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**MISSION AND PRINCIPLES**

A by-law relating generally to the MISSION AND PRINCIPLES of the Trent in Oshawa Student Association:

BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Preamble**

The Trent in Oshawa Student Association is a democratically elected student union representing full-time and part-time undergraduate students at the Trent University Durham campus. The association is non-profit Corporation operating under its own by-laws and policies.

The students of Trent University Durham, in order to establish rights, freedoms, representation and responsibilities of individual students and groups, promote the basic principles of freedom of expression, freedom from discrimination and government, do ordain and establish these by-laws and policies for the Trent in Oshawa Student Association.

**Mission**

1. To develop and maintain responsible student government which will promote the interests of the membership of the Trent in Oshawa Student Association;
2. To provide a high level of assistance to our members through representation, advocacy and services;
3. To maximize communication of events, issues, and general information to the membership;
4. To ensure the membership can pursue academic excellence and personal and social growth free from all forms of discrimination, harassment, oppression and persecution;
5. To encourage and support student clubs, organizations, and societies thereby increasing the vitality of student life and the diversity of activities available to students;
6. To strive for a high level of education for all members of the association;
7. To build and maintain amicable relationships with the membership, faculty, staff, the local community, and all levels of government;
8. To develop and maintain unity and to encourage cooperation among Trent University Durham students;

**Principles**

The corporation is committed to the following fundamental principles:

1. The right to establish and maintain a democratic student government in which each student shall have an equal right to participate, and with provision for advisory referenda;
2. To be accountable, dedicated, and available to all members of the association so that they feel comfortable approaching the executives to be their advocate in any matter relating to their education, campus community, or government when pertaining to student affairs;
3. The right in the classroom to full freedom of expression, discussion, and inquiry related to the course while respecting the rights and learning experiences of other students, and the right to be evaluated based solely on academic performance;
4. The right to enjoy the same privileges and opportunities as any other student without discrimination or prejudice regarding the student’s race, creed, colour, sex, national origin, sexual orientation, religious views or affiliations, political views or affiliations, marital status, or condition of disability.

**DEFINITIONS**

A by-law relating generally to DEFINITIONS in the by-laws of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

In this by-law and all other by-laws and resolutions of the TRENT IN OSHAWA STUDENT ASSOCIATION, the following definitions shall apply:

Closed session: The Board of Directors may, elect to move into a closed session in which non-board members shall not be permitted to overhear discussions or attend meetings during closed sessions. Minutes for closed sessions will be recorded but will be kept confidential.

Meetings of Members: Meetings in which all members of the corporation must be extended an invitation. These meetings can include the Annual General Meeting, Semi- Annual General Meeting.

Teaching Weeks: A teaching week is a regularly scheduled week of classes (Monday- Friday) and excludes reading weeks, holidays, and exam periods.

Member of the Corporation: A member of the corporation is an individual who has paid membership fees to the Trent in Oshawa Student Association and will remain a member of the corporation until the end of the academic year.

**SYMBOLS AND TRANSACTIONS OF BUSINESS**

A by-law relating generally to SYMBOLS AND TRANSACTION OF BUSINESS of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

The symbols adopted by the Board and attached in Appendix One (1) of the by-laws hereof, shall act as the visual symbols or logos representing the corporation or any part thereof and the authority to affix the logo(s) to any document or classes of documents shall be determined by resolution of the Board.

Necessary revisions of corporate symbol must be passed by a majority vote of a sub- committee before being brought to the Board for approval. It is in the best interest of the corporation to maintain a unified and consistent image to present to its members, the community, the University, and all levels of government.

**Head Office**

The head office for the Corporation shall be the Student Association office(s) located at:

55 Thornton Road South Oshawa, ON. L1J 5Y1

~~Phone: 905-435-5102 ext. 5058 Room 122~~

**Officers**

The officers of the Corporation shall be the President, Vice President of University Affairs, Vice President of Campus Life, and any other officers determined by the membership or Board of Directors.

**Execution of Instruments**

For the purpose of this section, “instruments” include contracts, deeds, mortgages, transfers and assignments of any property of the Corporation, obligations, certificates, and any other documents.

Instruments requiring the signature of the Corporation must be signed by two persons, the President and a Vice President.

**MEMBERSHIP AND FEES**

A by-law relating generally to MEMBERSHIP AND FEES of the Trent ~~in Oshawa~~ Durham Student Association: BE IT ENACTED as a by-law of the TRENT ~~IN OSHAWA~~ DURHAM STUDENT ASSOCIATION.

**Membership**

Any student registered for an on-campus or online undergraduate or post-graduate full-time, part-time or English as a Second Language (ESL) program at Trent University Durham is a member of the Corporation.

**~~Membership Cards and~~ Certificates**

~~Members will be provided with a membership card only upon written request to the executive.~~ Certificates shall be granted, at the sole discretion of TDSA, to members who have provided significant participation and volunteer within the Corporation or to those who have demonstrated and encouraged the Corporation mission and principles as established in the by-laws herein.

**Annual Membership Fee**

~~The membership fee shall be set in the by-law herein.~~ The Corporation shall ~~enter into an~~ have agreement with the University whereby the University shall collect membership fees as determined by referendum or the board of directors and transfer the collected fees to the Trent Durham Student Association. ~~as determined by referendum~~ ~~together with University ancillary fee payments and remit the annual membership fee to the Corporation in a manner satisfactory to the directors, in satisfaction of the membership fee obligations of members.~~

Membership fees are subject to inflationary increases by no more the five (5) percent. Membership fee increases exceeding five (5) percent shall be approved by referendum.

**Termination and Transfer**

The interest of a member in the Corporation is not transferable and ceases to exist upon death or cancellation of membership. Membership ceases upon withdrawal, suspension, rustication, or debarment from the University, or upon ceasing to be qualified for membership pursuant to the by-laws herein, or upon failure to pay the annual membership fee. The membership fee is non-refundable and non-transferable. Exceptions for the membership fee may be made for the Executive.

**Membership Fees**

Membership fees are subject to inflationary increases by no more the five (5) percent. Membership fee increases exceeding five (5) percent shall be approved by referendum.

**Non-Refundable Student Ancillary Fees**

The following fees are collected from the membership for the purposes of administrating external services. Said fees shall only be used towards the intended service and are subject to annual inflationary increases not to exceed five (5) percent.

1. Athletic Membership Fee
2. Walksafe Fee

**Refundable Student Ancillary Fees**

Members of the Corporation are automatically covered under a student benefit plan. The membership possesses the right to opt-out of the student benefit plan, subject to a deadline set by the board of directors.

1. Student Health and Dental Benefit Fee

**Approval, Amendment and Removal of Ancillary Fees**

The approval of new fees, the amendment of ancillary fees higher than five (5) percent ~~of~~, or the removal of fees must be approved by a referendum of the general membership in accordance with the by-laws herein.

Approval, amendments, or removal of ancillary fees can also be initiated by a petition requesting said referendum, in accordance with the by-laws herein. Petitions for the removal of ancillary fees shall be subject to the contract term signed between the Corporation and the service provider.

**BOARD OF DIRECTORS**

A by-law relating generally to the BOARD OF DIRECTORS of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

The board of directors shall manage the affairs of the Corporation. The directors shall act with diligence, honesty and good faith to serve in the best interest of the membership. Directors shall report on the activities of the Corporation on a regular basis to the general membership and to their respective constituencies.

