DURHAM COLLEGE STUDENT ASSOCIATION

The By-laws and Policies of Durham College Student Association, 2022

The By-laws and Policies of Durham College Student Association together with the Articles of Incorporation, 2022

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Under the Authority of the Secretary of the Board

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DURHAM COLLEGE STUDENT ASSOCIATION

DURHAM COLLEGE STUDENT ASSOCIATION

BY-LAW NUMBER 1 OF DURHAM COLLEGE STUDENT ASSOCIATION

OFFICIAL REVISED AND CONSOLIDATED VERSION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION BY-LAW NO. 1
(hereinafter referred to as the "By-Laws")

1. GENERAL

Name
1.1 The official name of this organization is "Durham College Student Association." hereinafter referred to as the "Corporation."

Head Office
1.2 The head office of the Corporation will be in the City of Oshawa, in the Province of Ontario, and at such locations as may be determined from time to time by the Board.

Purpose
1.3. The Purposes of the Corporation are those identified in the Articles of Incorporation, as amended from time to time.

2. DEFINITIONS & INTERPRETATIONS

Definitions
2.1. In these By-Laws:

(a) "**Act**" shall mean the *Canada Not-for-profit Corporations Act, SC 2009, c 23*, as same may be amended, modified or replaced from time to time;

(b) "**Ad Hoc Committee**" means a committee created by the Board that is not the Management Committee, Standing Committee or the Elections Committee;

(c) "**Special General Meeting**" means a meeting of the Members at which Special Business is conducted;

(d) "**Annual General Meeting**" means an annual meeting of the Members at which no Special Business is conducted;

(e) "**Articles of Incorporation**" means the letters patent for the Corporation as same may be amended or replaced from time to time;

(f) "**Corporation**" shall mean the "Durham College Student Association";

(g) "**Board**" means the Board of Directors of the Corporation, as described in Section 6;

(h) "**Board Observers**" means the individuals listed in Section 6.7(a);

(i) "**Chairperson**" means the Chairperson of the Corporation, as described in Section 8;

(j) "**Collective Agreement**" is the current collective agreement entered into by the Corporation with the trade-union representing the full-time employees of the Corporation;

(k) "**Committee**" means either any Committee, including an Ad-Hoc Committee, as the context requires;

(l) "**College**" means Durham College of Applied Arts and Technology;

(m) "**CRO**" or "**Chief Returning Officer**" means the Chief Returning Officer of the Corporation described in Section 13;

(n) "**Compulsory Ancillary Fee Protocol**" means the Compulsory Ancillary Fee Protocol dated August 2017;

(o) "**Days**" shall mean calendar days and shall not include any public holidays, as defined in the Collective Agreement;

(p) "**Director**" means a member of the Board;

(q) "**Elections and Referenda Policy**" means the Policy of the same name established by the Board;

(r) "**Elections Committee**" means the committee described at section 12.6;

(s) "**External Director**" means a Director, as set out in section 6.8;

(t) "**External Student Organization**" means an organization with the purpose of representing post-secondary students and/or post-secondary student associations at the provincial, national or international level and that requires post-secondary student associations to become members of the said external student organization;

(u) "**Financial Controller**" means the Financial Controller of the Corporation;

(v) "**Full-time student**" means an individual registered as a Post-Secondary Full-Time student at Durham College;

(w) "**General Manager**" means the General Manager of the Corporation;

(x) "**Member**" means a member of the Corporation, as set out in Section 3.1;

(y) "**Managing Director**" means the Director appointed from within the Board of Directors, as described at section 11.

(z) "**Ordinary Resolution**" means, with respect to a decision by the Board or Members, a resolution passed by at least a majority (50% +1) of the individuals present and entitled to vote;

(aa) "**Policy**" means a policy established by the Board pursuant to Section 20;

(ab) "**Policy Manual**" means the policy manual described in Section 20.5;

(ac) "**Properties**" means all properties and businesses of the Corporation;

(ad) "**Proposal**" has the meaning given to it in Section 5.7(a);

(ae) "**Secretary**" means the Secretary of the Board appointed under section 7.10.

