

CONSTITUTION

OF THE

EXERCISE SCIENCE STUDENT ASSOCIATION

Last Amended: March 31st, 2015

Ratified: November 16th, 2015

EXERCISE SCIENCE STUDENT ASSOCIATION

A member of the Arts and Science Federation of Associations

By-Laws

**SECTION 1
DEFINITIONS**

“ASFA”: shall mean Fédération des Associations Étudiantes de la Faculté d’Arts et Science de l’Université Concordia Inc. / Concordia University Arts & Science Federations of Students Associations Inc..

“ASFA Council”: shall mean the ASFA Board of Directors.

“The Association”: refers to the Exercise Science Student Association.

“Campaign materials”: shall refer to any printed matter, paid advertisement in any media, emails, or any other object used to promote or oppose, directly or indirectly, the election of a candidate.

“The Department”: shall refer to the Department of Exercise Science.

“Election Committee”: shall refer to a group of student organized by the Chief Electoral Officer of the purpose of coordinating electoral proceedings.

“Election Expense”: Refers to the cost of any goods or services used during the election period to promote or oppose, directly or indirectly, the election of a candidate.

“Polling Period”: shall refer to a period of at least two (2), no more than three (3) school day during which the polls in an elections will be open no later than 10h00 and close no earlier than 18h30.

“Public Notice”: refers to the placement of posters in prominent view at Sir George Williams and/or Loyola campuses, dependent on the location of the Association.

“The University”: shall refer to Concordia University.

**SECTION 2
THE ASSOCIATION**

2.1 Name

- The name of the Association hereby established shall be the Exercise Science Student Association abbreviated ESSA.

2.2 Relationship to ASFA

- The Association shall exist as a Member Association of ASFA and shall be subject to the applicable rules and regulations duly passed by ASFA Council.

.2.3 Objectives

- The purpose of the Association will be:
 - To represent the students of the Department of Exercise Science;
 - To organize social events and create a spirit of community in the Department of Exercise Science;
 - To facilitate communication between students and faculty within the Department of Exercise Science;
 - To work with the Department of Exercise Science to maintain the Learning Lab (SP. 165.38-40);
 - To offer recreational activities to encourage physical activity;
 - To provide information regarding changes or advancements in the program and/or related careers;
 - To promote the Department of Exercise Science within the University and the general public;
 - To provide academic services for the students of the Department of Exercise Science.

SECTION 3 MEMBERS

3.1 Membership Requirements

- Every student enrolled in Specialization: Athletic Therapy, Specialization: Clinical Exercise Physiology, Specialization: Honours in Exercise Science or Major in Exercise Science shall be a full Member of the Association and shall enjoy the rights and benefits thereof.

3.2 Meetings of the Members

3.2.1 Annual General Assembly

- The general assembly shall be the decision-making body of the Association and shall be held every year before the 31st of October.
- The quorum for the general assembly shall consist of four (4) percent of Members, or fifteen (15) members, whichever is greater.

3.2.2 Special General Assembly

- A Special General Assembly may be called, as the need arises, by the decision of the Executive, or by a petition of four percent (4%) or fifteen (15) members, whichever is higher.
- The Executive must make public notice of the special general assembly five (5) Juridical Days in advance of the special general assembly. The Public notice must include the location, date, time and agenda for the Special General Assembly.

3.3 Rights of the Member

- Members are permitted to attend and participate in any general meetings of the Association in an open session.

- Members have the right to examine all of the Associations records and documents.
- Members have the right to request and receive a copy of this constitution.
- All members have the responsibility to abide by this constitution.

SECTION 4 THE EXECUTIVE & ELECTED MEMBERS

4.1 Purpose of the Executive

- The Association shall have an Executive to oversee its day-to-day operations.
- The Executive shall be elected by the Association membership during the annual general election.
- The Executive shall appoint two (2) of its Members as signing authorities.
- The Executive shall appoint one (1) of its Members as booking officer.

4.2 Composition of the Executive

- The Executive shall be composed of:
 - the President;
 - the Vice-President of Internal Affairs;
 - the Vice-President of External Affairs;
 - the Vice-President of Finance
 - the Vice-President of Communications;
 - the Vice-President of Academic Affairs.