~~Subject to the terms and conditions of the by-law hereof, and any resolution of the Board of Directors or any revision thereof, all voting directors shall be responsible for notifying their electorate of their email address and be available to their constituencies via email during the course of teaching weeks of the fall and winter terms of the academic year, as defined by the University. Directors must respond to student emails in no less than seventy-two (72) business hours with exceptions for extenuating circumstances.~~

**Directors**

The Board of Directors shall be comprised of:

One (1) Speaker, three (3) Executive Directors, and one (1) program director from each discipline offered at Trent University Durham. All directors shall be registered, at the time of election, Trent University Durham students elected by the General Membership.

~~One (1) director from each discipline offered at Trent University Durham, to be selected by the students within that discipline. These positions shall hold the following titles:~~

Program Directors:

* Program Director of Anthropology;
* Program Director of Business Administration;
* Program Director of Critical Thinking & Communications;
* ~~Program Director of Education;~~
* Program Director of English Literature;
* Program Director of History;
* Program Director of Human Resource Management;
* Program Director of Media Studies;
* Program Director of Psychology;
* Program Director of Social Work;
* Program Director of Sociology;
* First Year Director.

~~Three (3) directors to be elected by the general membership of the Association shall constitute the Executive Committee and hold the following titles:~~

Executive Directors:

* President
* Vice President of University Affairs
* Vice President of Campus Life

Ex-Officio Director:

* Chairperson of the Board of Directors (Speaker)

Director positions shall be occupied ~~by only~~ one (1) person at a time, unless otherwise authorized by the board of directors in the event of an emergency replacement. Directors shall possess one (1) vote at the meeting of the board of directors. ~~A position on the Board shall be held by no more than one (1) person at any given period of time. A director shall hold no more than one (1) office at any one (1) time except as an emergency replacement as authorized by the Board and until such time as a replacement is elected. Such a director shall have one (1) vote, regardless of the number of offices held.~~

**Power of Directors**

Subject to the provisions of this ~~and other~~ by-law~~s~~, ~~and of the Letters Patent and any Supplementary Letters Patent or any revision thereof,~~ the Board shall have the final authority on all matters regarding the governance of the Corporation.

The Board of Directors, without restricting the generality of the forgoing, may make regulations:

a) Governing the practice and procedure to be followed in furthering the purpose of the Corporation;

b) Respecting any matters necessary or advisable to carry out effectively the intent and purpose of this or any other by-law or any revision thereof;

c) Governing the keeping of accounts and records;

d) Governing the payment of accounts and the signing of cheques;

e) Prescribing the forms for the use of the Corporation;

~~f) Generally for the better administration of the Corporation~~.

The Board, without restricting the generality of the foregoing, is authorized:

a) To decide on a budget for the operations of the Corporation;

b) To make regulations governing the granting of recognition and/or financial assistance to student clubs, organizations within the Association;

c) To make by-laws and other such regulations for the conduct of its affairs subject only to any terms and conditions contained herein relating to the amendment of such;

d) To choose from among its members such officers, not provided for in this bylaw, as it deems necessary for the exercise of its powers; provided that the titles and duties of the new officers are authorized by the Board with a two-thirds (2/3) majority vote and provided that said officers shall not vote unless authorized by the bylaw hereof or any revision thereof;

e) By agreement with the Senate to appoint members of the Association to sit on committees of the Senate and other University-wide student/faculty committees;

f) To make regulations governing student elections or referenda held at the University.

**~~Elected Positions and Descriptions~~**

~~The Standing Committee on Operations, subject to the confirmation of the Board, shall determine all titles and job descriptions for all staff, Executive and Directors pursuant to the by-laws herein.~~

**Remuneration and Expenses**

Only the Speaker, President, Vice President of University Affairs, and the Vice President of Campus Life shall receive ~~any~~ honoraria for their services as directors. This honorarium will be determined by the operating policy.

~~Such operating policy may only come into effect during a term of office upon ratification by the Executive Committee.~~

Any director may, with approval of the Board, be reimbursed for travelling and other expenses properly incurred by them in connection with their duties as directors.

**Conflict of Interest**

Whenever a director or officer has a financial or personal interest in any matter coming before the board of directors, the affected person shall a) fully disclose the nature of the interest and b) withdraw from lobbying and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested directors determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

~~A conflict of interest occurs when a director or someone with whom a director has a personal relationship or another organization to which the director belongs, could, possibly or could be perceived to possibly benefit, materially or otherwise, from the outcome of the decision on the item under discussion. The size or significance of such a conflict is irrelevant. The director may or may not receive benefit (financial or otherwise) for a state of conflict of interest to exist.~~

~~Should even the potential of a state of conflict of interest occur as defined in the by-law hereof, the director is required to rise on a point of order and declare such before discussion occurs, or as soon as the conflict is made evident at a meeting of the Board or the Corporation.~~

~~A director who finds that a state of conflict of interest exists shall refrain from voting on any matter that creates such a conflict of interest. A director with a conflict of interest may participate only in the discussion portion of the issue. at hand.~~

~~A state of a conflict of interest shall not exist for a director should the matter under consideration directly involve the constituency which they have specifically been elected to represent.~~

~~Any director who feels another director is in conflict of interest can disclose this to the meeting after being appropriately recognized by the Chairperson. If the director cited as having a conflict of interest disputes the claim, a two-thirds majority vote of those directors present will decide whether or not a conflict does exist~~

**Speaker**

The Speaker shall preside over all director meetings, for the exception of standing committees. The Speaker shall be an ex-officio non-voting member of the Executive Committee. In the event of a vacancy, the President shall act as Speaker until the board of directors appoint a suitable member of the Corporation, subject to a majority vote.

~~It shall be the duty of the Executives to appoint a Speaker to act as Chairperson of the meetings of the Board, or other such meetings provided by the by-law herein, or other such meetings as determined by the Board.~~ The President shall act as Speaker ~~until such time as the Board of Directors has appointed a speaker.~~

~~The person appointed Speaker need not be a member of the Corporation at the time of appointment but by the act of appointment becomes a member of the Corporation pursuant to the by-laws hereof.~~

In the event of a deadlock, the Speaker may exercise a casting vote during board meetings. It shall be unlawful for the speaker to willfully delay the delivery of any such documents, classes of documents, instruments or other such material to the Board required under the provisions of the by-law hereof or any resolution of the Board, or any revision thereof.

**Length of Term and Date of Transition**

The official date of transition to the newly elected Board of Directors shall be the 1st of May. No director shall serve beyond this point, with exception of those re-elected to an additional term by the membership and in the case of the necessity to wind-down the corporation as stated in bylaw XVII.

**Miscellaneous**

Director voting rights are granted on the condition that they have been duly elected by the general membership, appointed by the executives, or board of directors.

~~Each voting director’s right to vote is granted on the condition that they have been duly elected to the office that they hold by members of their constituency or, in  the case of the Executive Committee, by the general membership.~~

~~Directors shall perform their duties prescribed by the by-law hereof and by the parliamentary authority designated in by-law IX.4 hereof, by any policy or operating resolution, or by any other such lawful resolution or any revision thereof that is adopted by the Board.~~

Ratified directors shall sign a non-binding agreement indicating recognition of the term of office.