(af) "**Request for Proposal**" means a document that solicits a proposal, often made through a bidding process, by the Corporation in procurement of a commodity, service, or valuable asset, to potential suppliers to submit business;

(ag) "**Special Business**" has the meaning given to it in Section 5.2(c);

(ah) "**Special Meeting**" means a meeting of the Members at which Special Business is conducted;

(ai) "**Special Resolution**" means, with respect to a decision by the Board or the Members, a resolution passed by at least two-thirds (2/3) majority of the individuals present and entitled to vote; and

(aj) "**Standing Committee**" means the committee listed in Section 12.8;

(ak) "**Management Committee**" means the group described at section 10; however, this group shall not be deemed to Directors.

(al) "**Meeting**" means any regular, special or other meeting of the Members, the Board, or a committee where a quorum of members is present and the members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the membership and the Board, or Committee;

(am) "**Good Academic Standing**" means that registration in a program of study with the College and has a cumulative grade point average of at least 2.0.

Number and Gender of Words

2.2 Unless the context requires otherwise, all pronouns and possessive adjectives used in these By-Laws, or any other official documents of the Corporation, shall refer to person of all gender identities, and all singular and plural meanings.

3. MEMBERSHIP

Members

3.1 (a) All Members, regardless of Member Class, shall be individuals registered as Full-time students with the College.

(b) Individuals shall cease to be Members, regardless of Member Class, when they cease to meet the requirements of Section 3.1(a).

(c) For the purpose of these By-laws, only Full-time students shall be Members and no other student registered at the College shall be considered a Member, except if a Referendum is passed in accordance with the Elections and Referenda Policy and any other Ministerial protocols.

(d) An External Director is exempt from being a Member.

(e) Notwithstanding section 3.1 (a), a Member of the Corporation who:

(i) is fulfilling a term of office as a Director; and

(ii) completes their program of study or takes a Leave of Absence from their program of study during their term of office as a Director;

shall not cease being a Member until they complete term of office for which they were elected. However, a member who is a member by virtue of this section, shall not be eligible to run as a candidate for a position either as a Director or Executive Office in an election which takes place while they are a member solely by virtue of this subsection.

(f) the maximum amount of time which a director may be a member by virtue of subsection (e) is five months after they cease to be a full-time student.

(g) For the greater certainty, a regularly scheduled break in the instruction is not a Leave of Absence in accordance with subsection (e), and a Member of the Corporation who is a Director or Executive Officer shall remain a Member of the Corporation during a regularly scheduled break in the instruction.

(h) For the purposes of subsection (e) and subject to subsection (g), the term "Leave of Absence" means a period of time where a student has decided not take a full time course load but intends to return to a full time course load in same program at a later date.

Responsibilities of Members

3.2 Members shall have the following responsibilities:

(a) to pay the fees set out in Section 4;

(b) to respect the objects of the Corporation as they are specified in Section 1.3 of these By-Laws; and

(c) to abide by these By-Laws and by any policies passed in accordance with these By-Laws.

Member Classes

3.3 (a) The voting rights of Members in each member class shall be defined in the Articles of Incorporation.

(b) The conditions for each Membership Class follows:

(i)The Class A members shall be enrolled in the School of Health and Community Services at Durham College.

(ii)The Class B members shall be enrolled in the School of Justice and Emergency Services at Durham College.

(iiii)The Class C members shall be enrolled in the School of Media, Art and Design at Durham College.

(iv) The Class D members shall be enrolled in the School of Skilled Trades, Apprenticeship and Renewable Technology at Durham College.

(v)The Class E members shall be enrolled in the School of Science and Engineering Technology at Durham College.

(vi) The Class F members shall be enrolled in the School of Hospitality and Horticulture at Durham College.

(viii) The Class G members shall be enrolled in the School of Business, IT and Management at Durham College.

(ix) The Class H members shall be enrolled in the School of Interdisciplinary Studies at Durham College.

