for governing that relationship.

If Kwantlen students choose to be isolated, it will be very difficult to liaise with student associations across Canada since the KSA would lose the networking opportunities at national CFS meetings that happen every year. This undermines the ability of Kwantlen students to work effectively with students in Newfoundland, Manitoba and the rest of Canada.

Besides, if everyone employed the logic of the current KSA executive, then there would be no student movement in Canada and none of our victories could have been accomplished.

More importantly, if Kwantlen students vote to leave the Canadian Federation of Students, you will be opting to sit on the side-lines of the student movement while others define priorities in Canada.

## REPRESENTATION

**MYTH:** Kwantlen students deserve better representation

**FACT:** Correct. You should challenge your KSA executive to make the most of membership in the CFS.

At just under \$4 a semester - the cost of a couple cups of coffee - membership in the CFS gives Kwantlen students representation at the national level and saves you a lot of money.

Receiving a free International Student Identity Card (ISIC) saves you \$16 and gives you discounts on Via Rail, 25% off Greyhound bus, and discounts on flights, businesses, restaurants, museums all around the world. You also receive exclusive student discounts on cell phones and plans through Studentphones.com, free online tax filing through UFile.ca, and a 10% discount off the Student Work Abroad Program (SWAP).

The CFS's lobbying has also saved you money this year: on average \$2,960 in tuition due to increased federal investment and the resulting tuition fee cap; \$173 through the

elimination of GST on tuition fees; and up to \$2,000 in new grants.

That kind of value is only possible when students work together.

## LAWSUITS

**MYTH:** The CFS sued you

**FACT:** False. The B.C. Supreme Court found that the Executive of the KSA had violated rules and that any vote held would be irregular. As a result, the vote was delayed by 3 weeks.

The Canadian Federation of Students petitioned the Supreme Court of British Columbia to intervene to ensure that the referendum on membership in the CFS was fair, transparent and democratic.

On Friday, March 14, Justice McEwan ruled that the KSA had contravened the rules that govern the referendum and ordered a postponement of voting until April 8 to 10.

At no time did the Judge say that the CFS had acted unreasonably or for political advantage.

## SIMON FRASER

**MYTH:** Simon Fraser University students just voted to leave the Canadian Federation of Students

**FACT:** False. The Executive of the Simon Fraser Student Society (SFSS) conducted an internal straw poll that broke the democratically set rules of the SFSS. Prior to the poll the SFSS Executive engaged in a six-month long campaign of lies and misinformation, all identical to the campaign the KSA Executive conducted.

The vote does not change Simon Fraser students' membership in the CFS. All it does is provide information to the Executive of the SFSS.

## UBC

**MYTH:** The CFS can't be that great if UBC students have never been members

**FACT:** Wrong. All students studying at UBC-Okanagan are members of the CFS, and are working to reduce tuition fees and student debt.

The UBC Alma Mater Society (representing undergraduate students at the UBC Vancouver campus) has not been a member of the CFS because of its opposition to the goals of the CFS. For example, in 2005 the UBC AMS supported a 36% increase to tuition fees. In that year the CFS successfully pressured the BC government to implement a cap on tuition fee increases at the rate of inflation, saving the average full-time Kwantlen student \$2,962 a year alone.

## KWANTLEN

**MYTH:** The CFS spent \$200,000 to keep Kwantlen's membership

69.

**FACT:** False. This number does not exist in any budget or financial statements of the Canadian Federation of Students. KSA representatives have fabricated this number.

#### **A LAWYER**

**MYTH:** The CFS paid for a lawyer for the 'Reduce All Fees party' at Kwantlen

**FACT:** False. In fact, when pressed on why they were making this false claim, KSA representatives have admitted that it is a lie.

KSA representatives have since claimed that the CFS referred a lawyer to "RAF". This is also untrue. KSA representatives have admitted they have no evidence other than the fact that a lawyer used by the KSA in 2006 has also worked for numerous other students' in the province.

CANADIAN FEDERATION OF STUDENTS : 2008 - CONTACT