**Vacant Director Positions**

In the event of an executive director vacancy, the board of directors shall appoint a suitable Corporation member to fill the vacant position. The President shall act in the capacity of a vacant executive director until the board of directors determine a suitable temporary replacement. Should the position of the President become vacant at anytime, it shall fall to the Vice President of University Affairs to act in the capacity of the President. In the event of simultaneous vacancies of the President and Vice President of University Affairs, the Vice President of Campus Life shall act in the capacity of the President until the board of directors determine temporary replacements. In the event that all three executive positions become vacant simultaneously, the Board of Directors shall determine temporary replacements. Executive Director vacancies shall adhere to the Elections Policy. In the event of emergency occupancy of more than one role, the director shall only possess one (1) vote at meetings of the membership. The board of directors shall decide remuneration for directors occupying more than one role.

The Executive Directors and/or the board of directors shall be granted the authority to select members of the Corporation to be appointed to vacant non-executive director positions. *Three steps (Kayla - appointed members also be approved via election in first semester).*

~~Should any of the positions of Vice President become vacant at anytime, it shall be at the discretion of the Board of Directors to appoint a current director to act in that capacity with appropriate remuneration until such time as a new Vice President can be elected.~~

~~Should any other position of the Board of Directors become vacant at anytime, it shall be at the discretion of the Executives to appoint new members to the Board of Directors.~~

~~Should any Board of Director positions remain vacant after the spring general elections it is up to the discretion of the board to appoint members of the corporation to these open positions through an application and interview process.~~

**EXECUTIVE TRANSITION**

A by-law relating generally to EXECUTIVE TRANSITION of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Shadow Executive**

Upon ratification of the Spring General Election~~s results~~, the shadow executive shall begin a minimum of fifteen (15) hours of transitional training with the current Executive holding the relevant portfolio.

~~The Shadow Executive shall work with the current Executive member holding the same portfolio to acquire the knowledge needed for said position. The hours of work for each of the Shadow Executive shall be at minimum fifteen (15) hours.~~

No member of the Shadow Executive shall have a vote at the meetings of the Board of Directors unless he or she is currently a voting director.

~~Members of the Shadow Executive shall receive limited honoraria for the transition period except where the executive member is returning to the same position in which case they will receive no additional honoraria. The honoraria for the Shadow Executive will be $100.00 minus tax and deductions. The honoraria for the Shadow Executive is not intended to reimburse the individuals for each hour of shadowing but rather to recognize their dedication to the Corporation with the understanding that the Shadow Executive will offer their time for volunteer during their training.~~

**TERMINATION FROM OFFICE**

A by-law relating generally to TERMINATION FROM OFFICE of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Termination from Office**

A Director shall cease to hold office as a Director:

* 1. upon expiry of the term of office;
  2. upon giving written notice of resignation to the President;
  3. removal by the voting members of the Annual General Meeting;
  4. upon successful completion of a petition, subject to the Referenda and Petitions section;
  5. upon two-thirds vote of the Directors, excluding the director that is the subject for removal.

Any director who has been removed from office under the terms and conditions herein will be eligible to serve again as director of the Corporation in the election held for the next fiscal year.

**Grounds for Removal**

Any director, either elected or appointed, may be removed from office for due cause provided that a fair hearing is conducted by the Board pursuant to the terms and conditions outlined in the by-laws and Operating Policy hereof.

Due cause for termination may include, but is not limited to:

* Dereliction of duty where the director or executive is found to have abandoned his or her duties as outlined in the by-laws hereof or any policy or lawful resolution of the Board, or any revision thereof;
* Lack of attendance without notice for more than two (2) meetings of the Board
* Any other serious act or injurious to the Corporation or its Mission and Principles.

Pursuant to the by-laws hereof, termination of office shall be defined to mean the removal of the office of director of the Corporation, which includes, but is not limited, to the removal of all rights, obligation and privileges. (move to Operating Policy?)

**~~Resignation from Office~~**

~~Directors resign their office by the submission of a signed letter written to the President. The resignation shall take effect at such time as the Board of Directors has received the letter from the President at a duly constituted meeting of the Board of Directors, whereupon the office shall become vacant. Until such time, the director remains responsible for all duties, obligations and tasks resulting therefrom.~~

**~~Termination from Office~~**

~~Any director, either elected or appointed, may be removed from office for due cause provided that a fair hearing is conducted by the Board pursuant to the terms and conditions outlined in the by-laws hereof.~~

~~Due cause for termination may include, but is not limited to:~~

* ~~Dereliction of duty where the director or executive is found to have abandoned his or her duties as outlined in the by-laws hereof or any policy or lawful resolution of the Board, or any revision thereof;~~
* ~~Lack of attendance without notice for more than two (2) meetings of the Board~~
* ~~Any other serious act or injurious to the Corporation or its Mission and Principles.~~

~~Pursuant to the by-laws hereof, termination of officer shall be defined to mean the removal of the office of director of the Corporation, which includes, but is not limited, to the removal of all rights, obligation and privileges.~~

~~Procedures relating to termination are initiated according to the terms outlined in the by-laws hereof or by a petition from the general membership.~~

~~Petitions requesting the initiation of termination procedures against a director from regular membership are subject to the rules, terms and conditions for petitions initiating referenda outlined in the by-laws hereof.~~

~~Any director who has been removed from office under the terms and conditions herein will be eligible to serve again as director of the Corporation in the election held for the next fiscal year. If a director or executive is impeached or steps down from office due to conflict with the Trent’s Harassment and Workplace Violence Policy and Sexual Violence Policy, then they are subject to a term of suspension of one (1) fiscal year for serving TOSA.~~

**Process for Termination of Office - Move to Operating Policy**

Any director may, at a meeting of the Board of Directors, request that the item of impeachment be included on the agenda of the subsequent meeting of the Board. A request by motion to have the Board of Directors consider the removal of a director must be provided by a simple majority vote.

Once a request to have the Board of Directors consider the removal of a director from office has been received and adopted, it shall be the responsibility of the President to take all reasonable and necessary actions to contact the director in question, in writing, to inform him or her of the request, the time and place at which the Board of Directors will consider the question, and that he or she may be present to argue the question in their own defense.

~~Impeachment of any director can also be requested by the general membership. A petition signed by no less than ten percent (10%) of the members can be presented to the Executive Committee requesting the removal of a specific director. The membership may also request the removal of a director at the Annual General Meeting. If the Annual General Meeting fails to meet quorum the proceedings will cease. Once the Board of Directors has received the request from the members the following proceedings will occur.~~

At the time of the hearing the following process will be followed:

i)   A resolution shall be tabled to remove the director. This resolution shall be duly  moved and seconded. In the event that the resolution fails to achieve a seconder, the item of impeachment will be considered resolved, the director shall remain in office, and no further hearing will be required.

ii)   The director moving the resolution for removal from office shall have the opportunity to state his or her arguments in support of the removal of the director. In the event that the impeachment proceedings have been initiated by a petition of the membership the instigator of said petition shall have the opportunity to state his or her arguments in support of the removal at the meeting of the Board of Directors.

iii)   The director in question shall have the opportunity to speak against the question of removal from office as defined by the motion brought forth.

iv)  The Director in question, after defending their case, will remove themselves from the Board meeting so as to encourage free, honest, and open debate among Directors.

v)  The floor shall be opened up to other directors to debate the resolution, subject to the parliamentary authority designated herein.

vi)  The question of removal from office must obtain a two-thirds (2/3) majority vote in favour in order for the director to be considered impeached and removed from office. (move to OP).

