

UNIVERSITY of PRINCE EDWARD ISLAND
STUDENT UNION INCORPORATED CONSTITUTION

Article I	-- NAME
Article II	-- STATEMENT OF PHILOSOPHY
Article III	--MEMBERSHIP
Article IV	OBJECTIVES
Article V	STUDENT UNION FEES
Article VI	-- UPEI SU COUNCIL
Article VII	-- POWERS AND DUTIES OF THE UPEI SU COUNCIL
Article VIII	-- BY-LAWS OF THE UPEI SU COUNCIL
Article IX	-- DECLARATION OF OFFICE
Article X	-- STUDENT REPRESENTATION ON BOARD OF GOVERNORS AND SENATE
Article XI	-- GENERAL MEETINGS
Article XII	-- COUNCIL MEETINGS
Article XIII	-- EXECUTIVE MEETINGS
Article XIV	-- IMPEACHMENT PROCEDURE
Article XV	-- FINANCE
Article XVI	-- AMENDING THE CONSTITUTION

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Article I -- NAME

The name of the organization shall be the University of Prince Edward Island Student Union Incorporated, hereafter referred to as the "UPEI SU".

Article II -- STATEMENT OF PHILOSOPHY

The UPEI SU is a membership--oriented organization holding the principles of Constitutional democracy to be of utmost value. The Student Union is dedicated to the betterment of University life and enhancing the student experiences at UPEI. Inherent in this vision is the unquestionable responsibility of the UPEI SU's elected officials, employees, and volunteers to build upon the traditions of the University in all times and places and to serve the interests of the students of UPEI on all occasions. To protect this philosophy, the UPEI SU Constitution exists.

Article --III MEMBERSHIP

- A. There shall be two (2) classes of members in the UPEI SU: Active members and Honorary members.
 1. The following shall be Active members: Students who are classified as having full-time status as defined by the Office of the Registrar and have paid the current and full Student Union fees, appropriate for Active members, as prescribed by the UPEI SU Council (hereafter referred to as Council) except wherein a member of the Executive of the Student Union in extraordinary circumstances submits a request to Council to be in less courses than required for a full--time status.
 2. The following shall be Honorary members: Persons upon whom Honorary membership in the UPEI SU may be conferred by the Executive.

- B. Every member shall be eligible to participate in any of the activities of the UPEI SU. Only Active members, as defined in this Article, shall have the right to vote, assume, or serve in any elected position.

- C. The resignation of a student from the UPEI SU does not release the student from any financial obligations (with the exception of membership fees in the UPEI SU as outlined in Article V) they may have incurred with or on behalf of the UPEI SU.

Article IV OBJECTIVES

- A. to serve and represent the membership as required;
- B. to enhance student life at the University of Prince Edward Island (hereafter referred to as UPEI);
- C. to promote unity and goodwill amongst its members;
- D. to advance the cause of higher learning in the province of Prince Edward Island and the country of Canada;
- E. to afford a recognized means of communication and co-operation between the students of UPEI and all other bodies acting within the University;
- F. to represent the interests of the students of UPEI to other student governments, to the municipal, provincial and federal levels of government, and to other organizations outside the University;
- G. to promote and assist in maintaining an academic and social environment free from prejudice, exploitation, or abuse on the basis of, but not limited to, gender, ethnic background, language, religion, age, national or social status, political affiliation or belief, sexual orientation or marital status.

Article V -- STUDENT UNION FEES

- A. The Student Union Fees for Active members shall be determined and set by Council. Student Union Fees for Active members shall be refunded when a student changes status from full-time to part-time, as defined by the Office of the Registrar.
- B. The Student Fees for Active members shall be collected in a manner to be arranged by the UPEI SU Executive (hereafter Executive).
- C. Changes to the fee based on the consumer price index (CPI) of the previous year may be made on a yearly basis by a majority vote of the UPEI SU Council.
- D. Any changes to the Student Union membership fee for Active members that are in excess of CPI shall be conducted in the following manner:
 - a. Notice shall be given of a Fee change at a meeting of Council.
 - b. Publicity of the amount of Fee change and its' justification shall be given through campus media for four consecutive weeks.
 - c. There shall be a General Information Session advertised through campus media and held for purposes of discussing and explaining changes in Student Fees for any students wishing to attend. The meeting shall take place at least one (1) week after

- the notice of Fee change has been made to Council.
- d. The Fee change shall be voted upon at a meeting of Council two (2) weeks after completion of procedures in this Article.
 - e. Any changes to fees other than the Student Union membership fee shall be made in accordance with the UPEI SU Finance Bylaw.