(c) In the event a Member changes their program of study, that Member may transfer to the relevant Member Class.

(d) Any Member ceasing to be a Member, in accordance with subsection 3.1(b), shall cease to be a Member of their Member class.

4. FEES

Membership Fee

4.1 (a) Purpose of the Membership Fee. The Membership Fee is the fee collected by the College on behalf of the Corporation, used to execute the operations and governance procedures of the Corporation.

(b) Approval of the Membership Fee. Any membership fee or other fees payable by the Members to the Corporation shall be set, amended or repealed by a majority vote of the Members in a referendum held in accordance with the Elections and Referenda Policy and Compulsory Ancillary Fee Protocol.

(c) Compulsory Ancillary Fee Protocol and the Operational Agreement. The method of collection, amount and agreement details with the College shall be set out in the effective

Compulsory Ancillary Fee Protocol and the effective Operational Agreement between the College and the Corporation.

(d) Fee Amount. shall be determined by the Compulsory Ancillary Fee Protocol and posted on the Corporation's website.

(e) Excluded Programs. The Membership Fee does not include any amounts for any program facilitated by the College.

Other Fees

4.2 (a) The Corporation may, from time to time, facilitate the transfer of fees that are used to fund programs that serve the purposes of the Corporation and that benefit its Members.

(b) Any fee levied on a Member must be duly approved by a referendum in accordance with the Elections and Referenda Policy and the Compulsory Ancillary Fee Protocol.
(c) The other fees currently facilitated by the Corporation for the benefit of its Members are the following:

(i) the health and dental plan fees;

(ii) the student center fee;

(iii) the riot radio fee;

(d) The fee amounts at subsection 4.2 (c) shall be determined by the Compulsory Ancillary Fee Protocol and posted on the Corporation's website.

Third Party Fees

4.3 (a) If applicable, the Corporation shall collect on behalf of a provincial External Student Organization a per student per semester membership fee as set by the By-Laws of this provincial Corporation.

(b) If applicable, the Corporation shall collect on behalf of a national External Student Organization a per student per semester membership fee as set by the By-Laws of this national Corporation.

(c) The General Manager shall be responsible for insuring that remittances to External Student Organizations are made in accordance with the Corporation's agreements with such External Student Organizations.

(d) The Corporation may not enter into a contract, join, or collect fee for an External Student Organization if that External Student Organization:

(i) has by-laws, policies, procedures in place which would limit the rights of the membership under these By-laws to terminate the membership in the External Student Organization, unless that External Student Organization has policies that are subservient to these by-laws and only impose procedural conditions in terms of notice and fairness;

(ii) claims that the External Student Organization's by-laws supersede the by-laws of the Corporation;

(iii) makes a claim that it has the right to appoint officers to supervise the process of joining or leaving the External Student Organization, and that officer is subservient to CRO appointed under these By-laws;

(vi) that limits the number of members which can leave the External Student Organization within a sixty-month period of time;

(v) that claims that the Corporation becomes an internal operation or local of the External Student Organization;

(iv) that claims that the fees collected for the External Student Organization cannot appear on the financial statements of the Corporation; and

(iiv) is primarily focused on university students.

(e) Before joining any External Student Organization 30 days-notice shall be given by the Board to the membership by posting a request for comments on the website. The Board shall receive the comments and consider the comments before passing a resolution which would grant membership in such an External Student Organization.

(f) Notwithstanding subsection (e), a referendum shall be called to join any organization whose membership would require an additional fee to be collected.

(g) Notwithstanding section 23 and any other provision in these by-laws, the requirements of subsection (d) may only be amended by a special resolution put forward by the Board at each of two consecutive Members' Meetings, held at least eight months apart.

5. MEMBERS' MEETINGS

Member Rights and Responsibilities at Members' Meetings

5.1 (a) All Members of the Corporation shall be entitled to attend, and speak at, meetings of the Members of the Corporation.

(b) Only Members shall be entitled to move, second and vote on resolutions at a meeting of the Members of the Corporation.