**INSURANCE**

A by-law relating generally to INSURANCE of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Insurance**

Subject to the provisions of the Act, the Corporation shall purchase and maintain ~~such~~ insurance for the benefit of its directors, officers and/or employees as determined by the board of directors. ~~the Board may from time to time determine.~~

**MEETINGS**

A by-law relating generally to MEETINGS of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Meetings of the Board of Directors**

Corporation members may attend all director meetings ~~Members of the Corporation may attend all meetings of the Board of Directors~~ and have the right to speak to any issue on the agenda of any such meeting except when the Board moves into closed session, as defined by the Corporations parliamentary authority designated in the by-laws hereof.

**Voting**

All directors of the Board shall have the right to vote except where removed in the by- laws hereof. The Board of Directors may make regulations regarding the lodging of proxies in advance at some place other than the place at which a meeting is to be held. Proxies so lodged may be voted upon as though the proxies themselves were produced at the meeting and votes given in accordance with such regulations shall be valid and shall be counted. The Speaker of any meeting of Members shall, subject to any regulations of the by-laws herein, determine the validity of proxies.

~~A proxy vote shall be in writing and may be by facsimile transmission and may be in the form seen in appendix two (2).~~

**Meetings**

There shall be no less than one (1) meeting of the Board of Directors per month in the Fall and Spring terms of the academic year. The Vice President of University Affairs shall set monthly meetings in accordance to the schedules of the Corporations’ members.

**~~Special Meetings~~**

~~For a special meeting of the Board of Directors to be called it is necessary for two directors, one must be an executive or speaker, concur on the necessity, providing that sixty (60) hours notice is given in order to supplement the regular meeting scheduled. It shall be unlawful for the President or the Speaker, either jointly or severally, to prevent the calling of a Special Meeting of the Board of Directors where there exists a genuine need or will for said meeting. It shall be unlawful for any director or directors to request a Special Meeting in which the calling of said meeting would be dilatory.~~

**Emergency Meetings**

Directors may request an emergency meeting provided twenty-four (24) hours notice is given. Validation of an emergency meeting requires the approval of two (2) executive directors. The schedules of board members shall be taken into consideration when determining the date and time of an emergency meeting. ~~For an emergency meeting of the Board of Directors to be called it is necessary for two directors, one must be an executive or chair, concur on the necessity, providing that twenty-four (24) hours notice is given. No business shall be transacted except that which was included in the Notice of Emergency Meeting provided to each director.~~

~~It shall be unlawful for the President or the Speaker, either jointly or severally, to prevent the calling of an Emergency Meeting of the Board of Directors where there exists a genuine need or will for said meeting.~~

~~It shall be unlawful for any director or directors to request an Emergency Meeting in which the calling of said meeting would be dilatory.~~

**Attendance**

Directors ~~will~~ shall make every effort to attend meetings of the Corporation or the Board. In the event that a director is unable to attend, said director ~~will~~ shall submit written notice ~~of such,~~ no less than twenty-four (24) hours prior to the meeting to the Vice President of University Affairs. Said notice is valid for only one (1) meeting unless otherwise authorized by the Board.

**The Transaction of Business**

Fifty (50) percent plus one (1) shall constitute quorum for meetings of the directors. ~~A majority of the Directors, excluding non-voting members, shall constitute quorum for the transaction of business of the Board of Directors.~~

~~There shall be an annual review of quorum requirements as established in the by-laws  herein.~~

**Parliamentary Authority**

Director meetings shall be governed by the most recent version of Robert’s Rules of Order. ~~In all matters of procedure not provided for in this or any other by-law or resolution, the Board of Directors and all other meetings of the Corporation shall acknowledge and be governed by the rules and forms contained in the most recent version of Robert’s Rules of Order, Revised.~~

**Meeting of the Membership**

The Speaker or the President may call general meetings of the membership provided ~~that there is~~ seventy-two (72) hours notice is given.

All members of the Corporation possess the right to speak and vote at a meeting of the membership.

~~All members of the Corporation have the right to vote at a meeting of the membership.~~

~~Decisions made at a meeting of the general membership are non-binding on the Board but shall be taken as an indicator of the will of the membership.~~

Quorum for a Meeting of the Membership shall be twenty (20) members of the Corporation.

**Annual ~~and Semi-Annual~~ General Meetings**

There shall be two (2) ~~Semi-~~Annual General Meetings of the Corporation, which shall be held in the fall and winter terms of each academic year. ~~, at least one week before the opening of the nomination period for the election of new directors.~~

~~The Annual General Meeting of the Corporation shall be held in the fall term of each academic year, within six (6) months of the Association’s fiscal year end.~~

There shall be ~~at least three (3)~~ two (2) weeks notice ~~of the~~ for the ~~Annual and Semi-~~Annual General Meetings. ~~This shall be posted conspicuously throughout the University’s Oshawa campus, and notices shall be sent to all student groups associated with the University.~~ ~~Written notice of the Annual and Semi-Annual General Meetings, by email, will be provided to all members of the Corporation at least three (3) weeks prior to the commencement of said meeting.~~

The purpose of the ~~Semi-~~Annual General Meetings shall be to present audit reports and/or financial statements and consider ~~any~~ proposed by-law amendments ~~proposed,~~ ~~and served with due notice, as per the by-laws herein. At the Semi-Annual General Meeting each director shall be required to present a report on their activities during their term in office. Copies of such reports or summaries thereof shall be made available in the head office of the Association.~~ The membership may amend the bylaws provided a fifty (50) plus one (1) vote is reached. The membership does not possess the right to amend organizational policies.

~~The purpose of the Annual General Meeting shall be to receive the financial statements  and the Accountant’s report thereof. The Annual General Meeting may also consider any by-law amendments proposed, and served with due notice, as per the by-laws herein.~~

All meeting documents will be made available seven (7) days prior to the Annual and Semi-Annual General Meetings.

Attendance of the Annual General Meetings is open to all members of the Corporation. ~~Annual and Semi-Annual General Meetings are meeting of the membership, and as such attendance is open to all members of the Corporation.~~

~~The Speaker of the Board of Directors or any other such person as determined by the Board shall chair the Annual and Semi-Annual General Meetings and shall be called the Chair.~~

The President shall act as chair for the Annual General Meetings. The President may delegate the AGM chair responsibilities to another member of the Corporation, subject to the approval of said member.

Quorum for the Annual ~~and Semi-~~Annual General Meetings shall consist of twenty (20) members of the Corporation.

**Notice**

Unless otherwise defined in the by-laws hereof or any lawful resolution adopted by the Board or any revision thereof, formal notice for meetings of the Board shall be no less than one (1) week.