4.2.1 Roles of the Executive Members

- **The President.**
 - i. The President shall be a signing authority and will be the main representative of the Association to its Membership, and to the ASFA Executive.
 - ii. The President shall be the main representative of the Association to the members as well as the faculty;
 - iii. The President shall be the chair person at all meetings, or name someone to chair in their place;
 - iv. The President shall ensure the appropriate use of resources and personnel and assure that the goals of the Association are achieved;
 - v. The President shall control and resolve any conflicts between members within the Association;
 - vi. The President has the right to make the final decision in a case of non-unanimity.
- **The Vice-President of Internal Affairs.**
 - i. The VP Internal shall be the primary liaison between the Association and the Department;

- ii. The VP Internal shall keep an updated record of all contacts within the University
 - iii. The VP Internal shall serve as the Association's ASFA Councilor if another is not appointed;
 - iv. The VP Internal shall serve as the Association's booking officer;
 - v. The VP Internal shall be responsible for anything taking place within the University.
- **The Vice-President of External Affairs.**
 - i. The VP External shall be the primary liaison between the Association and other bodies outside of the University;
 - ii. The VP External shall be responsible for organizing the Association's social events;
 - iii. The VP External shall be responsible for anything taking place outside of the University;
 - iv. The VP External shall keep an updated record of all contacts outside of the University.
 - **The Vice-President of Finance.**
 - i. The VP Finance shall be a signing authority and will hold responsibility over the financial matters of the Association;
 - ii. The VP Finance shall prepare the Association's budget request and hand it in to ASFA by the required deadline;
 - iii. The VP Finance shall keep track of the Association's spending according to the budget the Association receives from ASFA;
 - iv. The VP Finance shall balance the Association's cash flow weekly;
 - v. The VP Finance shall control, approve and record all of the Association's financial transactions.
 - **The Vice-President of Communications.**
 - i. The VP Communications shall be responsible for the distribution of information to the Membership;
 - ii. The VP Communications shall be responsible for updating the website and social media mediums at least twice a week while classes are in session;
 - iii. The VP Communications shall be responsible for distributing a weekly newsletter to the membership;
 - iv. The VP Communications shall be responsible for advertising the Association's events;
 - v. The VP Communications shall be responsible for checking and responding to all e-mails directed towards the Associations.
 - **The Vice-President of Academic Affairs.**
 - i. The VP Academic shall be the main representative of the Association on all matters relating to curriculum within the Department. The VP Academic shall also be responsible for coordinated all academic services and events provided for the Members;
 - ii. The VP Academic shall be responsible for representing the membership at department meetings where a student representative is allowed;

- iii. The VP Academic shall be responsible for holding an information night to inform students on potential paths they can take with their degrees and with other degrees that the department offers;
- iv. The VP Academic shall be responsible for organizing peer tutoring programs should the demand arise from the members.

- **The Councilor**

- i. The Councilor must represent the Association at ASFA's monthly council meetings. Should they be unable to attend, they must inform the Executive and arrange for a replacement;
- ii. The Councilor is responsible for reporting ASFA's activity to the Executive at the Association's meetings;
- iii. This position is separate from that of the Executive and, as such, an individual running for an Executive position may also simultaneously run for that of Councilor.

4.3 Purpose of Representatives

- The Association shall have Representatives to be in contact with students directly and to represent the students at meetings.
- Second, Third and Fourth Year Representatives, in addition to Major and Clinical Exercise Science Representatives, shall be elected by the Association membership at the annual general elections.
- First Year Representatives shall be elected during a special election period during the Fall semester of the academic year. Any missing or open positions may also be elected as this time as well.

4.4 Composition of Representatives

- 1 Third Year Representative;
- 1 Second Year Representative;
- 2 First Year Representative;
- 1 Exercise Science Major/Honors Representative;
- 1 Clinical Exercise Science Representative.

4.5 Duration of Term

- Association Representatives and Executives terms end on May 31st of the academic year in which they were serving.

4.6 Resignation

- Any member wishing to resign from their position on the Association must inform the President of their decision in writing and must inform the rest of the Association at the next meeting.
- An election must then be held to fill the vacant position.

SECTION 5 PARTIES TO AN ELECTION

5.1 Electors

- Every person who is registered as an undergraduate in the Association's respective department by the first day of the polling period is an Elector.
- Each Elector may cast one ballot in an election for each office open to election.

5.2 Election Committees

- Every person who is an Elector is eligible to participate in an Election Committee.
- Notwithstanding the foregoing, any election officer is ineligible to participate in an Election Committee.

5.3 Chief Electoral Officer (CEO)

- The CEO shall be appointed by the Association for an undetermined term or until such time as he or she is no longer a Member or resigns; whichever comes first. The verification of student status shall be performed by ASFA, as will the training, should it be required. The CEO can equally be appointed by ASFA .
- The CEO may resign by notifying the Association in writing.
- The CEO shall be paid in the following way:
 - The CEO will be paid an honorarium of \$200.00 per by-election, referenda, or annual general elections, up to a maximum of \$400.00 for the academic year;
 - The CEO's honorarium shall be paid following services rendered to the Association within ten (10) Juridical days;
 - DEOs, polling clerks and other electoral officers shall be paid a total maximum of \$50.00 per by-election, referenda, or annual general elections decided by the CEO. All amounts over \$50.00 shall come out of the CEO's honorarium.
- The CEO is responsible for adhering to these Regulations and fulfilling all duties mandated therein.
- The CEO shall:
 - Verify that all parties participation in an election comply with these Regulations;
 - Issue directives on the fulfillment of these Regulations;
 - Receive and examine the reports and returns transmitted;
 - Inquire into the legitimacy of the election expenses;
 - Provide any person who requests it, information regarding the specifications of these Regulations and fulfillment of duties there;
 - Give public access to all information, reports, returns or documents relating to these Regulations.