(c) Notwithstanding anything to the contrary in the Act, Members must be present in person to participate at a meeting of the Members of the Corporation.

(d) People who are not Members of the Corporation may be excluded at a meeting of the Members of the Corporation by an Ordinary Resolution of the Members.

(e) Members may be exempt from the requirements in section 5.1 (c), by voting on resolutions at advanced polls provided by the Corporation.

Types of Meetings

5.2 (a) There shall be two types of meetings of the Members:

(i) Annual General Meetings; and

(ii) Special Meetings.

(b) The following business will be conducted at each Annual General Meeting:

(i) consideration of the financial statements;

(ii) consideration of the audit report, if any;

(iii) reappointment of the incumbent auditor, as applicable; and

(iv) if needed, reading into the record the results of the election of Directors (provided that such elections will be held in accordance with the Elections and Referenda Policy), and all other business will be deemed to be "Special Business".

(c) Special Business may also be conducted at an Annual General Meeting (in which case its shall be an Annual and Special General Meeting) or at a Special Meeting, provided that the notice of the meeting:

(i) states the nature of that business in sufficient detail to permit a Member to form a reasoned judgment on the Special Business; and

(ii) states the text of any Special Resolution to be submitted to the meeting.

Location and Time of Meetings

5.3 (a) Members meetings shall be called by the Chairperson of the Corporation and, subject to Section 5.3(b), shall be held at such time, on such day in each year and in such place (provided such place is in the Province of Ontario) as the Board may determine.

(b) The Corporation shall hold an Annual General Meeting in the fall semester, provided that the Annual General Meeting may be adjourned to the spring semester.

(c) The Corporation may hold a Members' Meeting by a mix of electronic means and in person meetings, in such the way as determined by the Board at the time the meeting is called.

(d) The Corporation shall hold advanced polls for Members to vote on proposed resolutions in order to give those unable to attend the meeting, because of academic obligations or otherwise, the opportunity to participate.

(e) Individuals who are not Members of the Corporation may be excluded at a meeting of the Members of the Corporation by an Ordinary Resolution of the Members.

(f) The general elections held in the Winter semester of every year shall be deemed a Members' Meeting for the purpose of electing Directors.

Requisitioning Meetings

5.4 (a) Members may requisition a meeting by a delivering a written requisition that:

(i) is signed by at least 10% of the Members of the Corporation;

(ii) states the business to be transacted at the meeting; and

(iii) is delivered to the Chair and to the registered office of the Corporation.

(b) Upon receipt of the requisition, the Board shall call forthwith a Special Meeting for the transaction of the business stated in the requisition, provided that the Board shall not be required to call a meeting where the requisition pertains to matters described in Section 5.7(d).

Notice of Meetings

5.5 (a) Notice of the time and place of a meeting of members shall be given to each Member entitled to vote at the meeting by the following means:

(i) by mail, courier or personal delivery to each member entitled to vote at the meeting, during a period of 21 to 60 days before the day on which the meeting is to be held; or

(ii) by telephonic, electronic or other communication facility to each member entitled to vote at the meeting, during a period of 21 to 35 days before the day on which the meeting is to be held.

(b) In addition, a notice of a meeting, including the agenda showing business to be transacted, shall be advertised around campus using such means as the Board may determine at least one week in advance of the meeting.

(c) No minor immaterial error or omission in giving the notice of any meetings of the Members shall invalidate such meeting.

Agenda

5.6 The Secretary, in consultation with the Chairperson, shall be responsible for preparing the agenda for each meeting. The second item, after a call to order, on any agenda shall be ratification of the agenda.

Member Proposals

5.7 (a) Members representing at least 5% of the total membership entitled to vote at a meeting of the Members, as evidenced by a written requisition signed by such Members, may give the Board notice of any matter that such Members intend to raise at an upcoming meeting of the Members, including the wording of a resolution to be moved at the meeting and a statement of not more than 1,000 words with respect to the matter referred to in the proposed resolution.