**Records**

Unless otherwise provided by the by-laws hereof, or by any operating or policy resolution of the Board, or by ordinary resolution of the Board or any revision thereof, the Records of the Corporation shall be under the care and supervision of the Vice President of University Affairs, as designated and authorized by the Board of Directors. From time to time, said records may be deposited in the Archives of the Trent in Oshawa Student Association (TOSA) as authorized by the Executive Committee or by the Board

**Language**

The Corporation affairs shall be transacted in the English language. The Corporation shall make every effort to provide translations if deemed necessary by the board of directors. ~~The language of operation for the Corporation shall be English, however, the Corporation shall provide such services and materials in whatever language is necessary to meet the needs of a significant number of its members, subject always to the financial implications being satisfactory resolved as determined by the Board.~~

~~X: COMMITTEES~~

~~A by-law relating generally to COMMITTEES of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.~~

**~~Standing Committees~~**

~~There shall be five (5) Standing Committees of the Board of Directors.  a) Organizational Review and Development b) Finance c) Membership Issues and Services d) Executive  e) Student Clubs The terms of reference for these committees shall be determined by operating policy that the Board may, from time to time, adopt or revise.~~

* ~~X.1.2  Membership Appointments  Each voting member of the Board shall be a member of a Standing Committee. Committee members shall serve until the end of their current term in office. Vacancies shall be filled by the Executive Committee as soon as possible after the vacancies occur. The President, and the Vice Presidents shall serve as the Chair of the Standing Committees relevant to their portfolios in accordance with the by-laws herein. One member of each standing committee must be appointed, among the committee, to act as secretary for the committee. Committee membership is open to all members of the Association upon approval of the Board with the exception of the Executive Committee, which shall be determined by elections of the membership.~~
* ~~X.1.3  Meetings~~
* ~~X.1.3.1  Meetings will normally be open to the membership, but may be closed by a resolution  of the Standing Committee.~~
* ~~X.1.3.2  Five (5) days of notice of meetings, including a tentative agenda, will normally be given  to the Standing Committee members. Only in an emergency situation will a formal meeting be held without due notice. The Chair of the Standing Committee shall make a reasonable effort to contact all members of a Standing Committee prior to the start of an emergency meeting. The agenda of an emergency meeting should be limited to the emergency at hand.~~
* ~~X.1.3.3  Quorum for the conduct of business shall be fifty percent (50%) plus one (1), of the voting members of the Standing Committee.~~
* ~~X.1.3.4  All Standing Committee decisions shall be made by a simple majority unless otherwise stipulated by operating policy. The Chair of the Standing Committee shall vote only in the event of a tie, in which case the deciding vote shall be cast.~~
* ~~X.1.3.5  A Standing Committee member absent for three (3) duly called meetings without sending regrets to the Chair of the Standing Committee prior to the start of the meeting shall have his or her position on the Board of Directors reviewed in accordance with the by-laws herein.~~

~~X.1.4 Reporting~~

~~The chair of each Standing Committee shall report to the Board of Directors at each meeting of the Board, if the Committee has met since the previous meeting of the Board. A written report, to be distributed to the Board of Directors, must be submitted two (2) weekdays before the meeting of the Board to the Association office. Minutes will be recorded by one (1) members of the committee and will be available in the Association office.~~

~~X.1.5 Authority~~

* ~~X.1.5.1  Standing Committees will make recommendations for action to the Board of Directors.  Recommendations of a Standing Committee may be passed by a simple majority vote.~~
* ~~X.1.5.2  The Board of Directors may from time-to-time, delegate a share of its own authority,  including but not limited to, the authority to approve expenditures within an appropriate budget allocation, to a Standing Committee. A motion to delegate authority should specify the parameters within which the Standing Committee must operate, and the length of time for which the delegation shall apply.~~
* ~~X.1.5.3  A decision made by a Standing Committee in accordance with the by-laws herein is subject to reconsideration by the Board of Directors.~~
* ~~X.1.5.4  Details of the procedure and policy in connection with the employment of staff by the Association shall be developed and maintained by the Standing Committee on Operations and Development, subject to the confirmation of the Board.~~

~~X.2 Special Committees~~

~~From time-to-time the Board of Directors may choose to establish Special Committees.~~

~~These committees shall exist for a fixed term and a specific purpose.~~

~~Definition~~

~~Committees of the Board and of the Corporation may exist, and may be created by a simple resolution of the Board.~~

* ~~X.2.2  Membership Appointments  Membership on a Special Committee of the Board of Directors shall consist of a minimum of two (2) directors in addition to the Chairperson of the Committee, all of which will be appointed by the Board of Directors. Directors of the Board may sit on any or all special Committees if they are appointed. Membership on a Special Committee of the Association is not limited to directors and other members may be appointed to a Special Committee by the Chairperson of the Special Committee when authorized by the Board of Directors.~~
* ~~X.2.3  Meetings  Meetings for a Special Committee will follow the same procedure as those for Standing Committees, as outlined in the by-laws herein, unless stipulated otherwise when the committee is established. Special Committees shall, if not specified upon establishment by the Board of Directors, decide at the first meeting the process by which meetings will be conducted and decisions shall be made.~~
* ~~X.2.4  Reporting  The Chairperson of each Special Committee shall report to the Board of Directors when there is business of interest to the Board. If a Special Committee has ended its operation period a final report to the Board is required to be distributed two (2) weekdays before the meeting of the Board.~~

~~X.2.5 Authority~~

* ~~X.2.5.1  Special Committees will make recommendations for action to the Board of Directors.  Such recommendations are normally contained within a written report of the Special Committee. Recommendations of a Special Committee may be passed by a simple majority.~~
* ~~X.2.5.2  The Board of Directors may from time-to-time delegate a share of its own authority, including, but not limited to the authority to approve expenditures within an approved budget allocation, to a Special Committee. A motion to delegate authority should specify the parameters within which the committee must operate, and the length of time for which the delegation shall apply.~~
* ~~X.2.5.3  A decision made by a Special Committee in accordance with the by-laws herein is subject to reconsideration by the Board of Directors by a two-thirds (2/3) majority vote.~~
* ~~X.2.5.4  Special Committees of the Corporation may only use the name of the Association with ratification of the Board.~~

**POLICY & BYLAW RESOLUTIONS AND ENACEMENT**

A by-law relating generally to POLICY AND BYLAW RESOLUTIONS AND ENACEMENT of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

Definition of Terms

There shall be three (3) classes of resolutions recognized by the Corporation.

**Operating Policy, Governance Policy, and Bylaw Classification and Enactment**

Operating and Governance Policy ~~Resolutions~~ concern issues of administrative and governance affairs. , ~~which the Board of Directors deem to be issues of administrative policy.~~ Operating and Governance Policies ~~Resolutions~~ are intended primarily for reference by the Board of Directors, its committees, and the staff of the Corporation. Operating and Governance ~~Resolutions~~ Policy may have limited or unlimited temporal reference but may not contravene the bylaws.

Operating and Governance ~~Resolutions~~ Policy amendments require at least one (1) meeting’s notice of motion. An Operating and Governance amendment passed by a two-thirds (2/3) majority after proper notice shall be considered an Operating Policy and/or Governance Policy enactment of the Corporation.

~~An resolution amendment meant to establish Operating and Governance Policy must state explicitly that the resolution is an Operating and/or Governance Policy of the Corporation.~~

Bylaws concern issues that affect the general membership and require approval at an Annual General Meeting.

The board of directors may amend the bylaws, and operate on proposed amendments, subject to board approval. The amendments proposed and operated by the board of directors may be overturned at an AGM.

Any Operating Policy, Governance Policy, and Bylaw of the Corporation may be reviewed at the request of a member of the Board.

Policies of the Corporation shall be subject to an annual review by the Organizational Review and Development Committee. Said review shall be conducted with the purpose of scrutinizing the language, intent, authority, and necessity of new policies.