Article VI -- UPEI SU COUNCIL MEMBERSHIP

A. The UPEI SU Council, herein referred to as Council, shall consist of:

1. The Executive Members of the UPEI SU:
 - a. The Vice President Finance shall be interviewed and recommended to Council for approval by the Hiring Board committee.
 - b. The President, and all other Vice Presidents must be elected from the population of UPEI SU Members by UPEI SU Active Members.
2. Three (3) Undergraduate Student Senate Representatives shall be elected from the population of undergraduate UPEI SU Active Members by undergraduate UPEI SU Active Members.
3. One (1) Graduate Student Senate Representative shall be elected from the population of graduate UPEI SU Active Members by graduate UPEI SU Active Members.
4. One (1) Board of Governors Representative shall be elected from the population of UPEI SU Active Members by all UPEI SU Active Members.
5. One (1) Representative shall be elected for every four hundred (400) students from each faculty or school by the population of students in each respective faculty or school. If the number of students in a faculty or school exceeds the four hundred to one (400:1) ratio by at least fifty (50%) percent of the four hundred, that faculty or school shall be granted one (1) additional elected representative.
6. One (1) Education Representative shall be elected from the students within the Bachelor of Education student population.
7. One (1) First Year Representative shall be elected from the population of students with first-year academic standing by students with first-year academic standing.
8. One (1) Graduate Student Representative shall be elected from the population of graduate UPEI SU Active Members by the population of graduate UPEI SU Active Members.
9. One (1) Residence Representative shall be elected from the population of students living in UPEI Residence by the population of students living in UPEI Residence.
10. One (1) International Student representative shall be elected from the population of International, who is paying, or who has paid international student fees in the last two years to the University.
11. One (1) Accessibility Representative shall be elected from the population of students accessing the University's accessibility services by all UPEI SU Active Members.
12. One (1) Health and Wellness Representative shall be elected from the population of UPEI SU Active Members.
13. One (1) Ombudsperson shall be elected from the population of UPEI SU Active Members as a non-voting member.
14. No Faculty or School shall have less than one (1) elected Representative on Council

B. The following shall be recognized as non--voting members of Council:

1. The UPEI SU Chair;
2. The UPEI SU Deputy Chair;
3. The UPEI SU Ombudsperson;
4. Any hired Vice President position.

C. Term lengths

1. All executive positions shall be elected or hired for a term of one year. No student shall hold the same executive position for more than two (2) terms, or any executive position for more than three (3) terms.
2. All other positions will be elected for a one-year term, with the exception of Senate Representative and Board of Governors Representative which will be elected to serve a two-year term.

Article VII -- POWERS AND DUTIES OF THE UPEI SU COUNCIL

- A. Council is the supreme governing body of the Student Union. It shall be bound by its Constitution, bylaws, and policies.
- B. Council has the power to acknowledge the existence of UPEI SU sub-organizations in accordance with the UPEI SU sub-organization By-law.
- C. It shall be the duty of Council to provide for the general management of the funds and affairs of the UPEI SU.
- D. Council shall be responsible for establishing the overall strategic direction of the organization.
- E. Council shall hold the Executive to account by monitoring the performance of the Executive and implementing adequate accountability measures.
- F. Council shall be responsible for hiring and dismissing employees.
- G. Council may create and delegate authority to committees as it sees fit.
- H. The Council may create By-laws as outlined in Article VIII of this Constitution.

Article VIII -- BY-LAWS OF THE UPEI SU

- A. The By-laws of the UPEI SU shall be as binding on the members of the UPEI SU as is the Constitution itself.
- B. By-laws may be enacted to apply to any matters of the UPEI SU, as required.