(b) The Corporation will include the Proposal on the agenda for the meeting and will circulate a copy of the Proposal to all Members entitled to attend the meeting with the notice of the meeting; provided that where it is not practicable to send the Proposal at the same time as the notice of the meeting is sent, the Proposal shall be sent as soon as

practicable thereafter.

(c) The Directors are not bound under this section to give notice of any Proposal that is delivered less than 10 days (or such longer period as may be set out in the Act) prior to the meeting.

(d) The Directors are not bound under this section to give notice of any Proposal where:

(i) it clearly appears that the primary purpose of the Proposal is to enforce a personal claim or redress a personal grievance against the Corporation or its Directors, Officers, or Members;

(ii) it clearly appears that the Proposal does not relate in a significant way to the activities or affairs of the Corporation;

(iii) substantially the same Proposal was submitted to Members in a notice of a meeting of the Members held not more than two years before the receipt of the Proposal and the Members that requisitioned the similar Proposal failed to present the Proposal at the meeting or the Proposal was defeated; or

(iv) the rights conferred by this section are being abused to secure publicity.

(e) If the Corporation refuses to provide notice of the Proposal, it shall, within 10 days after the day on which it receives the Proposal, notify the Members submitting the proposal of its refusal to provide notice of the Proposal and of the reasons for the refusal.

Quorum

5.8 (a) Quorum in the case of a meeting shall be equal to 1% of all Members entitled to vote on the business being transacted.

(b) A quorum, as defined by the By-Laws shall be present for any business to be conducted at a meeting. All business transacted in the absence of quorum is null and void.

(c) If quorum is not present at a Members meeting, or if quorum is lost during a meeting, the Chairperson shall, after waiting a reasonable amount of time for quorum to be established or re-established, adjourn the meeting.

(d) If a Members' Meeting is held in accordance with section 5.3 (c) or if Members choose to exercise their right to vote in accordance with section 5.1 (e), quorum is calculated only by those members who vote in the electronic system and not those who are present at any in person session.

Conduct of Meeting

5.9 (a) The rules contained in *Robert's Rules of Order Newly Revised (12th Edition)* shall govern all Members meetings, to the extent that they are not inconsistent with the By-Laws and the policies of the Corporation.

(b) Every Members meeting shall be presided over by the Chairperson (or such other chairperson as the Board may appoint under these By-Laws) who shall adjudicate all questions concerning the conduct of the meeting.

(c) Minutes shall be taken and will be made available in the Corporation's office as soon as reasonably practicable after the meeting, provided that such minutes will be clearly marked as "Draft (subject to ratification at next Members meeting)" until they are ratified at the next Members meeting.

Decision-making

5.10 (a) All decisions of the Members shall be made in the form of resolutions duly recorded in the minutes.

(b) Any vote taken at a Members meeting shall be voted on by the Members who are present at the meeting or those who choose to participate in accordance with sections 5.3(c) or 5.3(d).

(c) Section 5.10 (b) shall not apply if the Members Meeting is held in accordance with section 5.3 (c) 5.3 (d).

(d) Unless otherwise provided in these By-Laws or the Act, motions must be approved by Ordinary Resolution of the Members. Where a vote is tied, the motion fails.
(e) Voting shall be by a show of hands. unless the Members meeting is held in accordance with section 5.3(c) and 5.3(d).

(f) The Chairperson is not entitled to a second or deciding vote.

(g) Members shall vote collectively, regardless of Member Class, on resolutions affecting the Corporation, except when Members from a particular Member Class must vote on a resolution affecting their Member Class.

Absentee Voting

5.11 (a) No Member may assign proxy to another Member to vote or participate on behalf of a Member at any Meeting of the Members.

(b) The Corporation shall not collect, count and report the results of any vote by proxy cast at any Meeting of the Members.

(c) If a Members meeting is held in accordance with section 5.3 (c) or 5.3(d), a vote by electronic means is not a vote by proxy.

(d) Members that choose to exercise their vote in accordance with section 5.1 (e) shall not be deemed to have voted by proxy.