~~Operating resolutions may not contravene the by-laws of the Corporation.~~

~~Operating Resolutions shall be collected in a booklet which will be updated as necessary. The booklet shall be available for reference in the Association office and a copy shall be distributed to each member of the Board.~~

**~~Policy Resolutions~~**

~~Policy Resolutions shall present the considered the general view of the Corporation with respect to any issue not covered by the by-laws herein and may have limited or unlimited temporal reference.~~

~~Policy Resolutions require at least one (1) meeting’s notice of motion. A Policy Resolution passed by two-thirds (2/3) majority after proper notice shall be considered Issues Policy of the Corporation.~~

~~A resolution meant to establish Issues Policy must state explicitly that it is a Policy Resolution.~~

~~Policy Resolutions may not contravene the by-laws of the Corporation.~~

~~Policy Resolutions shall be collected in a booklet which is updated as necessary. The  booklet shall be available for reference in the Association office and a copy shall be distributed to each member of the Board.~~

**~~Governance Resolutions~~**

~~Governance Resolutions concerns issues which the Board of Directors deem to be issues of governance policy. Governance Resolutions are intended primarily for reference by the Board of Directors. Governance Resolutions may have limited or unlimited temporal reference.~~

~~Governance Resolutions require at least one (1) meeting’s notice of motion. A Governance Resolution passed by two-thirds (2/3) majority after proper notice shall be considered Governance Policy of the Corporation.~~

~~A resolution meant to establish Governance Policy must state explicitly that it is a Governance Resolution.~~

~~Governance Resolutions may not contravene the by-laws of the Corporation.~~

~~Governance Resolutions shall be collected in a booklet which is updated as necessary. The booklet shall be available for reference in the Association office and a copy shall be distributed to each member of the Board.~~

**Policy Review**

~~Any Operating and/or Governance Resolution, Policy Resolution, or Governance Resolution of the Corporation may be reviewed at the request of a member of the Board. The request for review must be passed by a simple majority vote. Procedures for the policy review will shall be established by the Board of Directors. One (1) Board Meeting’s notice of motion is required to commence a policy review.~~

~~The rescindment of a policy of the Corporation shall require one (1) meetings notice of motion and must be rescinded by a two-thirds (2/3) majority of the Board of Directors.~~

~~All Policy Resolutions and Operating Resolutions shall be reviewed three (3) years after their last passage, and unless re-ratified by the Board, by a two-thirds (2/3) majority, will expire.~~

~~Policies of the Corporation shall be subject to an annual review by the Organizational Review and Development Committee one year after being passed by the Board of Directors. Said review shall be conducted with the purpose of scrutinizing the language, intent, authority, and necessity of new policies.~~

**FINANCIAL MANAGEMENT**

A by-law relating generally to the FINANCIAL MANAGEMENT of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Annual Operating Budget**

The President, in consultations with the Executive Committee, and where possible, other directors, shall develop an annual operating budget for the Corporation to submit to the board of directors for approval no later than June 30th.

~~The President shall present a draft copy of the operating budget no later than June 30th each year for the approval of the Board of Directors.~~

~~The President shall present a revised budget to the Board of Directors, in consultation with the appropriate Standing Committee(s), no later than the first meetings of the Board of Directors in October and the last meeting of the Board of Directors in January.~~

**Expenditure of Funds**

The ~~funds of the~~ Corporation funds shall be administered by the ~~Association~~ Board of Directors ~~shall be~~ and expended only pursuant to the approved budget ~~approval by the Directors~~ and in accordance with the by-laws and policies of the Association.

~~No organization funded by the Board of Directors shall use their monies for any purposes other than those for which the monies were allocated, without prior approval of the Board of Directors.~~

~~No person shall, in the name of or on behalf of the Board of Directors, make any purchase or incur any debt or liability whatsoever, without the prior approval of the Board of Directors.~~

**Borrowing**

The Board of Directors possess the right to: ~~may from time to time~~:

a) Borrow money on the credit of the Corporation;

b) Charge, mortgage, hypothecate or pledge all or any of the real or personal property of the Corporation including book debts, rights, powers, franchises and undertaking to secure any securities or any money borrowed, or other debt, or any other obligation or liability of the Corporation.

Notwithstanding the foregoing, the Corporation shall not:

a) Borrow money other than from chartered banks, trust companies, credit unions or the University, provided that such restrictions shall not apply to purchase-money obligations;

b) Borrow money that is not fully repayable during a term of one (1) year or less, unless approved by a resolution passed by a two-thirds (2/3) majority vote of the  Directors.

**Lending**

The Board of Directors may, from time to time, lend monies to other organizations, upon request.

The conditions of loans made, including length of term and interest rate, shall be at the discretion of the Board of Directors.

Notwithstanding the foregoing, the Corporation shall not lend monies to individuals for any reason or purpose.

Upon approval by the Board of Directors for the lending of monies, the President and Vice President of University Affairs shall prepare a written contract outlining the terms and conditions of the loan as approved, to be signed by officers of both parties.

**Banking Arrangements**

The banking business of the Board of Directors, or any part thereof, shall be transacted with such chartered financial institutions or credit unions as the Board may designate ~~from time to time.~~

All executives shall be signing officers for all the banking business of the Board of Directors, or any part thereof.

**Fiscal Year**

The fiscal year of the Corporation shall end on the 30th day of April each year.

**Financial Statements**

Each fiscal year, the Corporation shall require the ~~Vice President of University Affairs~~ President to prepare or supervise the preparation of the following financial statements:

a)  Balance Sheet;

b)  Statement of income and expenses;

c)  Statement of Change in Financial Position.

The financial statements of the Corporation shall be prepared in draft format for presentation in accordance with the by-laws herein. The final document and the review engagement report shall be presented to the Board of Directors and at the Annual General Meeting.

**Accountant**

~~At the Annual General Meeting, the members shall appoint a certified accountant for the ensuring year.~~

~~The accountant during his or her term of tenure shall be entitled to attend and be heard at a minimum of one (1) AGM meetings of the Board of Directors on matters relating to his or her duties as  accountant.~~

The accountant and/or auditor shall present the findings of the financial audit to the membership at a minimum of one (1) ~~the~~ Annual General Meeting.

**ELECTIONS**

A by-law relating generally to ELECTIONS of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

The Trent Durham Student Association shall provide a democratic election process and ~~shall~~ adhere to Election Policy. The membership reserves the right to amend the Elections Policy at an Annual General Meeting (AGM).

**Voting Quorum**

Validation of the results is dependent on the participation of no less than five (5) percent of the Corporation members that are deemed on-campus students.