- C. Enacted By-laws may expand on, but not contradict or supersede the UPEI SU Constitution.
- D. By-laws shall be created, amended or removed by Council according to the following procedure:
 - 1.
 - a. proposed By-laws or amendments shall be formally presented at a meeting of Council.
 - b. removal of a By-law shall be formally presented at a meeting of Council
 - 2. publicity of a proposed By-law or an amendment or withdrawal to an existing By-law shall be publicized one week prior to the meeting of the vote.
 - 3. A proposed By-law shall be voted on at a meeting of the Council held at least seven (7) days after its formal presentation. To be enacted, the proposed By-law requires a two--thirds (2/3) majority vote of Council.
 - 4. Enacted By-laws shall take effect immediately after being approved by Council unless otherwise stipulated in the motion of creation or amendment.

Article IX -- DECLARATION OF OFFICE

All Council members must take and sign a Declaration of Office stating that they will follow the Constitution and shall agree to carry out their duties. If the Declaration is not signed ~~within the first two Council meetings of the term for which they were elected~~ the position is considered vacated. The Declaration shall be administered by the UPEI SU Chair and signed by the UPEI SU President or designated member of the Executive.

Article X -- STUDENT REPRESENTATION ON BOARD OF GOVERNORS AND SENATE

- A. The Student Union maintains membership positions on the UPEI Board of Governors and the UPEI Senate.
- B. If any student positions on the Board of Governors or University Senate are left vacant after the Fall General Election an elected member of council (not sitting on the other body) may be appointed to fill the vacancy by a 2/3 majority vote of council to allow for maximum student representation on University Bodies.
- C. Any Representative that misses three (3) consecutive or a total of four (4) meetings during the fall and winter semesters on his/her respective University body shall be automatically impeached from both Council and his/her respective University body. However, a Representative may apply to Council to be excused from a special meeting of the Board of Governors or Senate. A two--thirds (2/3) majority vote of Council will excuse the individual from his/her absence.

Article XI -- GENERAL MEETINGS

- A. General Meetings of the UPEI SU shall be held ~~annually~~, no later than sixty (60) days after the first day of classes. The actual dates for these meetings are to be

proposed by the President and determined by Council at least two (2) weeks prior to the decided date.

- B. Further guidelines for General Meetings shall be outlined in the Council and Committees Byla

Article XIII -- COUNCIL MEETINGS

- A. There shall be at least one (1) and preferably two (2) Council Meetings per month during each semester. The dates shall be proposed by the President and approved by Council.
- B. Any individual student who wishes to have an item put on the agenda must bring the item and any relevant information to the attention of the Chair in advance of the meeting.
- C. A quorum of Council shall be fifty percent plus one (50% + 1) of the voting members.
- D. No member may vote by proxy.
- E. Members of Council may have individual absences excused by a majority vote of Council if those absences relate to a requirement for the completion of an academic program or Council-related business. Excused absences shall not count toward impeachment.
- F. A Councillor who is present for less than fifty percent (50%) of a meeting shall be considered absent for the meeting.
- G. Council meetings shall be open to all members of the UPEI SU except by a two- thirds (2/3) majority vote of Council. At such times, Council shall go into an "In Camera" session. All non--members of Council are to vacate the meeting room with the exception of those approved by the Council.

Article XIV -- EXECUTIVE MEETINGS

- A. The time of all Executive meetings shall be determined by the Executive Committee.
- B. The majority of Executive members shall constitute a quorum at all Executive meetings.
- C. In the event of a tie vote, the President shall take the matter to Council for a decision.
- D. Executive Committee meeting minutes shall be made available to Council.

Article XV -- IMPEACHMENT PROCEDURE

- A. The impeachment of any member of the Council may be proposed by members of the UPEI SU.
- B. If the members of the UPEI SU wish to remove from office any member of Council (other than the Chair, Deputy Chair, the Ombudsperson, or any non--voting Vice President position for any reason other than non--attendance, they shall do so by presenting to the

Chair a petition signed by no less than ten percent (10%) of the members in the Council member's constituency. The Chair shall then ask council (at the next council meeting) if it wishes to have the seat declared vacant. A two-thirds (2/3) majority vote of Council in favour by secret ballot will result in the impeachment of the Council member. If the Council desires not to impeach the Council member, a Referendum will be held within the Council member's constituency to decide on the impeachment. A simple majority will constitute the decision. The Referendum is to be held in accordance with Article XVI of this Constitution.