5.4 Electoral Officers

- The electoral officers include the CEO and, as the case may be, any assistant, DEO, polling clerks, and any other person whose services are temporarily required by the CEO for the purpose of administering the election.

- The following persons are not eligible to hold office as an electoral officer:
 - Current members of the ASFA Executive;
 - Current members of the executive body of an ASFA Member Association;
 - Current members of the CSU Council of Representatives;
 - A candidate currently running for a position on a Member Association, ASFA Executive, CSU Council of Representatives or CSU executive;
 - An incoming member of the ASFA Executive, CSU executive, CSU Council of Representatives or the executive body of an ASFA Member Association;
 - Member of the Association hiring the CEO;
 - The Council Chairperson;
 - The Council Secretary; or
 - Current members of the Judicial Committee.

- The CEO shall ensure that the election is properly conducted, and, for that purpose, shall see to the training of the electoral officers and direct their work.

- The CEO may act as polling clerk or enlist the help of polling clerks.

SECTION 6 ELECTION PROCEEDINGS

6.1 Election Period

- General Elections will be held annually in the winter semester by March 31st. By-elections will be held in the fall semester by November 30th to vote in 1st year Representatives and to fill vacant seats.

6.2 Nomination of Candidates

- The nomination period shall begin ten (10) Juridical Days before the polling period and will end at midnight the day before the campaigning period is scheduled to take place.

- Every eligible person may be nominated as a candidate for one office in an election by filling out a nomination paper from the CEO.

- The nomination paper shall, under pain of rejection, contain the required number of signatures no later than the last day of the nomination period.

- The nomination paper shall state the name of the candidate as well as their Concordia I.D. number, address, telephone number, e-mail address, and the office for which they are a candidate.

- The nomination paper shall include a statement signed by the candidate(s) to the effect that they consent to the nomination.

- The nomination paper shall include the printed name, signature, and Concordia I.D. number of no less than ten (10) electors, who are eligible to vote for the office for which the candidate is being nominated.

- Upon filing the nomination form, the candidate shall be provided with:

- A receipt for the nomination;
 - A copy of these regulations;
 - A copy of Annex C of ASFA by-laws;
 - the dates, times, and locations of all information sessions as soon as they are organized by the CEO in accordance with Annex C of ASFA by-laws;
 - a form to be used for the return of election expenses provided for by these regulations;
 - any other information the CEO deems appropriate.
- The CEO shall have the sole authority to verify the validity of the nomination papers.
 - A candidate may withdraw their nomination by transmitting a notice to the CEO in writing to that effect, signed by him or her.
 - The CEO will notify the ASFA and ESSA VP Internal of the nomination, campaign and polling dates at the beginning of the nomination period.

6.3 Announcement of Poll

- At the beginning of the nomination period, the CEO shall issue a Public Notice to announce the holding of a poll.
- Such announcements shall include, as the case may be:
 - the particulars of the offices open for election;
 - the place(s) where the nomination forms may be obtained;
 - the place(s) and dates fixed for the filling of nomination papers in accordance with Annex C of the ASFA by-laws;
 - the place(s) and dates fixed for the formation of election committees; and
 - the dates on which the polling will take place in accordance with these regulations.

6.4 Campaign Period

- The campaigning period shall begin at least five (5) Juridical Days before the polling period and will end at midnight the day before the polling period is scheduled to take place.
- At the beginning of the campaign period, the identity of all candidates will be made public by the CEO.
- The CEO will notify the ASFA VP Internal of the candidates running in the election at the beginning of the campaign period.
- Campaign material may be distributed, posted, published, broadcast, or otherwise disseminated only during the campaigning period. If the candidate fails to respect this regulation, they will be disqualified from the election by the CEO and have their name immediately removed from the ballots.
- Flyers may not be used as campaign material, and are banned in an election.
- No space or facilities used or maintained by the University and/or ASFA and/or its

subsidiaries or its affiliated groups and associations may be used for campaign purposes by any candidate unless it is equally available to all other candidates for the same office.