~~Elections Committee~~

~~Membership~~

~~An Elections Committee shall be comprised of at least two (2) directors, one of which should be a member of the Executive Committee, in accordance with operating policy. In the case of a Conflict of Interest in which all Executive members intend to run in the upcoming election the Elections Committee must have a minimum of two (2) Directors. In addition there shall be a Chief Electoral Officer who shall act as Chair of the Committee who will be appointed for a term coinciding with that of the Board in accordance with operating policy, subject to revision as required. The Chief Electoral Officer must be an active member of the Board of Directors. Membership on the Elections Committee is open to all members of the Corporation upon approval from the Board of Directors.~~

~~The Elections Committee is authorized to:~~

* ~~a)  Ensure that elections are conducted in accordance with the by-laws and any  resolutions of the Corporation;~~
* ~~b)  Recommend an elections schedule to the Board of Directors;~~
* ~~c)  Consider complaints from and against candidates;~~
* ~~d)  Produce a report on each set of elections to be presented to the Board of Directors  no later than six (6) weeks following the election.~~

~~Election Appeals Committee~~

~~In the event of a complaint against the Elections Committee or any member thereof, the infraction shall be referred to the Board of Directors. The Board of Directors has the power to decide if an Elections Appeal Committee shall be formed in the event of a complaint. If the Board of Directors has decided to form an Elections Appeals Committee, a public announcement shall be given to the membership, and the Elections Appeals Committee shall be comprised of:~~

* ~~a)  A member of the Trent in Oshawa Student Association, with the exception of the President, who shall chair the Committee unless they are a candidate in the election, in which case the Board of Directors shall nominate a replacement from the Executives who is not a candidate;~~
* ~~b)  Two other members of the Trent in Oshawa Student Association who are not also members of the Elections Committee.~~
* ~~c)  Any other interested members of the corporation who are not also members of the Elections Committee.~~

~~The Election Appeals Committee shall: d) Consider appeals of Election Committee decisions where new information has been~~

~~submitted or there is contention that the Election Committee did not follow the procedure for deciding whether a candidate did or did not violate the rules;~~

* ~~e)  Remain impartial and unbiased on election issues and candidates and make no public statements concerning the election except in regard to election procedural matters, and~~
* ~~f)  The Elections Appeals Committee should be prepared to meet on short notice during the campaign period. If the committee will not be able to meet quorum due to its members being involved in the elections process in a way that would not allow them to fulfil their responsibilities, the committee is to request temporary members be appointed for the Elections Committee to replace those in conflict prior to the commencement of campaigning.~~
* ~~g)  Upon the receiving of an appeal the Elections Appeal Committee has forty-eight (48) hours to render a recommendation that is compatible with TOSA’s By-Laws and Policies.~~

~~The Board reserves the right to review all operations of the Elections Committee, Elections Appeals Committee and/or the Chief Electoral Officer at its discretion.~~

~~Timing of Elections~~

~~Spring General Elections The voting period for the Spring General Election shall be held in February, with notice~~

~~of election given within the first half (1/2) of January. Fall Elections The voting period for the Fall Elections and by-elections shall be held in the first half (1/2) of October for any vacant positions created by resignation, or removal or not otherwise provided for in the Spring General Election.~~

~~By-Elections~~

~~The office of any director, where said office is held by and for the Corporation and not ex officio, that becomes vacant pursuant to the terms of the by-laws hereof shall be filled by the call of a by-election to be held at a time and place as determined by the Board.~~

~~If a director currently holding a seat on the Board of Directors wishes to declare his or her candidacy in the by-election it shall be mandatory for the director to resign from the Board before the end of the nomination period. Notice of Election Public notice must be issued not less than one (1) teaching week prior to the acceptance of nominations.~~

~~Nomination Period~~

~~Nominations shall be accepted for a period of ten (10) days starting on the first day of the winter reading week, providing that it does not coincide with active campaigning as defined by the by-laws hereof. Members being nominated must have their candidacy supported, in writing, by no less than twenty-six (26) members of the Corporation, one (1) of which must be themselves.~~

~~Campaigning~~

~~The campaign period shall run at least five (5) days, from the point at which the nomination period closes and all campaign material is approved by the Elections Committee until eighteen (18) hours prior to the beginning of the voting period.~~

~~Candidates shall not begin actively campaigning until they have signed a Code of Conduct as provided by the Chief Electoral Officer and the Board of Directors, and shall only campaign during the official campaign period pursuant to the by-laws hereof.~~

~~All campaign materials shall be approved by the Elections Committee prior to use and candidates shall adhere to a campaign spending limit as set by the Elections Committee.~~

~~Voting  Voting will be conducted at polls as determined by the Elections Committee for a period of no less than three (3) days for a period not exceeding five (5) days.~~

~~Interpretation of Results  A candidate achieving a majority of votes cast will be determined to be the winner of that election. In the event of a sole candidate, the candidate must receive a majority of affirmative votes in ratification election to be deemed the winner.~~

~~Ratification of Results  Results of all elections remain unofficial until such time that the Board of Directors has, upon reviewing the report of the Elections Committee and finding acceptable adherence to the by-laws and policy, ratified the results. Ratification shall occur at the next meeting of the Board of Directors following the close of the voting period as defined in the by- laws hereof pending successful completion of any recounts, investigations, etc. Ratified results will be conspicuously announced to members of the association.~~

~~Electoral Disputes~~

~~Any member who believes there may have been an infraction of voting rules may inform~~

~~the Elections Committee of this alleged infraction within 30 days after the ratified results are released to the membership. The Committee shall investigate the charge and take such actions deemed appropriate. In the event of a complaint against the Committee or any member thereof, the infraction shall be referred to the Board of Directors. It is the right of any candidate determined to have lost by less than five percent (5%), and without specific charge, to request an official recount within two (2) weekdays of the notification of results.~~

~~If a candidate feels they have been treated unfairly during the election period they shall be entitled to bring forward an appeal to the Elections Committee. If a candidate wishes to appeal an administrative process or interpretative decision made by the Elections Committee, they may do so in writing to the Elections Committee and may attend in person to state their appeal.~~

~~The Elections Committee should be prepared to meet on short notice during the campaign period. If the committee will not be able to meet quorum due to its members being involved in the elections process in a way that would not allow them to fulfil their responsibilities, the committee is to request temporary members be appointed for the Elections Committee to replace those in conflict prior to the commencement of campaigning. Upon the receiving of an appeal the committee has forty-eight (48) hours to render a recommendation that is compatible with TOSA’s By-Laws and Policies.~~

**REFERENDA AND PETITIONS**

A by-law relating generally to REFERENDA AND PETITIONS of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Purposes of Referenda**

A Referendum of the members may be called for the following purposes:

a) To determine the stance of the membership on issues of major importance;

b) To determine membership in, and commitment of ~~to pay any corollary~~ fees, ~~of~~ other organizations;

c) To overturn decisions of the board of directors;

d) To enact or amend the by-laws of the Corporation.

e) To amend fees set in the by-laws herein.

**Initiation of Referenda**

The membership may initiate a referendum through the presentation of a completed petition to the board of directors. Such petition must be signed by not less than ten percent (10%) of the membership to be deemed valid. A petition may state the reason and suggest wording of the question. Petition format shall adhere to Operating Policy.

The Board of Directors may, at any time, initiate a referendum by a two-thirds (2/3) majority vote of the board of directors.

**Supervision of Referenda**

It shall be the duty of the board of directors to supervise referenda subject to the general rights, terms and conditions of the by-laws hereof.

**Notice of Referenda**

Public notice must be issued no~~t~~ less than one (1) teaching week prior to the registration of referendum committees.

**Debate of Question**

If a referendum is called pursuant to the by-laws hereof, whether initiated by the Board of Directors or the membership petition, the Board of Directors shall hold at least one (1) meeting, open to the general membership, for the purpose of debate and discussion of the opposing sides of the issue to be decided by referendum.

**Interpretation of Results**

A majority decision of those votes cast in the referendum shall be binding upon the Board of Directors, provided that the total number of votes cast represents at least ten percent (10%) of the total membership of the Corporation.

**Ratification of Results**

Results of all referenda remain unofficial until such a time that the Board of Directors has, upon reviewing the report of the Elections Committee and finding acceptable adherence to the by-laws and policy of the Corporation, ratified the results. Such consideration should occur at the next meeting of the Board of Directors.