- C. A member of the Council may propose impeachment of a Council member (with the exception of the Chair, Deputy Chair, the Ombudsperson, and any non-voting Vice President position) by giving notice of a motion of non-confidence in the Councillor-in-question. The notice of motion must be publicized to the Council member's constituency for at least one (1) week. The Chair must officially inform the Councillor-in-question in writing of the motion of non-confidence. If at the following meeting of Council (at least one (1) week following after the notice of motion), the motion is passed by a two-thirds majority of Council, the Councillor-in-question is declared impeached.
- D. Any Councillor who misses three (3) consecutive or any four (4) Council meetings shall be automatically served with a written Notice of Motion to Impeach due to non-attendance by the Chair. The Chair shall report to Council that a Notice has been issued, and that the vote date will occur at the following meeting of Council (at least one (1) week following the Notice of Impeachment). Prior to the vote, the Councillor-in-question has the opportunity to present to Council, during which they may give reasons for non-attendance. A two-thirds (2/3) majority vote of Council is required to impeach the Councillor-in-question for non-attendance. If the Councillor-in-question does not oppose the impeachment, he/she shall be automatically impeached from the Council and the UPEI SU Chair shall inform Council of the impeachment.
- E. A student impeached from Council shall not maintain any attendance duties of the position formerly held on Council.
- F. The Ombudsperson can be removed from office only after both of the following actions have been completed:
 - 1. A petition be signed by no less than ten percent (10%) of the UPEI SU membership requesting the impeachment of the Ombudsperson;
 - 2. A two-thirds (2/3) majority vote of non-confidence is held by Council, at an official Council Meeting, deciding to impeach the Ombudsperson. If such removal occurs Council will appoint an interim Ombudsperson until a by-election or regularly scheduled election can be held and an official Ombudsperson be elected. The interim Ombudsperson will have the same rights, responsibilities, and accountability as that of the official Ombudsperson.
- G. All vacated council positions, with the exception of Chair, Deputy Chair, Ombudsperson, and any non-voting Vice President positions shall be handled by a By-election in accordance with Article XVI of this Constitution. The UPEI SU Chair is an employee of the Student Union and is officially accountable to the UPEI SU Council. The Chair's employment can be terminated by a 2/3 majority vote of council, given that notice of a vote is provided at least one meeting and one week prior to such voting. In the event of

termination, an interim Chair will be appointed from within Council and will occupy that position until Hiring Board can forward a recommendation to Council. The interim Chair will have the same rights, responsibilities, and accountability as that of the Chair.

- H. Any non--voting Vice -President position can be removed from office after one of the following has been completed:
 - 1. A two--thirds (2/3) majority vote of Council during the fall and winter semesters.
 - 2. A majority vote of the Executive during the spring and summer semesters.

Article XVI -- FINANCE

- A. As the UPEI SU is a membership--oriented organization, its financial affairs shall be made public and shall be conducted by the VP Finance and the General Manager in a fashion most beneficial to its membership as determined by Council.
- B. There shall be an annual audit of the UPEI SU.
- C. The audit shall be conducted at the end of the fiscal year. The fiscal year-end shall be April, unless otherwise determined by Council.
- D. An auditing firm shall be chosen by a majority vote of Council.
- E. Further specifics of the financial conduct of the UPEI SU are described and delineated in the UPEI SU Financial By-law.

Article XVII -- AMENDING THE CONSTITUTION

- A. Notice of the proposed Constitutional amendments shall be given at a meeting of the council at least one meeting before the proposed amendments are brought to Council.
- B. An amendment to the Constitution must be passed by a two--thirds majority vote of Council. Such amendments are then subject to the ratification of the general membership by a simple majority in a referendum.
- C. The Referendum must be held at least two weeks following the Council meeting in which the amendments are passed by Council. The amendments which are to be voted on must be given two weeks wide publicity prior to the date of the Referendum.
- D. The changes shall come into effect immediately after the Referendum unless specified in the amendment.
- E. In the event that a legislated requirement conflicts with the contents of this Constitution, Council may amend the section of the Constitution in question by a majority vote.
- F. Any spelling or grammatical errors in the Constitution may be amended by the committee tasked with the review of governing documents.