6.5 Poll

- No later than five (5) Juridical Days before the polling period, the CEO shall give a Public Notice setting forth the following particulars, as the case may be:
 - the designation of each office, for which a poll must be held;
 - the names of the candidates for each office;
 - the day(s), time(s), and place(s) where the polling station(s) will be open for the poll;
 - the particulars relating to the office and the name must correspond to those appearing on the nomination paper.
- Polling for the annual general elections of the Association shall be held the first Juridical Day following the campaign period and last no fewer than two (2) Juridical Days and no longer than three (3) Juridical Days.
- Quorum is four percent (4%) of regular members or fifteen (15) regular members, whichever is greater.
- The CEO shall create numbered ballots, should they be required.

6.7 Election Expenses

- Only a candidate may incur election expenses.
- The maximum amount of election expenses that may be spent by a candidate for a particular office is fifteen dollars (\$15).
- Every payment of an election expense must be justified by an invoice showing the name and address of the supplier, listed goods or services supplied, the date the goods or services were supplied, and the amount of the expense.
- Candidates who wish to be reimbursed must present receipts to the CEO, the CEO will then determine if the costs are valid. If so, they will pass it onto ESSA's VP Finance who will get the reimbursement from ASFA to reimburse the candidate.

6.8 Election Results

- The CEO shall submit the results of the election, including the ballots, to ASFA and ESSA VP Internal within five (5) Juridical Days after the last day of the polling period.
- In the event of a tie for a position, it shall be determined by another day of polling with canvassing after five (5) Juridical Days but within ten (10) Juridical Days, should neither candidate withdraw from the election. All eligible voters are allowed to vote again. In the event of a tie, the polling period may extend past the March 31st deadline.
- The Executive is elected for a term of one year starting on June 1st and ending on May 31st the following year.

- Any contestation of electoral results shall be made no later than five (5) Juridical Days after the election results have been publicly announced.
- Any contestation of electoral results shall be submitted to the respective CEO who shall issue a preliminary ruling within 72 hours of its reception. Said ruling shall be ratified by ASFA's Administration and Internal Committee within five (5) Juridical Days of its reception.

SECTION 7 REFERENDA

- Referendums may be called by the Executive, by the annual general meeting (AGM) or by a petition with the signatures of four percent (4%) of the Association's Members or fifteen (15) Association Members, whichever is higher.
- The CEO shall give public notice of a referendum question at least ten (10) Juridical Days prior to the referendum.
- The Executive shall submit the referendum questions to ASFA's VP Internal at least ten (10) Juridical Days prior to the referendum.
- Quorum is four percent (4%) of regular members, or fifteen (15) regular members, whichever is higher.

SECTION 8 REMOVAL FROM OFFICE

- An elected Executive of the Association may be removed from office based on the following:
 - Recurring, unwarranted behavior deemed hostile and or a threat to the welfare of Concordia students and/or faculty;
 - Any violations of the Quebec *Charter of Human Rights and Freedoms* on Concordia University grounds;
 - Misappropriation of funds;
 - Dereliction of duties;
 - Violations of ASFA's By-Laws or that of the Association.
- To remove an elected Executive from office, a petition undersigned by ten percent (10%) of Regular Members or thirty-eight (38) members, whichever is higher; a two thirds (2/3) majority vote from the Council of representatives; or a two thirds (2/3) majority vote from the Executive in question to then be ratified by the Council of representatives. Should one of these occur it shall be submitted to the VP Internal of ASFA who shall then present it to ASFA's Judicial Committee (JC).
- The person to be removed must be given at least one-weeks' notice of the meeting of the Council of Representatives to ratify, or vote upon their removal.
- The person to be removed must be given at least one-weeks' notice of the meeting of JC

that shall consider their removal.

- The person to be removed must be given the opportunity to respond to the accusations made against them, in accordance with the procedures listed in Annex E.
- A removal resolution requires a two-thirds (2/3) majority vote of JC.
- The same rules are applied to all representatives

SECTION 9 FINANCIAL RELATIONSHIP TO ASFA

- The Association shall adhere to all of the financial policies set forth in Annex B of the ASFA by-laws.
- The Association shall adhere to any and all additional financial policies approved by a duly convened meeting of ASFA council.

SECTION 10 LEGAL RELATIONSHIP TO ASFA

- When conflicts between these by-laws and ASFA's By-Laws arise, ASFA's By-Laws and Regulations shall take precedent.

SECTION 11 AMENDMENTS

- The Executive can present proposed changes to the By-Laws, which will be brought to a Special General Assembly of the membership. Public notice of the Assembly must be given at least five (5) Juridical Days prior, along with the nature of the proposed changes.
- Regular members of the Association can propose changes to the By-Laws by submitting a petition of four percent (4%) or fifteen (15) Members to the Executive committee, which will be presented in a Special General Assembly of the membership. The Executive committee has five (5) Juridical Days to accept the petition and give public notice for the event.
- Amendments to the By-Laws must be ratified by a two-thirds (2/3) majority.
- Amendments to the By-Laws may also be done by referendum, as outlined in Section 4 of Annex C of ASFA's by-laws.