**Referenda Disputes**

Any member who believes there may have been an infraction of voting rules may inform the Board of Directors of this alleged infraction within five (5) business days of the results being released to the membership. The Board of Directors shall investigate the charge and take such action deemed appropriate. In the event of complaint against the Board of Directors or any member thereof, the infraction shall be referred to the Executives. It is the right of any referendum committee whose position has been determined to have lost by less than five percent (5%), and without specific charge, to request an official recount within two (2) weekdays of the notification of results

**~~Petitions~~ - Move to Operating Policy**

~~Petitions are written requests by the membership for the Board to take action on a particular problem. They may be binding or non-binding on the Board according to the terms and conditions of the by-laws hereof. Failure to comply with any of these conditions shall invalidate the entire petition.~~

~~The format of the petition must comply with the following format resolutions:~~

~~a) All petitions must be addressed to the board of directors;~~

~~b) Petitions must be written in clear language, have subject matter indicated on every sheet and be either typewritten or printed;~~

~~c) Petitions must contain original signatures, student numbers, and addresses (emails) and phone numbers.~~

~~Action called for within petitions must be within the jurisdiction of the Board of Directors. It is the responsibility of the instigator(s) of the petition to insure the following: That the petition is undertaken in good faith for a legitimate reason; that each person filling out the petition is clearly informed of what he or she is signing. individually, by the instigator(s) of the petition;~~

~~That, to the best of the knowledge of the instigator(s) of the petition, each signatory appears to be of sound mind and that said signatory appears capable of understanding that which they are signing; that, when gathering signatures, the instigator(s) avoid such places or establishments where it is reasonable to assume that individuals who may choose to sign the petition are not intoxicated or have consumed other forms of mind-altering substances, including, but not limited to alcohol, or where it is reasonable to assume that such persons have been in the presence of such substances.~~

~~That the instigator(s) ensure that each signatory is full-time or part-time undergraduate student at Trent Durham and therefore a member of the Corporation as verified by a valid student photo card issued by the University, or other such proof of membership as issues by the Association or by the University or by list of names and student numbers generated by the Registrar’s Office of the University and that the student number on said card or other such identification of membership matches the number which the student has written on the petition; That each signatory has written clearly and legibly under all required headings, with the exception of those entries under the signature heading as outlined in the by- laws hereof; That no false, incomplete, or duplicate entries are made on the petition. Instigator(s) of the petition are responsible for the conditions as detailed in the by-laws~~

~~Petitions must contain the following headings: a) “NAME (printed)”~~

~~b) “SIGNATURE” c) “STUDENT NUMBER” d) “ADDRESS (EMAIL) AND PHONE NUMBER”~~

~~Petitions must be sent to the Speaker who will certify that the conditions required herein are met and will present the petition to the Board for its consideration or action.~~

~~The Speaker will direct the petition to the appropriate director for action.~~

~~Unless otherwise defined in the by-laws hereof, a binding petition must contain the  valid signatures of no less than ten percent (10%) of the members of the Corporation as of the date of submission.~~

**EXTERNAL ORGANIZATIONS**

A by-law relating generally to EXTERNAL ORGANIZATIONS and the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Membership in External Organizations**

The Board of Directors may seek, maintain or withdraw from membership in external organizations on behalf of the Corporation subject to this by-law and the by-laws of the external organization of which the Corporation is a member.

**Unified Student Movement**

The Corporation may be a member of such provincial and/or federal student organizations as determined by the membership through referenda, or as the by-laws of the organization determine. Withdrawal from external Unified Student Movements requires approval at the AGM or referenda.

**~~AMENDMENT AND ENACTMENT OF BYLAWS~~**

~~A by-law relating generally to the AMENDMENT AND ENACTMENT OF BY-LAWS of the Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.~~

**~~Management of Amendment and Enactment Process~~**

~~The management of amendments of the Corporation’s by-laws is the responsibility of the Vice President of University Affairs and the Standing Committee on Organizational Review and Development. The board of directors may amend the bylaws, and operate on proposed amendments, subject to board approval. The amendments proposed and operated by the board of directors may be overturned at an AGM.~~

**~~Amendment Proposals~~**

~~The Standing Committee on Organizational Review and Development will develop its own by-law amendment proposal from the following sources:~~

~~a) The membership may initiate an amendment through the presentation of a  completed petition according to the terms of the by-laws hereof. Said petition must be signed by no less than ten percent (10%) of the membership. Said petition may state the reason and suggest wording for the amendment.~~

~~b) The Directors may initiate an amendment through the presentation of a completed amendment request signed by a majority of directors. Said request may state the reason and suggest wording for the amendment.~~

~~c) The corporation may make amendments to be approved by the Board of Directors, and then approved at the Annual General Meeting.~~

**~~Presentation of Amendments Proposal~~**

~~The Standing Committee on Organizational Review and Development shall gather these amendments into a package for the information of the Board and the general membership. This package must be available not less than three (3) teaching weeks prior to any meeting where by-law amendments may be properly considered. The delivery of this package to the Corporation shall serve as due notice of amendment. For the purpose of debate, the presentation of this package will be considered, by the Speaker, to have been duly moved and seconded by the Standing Committee on Organizational Review and Development.~~

~~Amendments of the by-laws of the Corporation will be adopted at the Annual General Meeting or at a Special Meeting called for that purpose.~~

~~A Special Meeting called for the purpose of amending the by-laws of the Corporation shall conform to the general provisions of the Annual General Meeting under the by- laws hereof with the exception of By-Law IX.6.1~~

~~A Special Meeting for the purpose of amending the by-laws of the Corporation may be called according to the provisions of the by-laws hereof with the exception that notice shall be not less than three (3) teaching weeks.~~

~~The Board of Directors may chose to endorse any or all proposed amendments at the last regularly scheduled meeting of the Board before the Annual General Meeting. Said endorsement shall not be binding on the Annual General Meeting but shall act as an indicator of the will of the Board.~~

~~The amendment package, or each amendment proposal, as the case may be, shall be considered adopted by the Corporation at such time as two-thirds (2/3) majority vote is cast in favour of the amendment(s) by the voting delegates.~~

~~Unless otherwise provided for in the by-laws hereof, or any resolution of the Board or any revision thereof, any amendment proposal approved pursuant to the by-laws hereof, shall come into force at the beginning of the term of the next Board of Directors.~~

~~It shall be lawful for the Standing Committee on Organizational Review and Development to make grammatical and other such minor technical changes to the by-laws hereof at such times as may be deemed necessary by the committee provided that such alterations do not change the intent, explicit or implicit, of any passage herein. Such changes shall be subject to the confirmation of the Board and shall not come into effect until such confirmation is acquired.~~

**WIND DOWN**

A by-law relating generally to the WIND DOWN for the corporation known as Trent in Oshawa Student Association: BE IT ENACTED as a by-law of the TRENT IN OSHAWA STUDENT ASSOCIATION.

**Wind Down Time Frame**

The President and Vice President of University Affairs contacts will be extended by thirty (30) days preceding a termination of the corporation. They will receive an honorarium at thirty-five (35) hours per week for their current full-time pay for no longer than thirty days (30).

**Responsibilities**

The President and Vice President of University Affairs will be responsible for ensuring the winding down of the corporation. All TOSA assets shall be donated to a non-profit organization that represents similar TOSA views/goals. They will be responsible for taking care of all TOSA financial aspects of the corporation.