Representatives at Other Meetings

5.11 (a) The Corporation shall send a minimum of two (2) delegates at all general meetings of a provincial students' association to which it belongs. Such delegates shall be chosen by way of resolution of the Board.

(b) The Corporation shall send a minimum of two (2) delegates at all general meetings of a national students' association to which it belongs. Such delegates shall be chosen by way of resolution of the Board.

6. BOARD OF DIRECTORS

Election
6.1 The Directors shall be elected by the Members by way of an election held in accordance with the Articles of Incorporation, Section 19 and the Elections and Referenda Policy.

Powers of the Board
6.2 The Board shall manage the affairs and activities of the Corporation.

Responsibilities of Directors
6.3 Every Director in exercising his or her powers and discharging his or her duties to the Corporation shall:

(a) act honestly and in good faith with a view to the best interests of the Corporation; and

(b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Delegation
6.4 Directors may not delegate any of their powers, duties and functions, except to the extent permitted by law and by these By-Laws.

Composition and Size of the Board
6.5 (a) The members of the Board, each a Director, shall be:

(i) one (1) Director elected by Class A Members.

(ii) one (1) Director elected by Class B Members.

(iii) one (1) Director elected by Class C Members.

(iv) one (1) Director elected by Class D Members.

(v) one (1) Director elected by Class E Members.

(vi) one (1) Director elected by Class F Members.

(vii) one (1) Director elected by Class G Members.

(viii) one (1) Director elected by Class H Members.

(ix) one (1) External Director appointed by the Board.

(b) The following are non-voting members of the Board by virtue of their office:

(i) the Chairperson;

(ii) the General Manager; and

(iii) the Financial Controller

(iv) the Managing Director, after their term as a director has expired but whose term as the Managing Director has not expired.

The non-voting members have the right to attend all Board meetings, and to have a full voice at all such meetings but shall not vote.

Disqualification

6.6 The following are disqualified from being a Director of the Corporation and, if already a Director, will be deemed to vacate the office upon becoming disqualified:

(a) a person who is not a Member of the class which they were elected by;

(b) a person who is under 18 years old;

(c) a person who has been found under the Substitute Decisions Act, 1992 or under the Mental Health Act to be incapable of managing property;

(d) a person who has been found to be incapable by any court in Canada or elsewhere;

(e) a person who has the status of bankrupt;

(f) is not in good standing with the College, academic or otherwise; or

(g) a person who has been convicted of an indictable offence within the past five years under the Criminal Code for which an absolute or conditional discharge, a pardon or a record suspension has not been granted, or a record of offence for any offence regarding property, public order, contracts or trade, sexual offences, or against the person under the Criminal Code for which an absolute or conditional discharge, a pardon or a record suspension has not been granted.

Board Observers

6.7 (a) Board Observers shall include:

(i) the administrative staff of the Corporation;

(ii) one representative from the union of the Corporation's unionized employees, if any.;

(iii) two representative(s) from the College, which may be either or both a College alumnus or faculty member; and

(iii) others who are granted observer status by the Board at the beginning of a given Board meeting.

(b) Board Observers shall not have voting rights and shall only be granted speaking rights at the discretion of the Chairperson. Board Observers shall not have the right to remain present for 'in-camera' sessions of the Board except with the approval of the Chairperson, but never when such sessions pertain to the remuneration of such Board Observers.

(c) Board Observers shall be exempt from the disqualification under subsection 6.6 (a).
(d)

External Directors

6.8 (a) In the month of May of each year, the Directors shall appoint an External Director to the Board.

(b) The Directors shall invite candidates from outside the Corporation's membership to demonstrate interest in becoming an External Director.

(c) To qualify for the External Director position, the candidate must be a College alumnus and must be in good standing with the College.

(d) Preference for the appointment of the External Director shall be given to a College alumnus that is a local business person or public servant.

(e) Candidates may apply to the External Director position by sending a resume to the Directors, demonstrating their qualifications and association to the Corporation.

(f) The Board members shall review every application for the External Director position and create a shortlist of candidates.

(g) The Board may decide to delegate the task of creating a shortlist of candidates for the External Director position to a group of Board members.

(h) The Board members shall vote on the selection of the External Director candidate by way of Resolution.

(i) An External Director shall be exempt from the disqualification under subsection 6.6 (a).
(j) The External Director shall not be a member of the Corporation at the time of appointment and for the duration of their term of office. (Passed by the Board, not confirmed by the membership)

Term of Directors and Removal of Directors

6.9 (a) (i) The term of office of the Directors shall be one year, beginning on May 1 and ending on April 30 the following year, provided that a Director shall continue to hold office until a successor is duly elected pursuant to the By-Laws, and unless the Director is disqualified under these By-Laws from being a Director or is otherwise removed or resigns in accordance with these By-Laws.

(ii)Notwithstanding subsection (i) should a Director be absent for more than three (3) consecutive Board of Directors' meetings without being authorized to do so by a resolution of the Board of Directors, then that Director shall be deemed to have resigned from their office.

(b) A Director may only be removed by:

(i) an Ordinary Resolution passed by the class of Members at a meeting of the Members desirous to remove its elected Director;

(ii) an order from a Court;

(c) In the event that Director wishes to resign before the completion of their mandate, they must inform the Secretary in writing at the earliest opportunity.

(d) Should a Director not able to resign in person, then that Director's Legal Counsel, duly licensed under the Law Society Act, and acting on that Director's direction may resign on their behalf.

(e) The Board may call a Members' meeting to propose the removal of a Director that is absent from three (3) or more consecutive meetings of the Board, without valid reason.

(f) Should a candidate for a Director position who has been elected:

(i) not attend all training sessions organized for the new Board members; and

(ii) be absent from the first Board Meeting after the Board has been duly composed; or

(iii) not attend two Board Meetings after the Board has been duly composed, if there has not been any Board training sessions,

then the Board may call a Members' meeting to propose the removal of that candidate Director.

(g)A Member who is elected or appointed to hold office as a Director is not a Director, and is deemed not to have been elected or appointed to hold office as a Director, unless they have consented to hold office as a Director in writing 30 days after the day on which the election or appointment took place.

(h) In the event that a Member has accepted the role of Director in accordance with subsection 6.9 (g), the Board shall hold a Meeting of the Members and propose an Ordinary Resolution to remove the Director elect in question as a Director of the Corporation for violating any of the provisions at subsection (f).

(i) In the event that a Member has not accepted the role of Director in accordance with subsection 6.9 (g), the Board may remove the Director elect in question for violating any of the provisions in subsection (f).

(j) Notwithstanding any of the provisions at subsection (f), the Board may extend the timeframe 30 days if there is a valid reason to do so.

Vacancies

6.10 A vacancy on the Board shall be filled by either a by-election in accordance with the Elections and Referendum Policy. In the interim, the remaining Directors on the Board shall be recognized as the Board with quorum requirements reduced accordingly.

Attendance at College

6.11 (a) Directors shall be a full-time student of the College and a Member of the Corporation at the time of their Election.

(b) Directors may not be enrolled in at another academic institution, other than College, during the term of their office.

(c) Directors that are registered in pre-approved courses from other institutions that specifically provide credit towards a College certificate or diploma for their declared program of study are exempt from subsection 6.11 (b) above.

7. BOARD MEETINGS

Participation

7.1 (a) Personal attendance at all Board meetings convened pursuant to this Section 7 is mandatory, save for just and proper cause, for all Directors.

(b) No Director may assign proxy to another Director.

(c) Directors are required to keep themselves informed of any and all upcoming meetings of the Board.

(d) Directors shall provide the Chairperson with their complete mailing addresses, email address and home and work telephone numbers upon taking up their duties.

Location and Time of Meetings

7.2 (a) Meetings of the Board may be convened:

(i) at the call of the Chairperson or by five (5) or more Directors, by submitting a written request to the Chairperson; or

(ii) At regular monthly intervals unless otherwise determined by the Board of Directors.

(b) Despite Sections 7.2(a), a meeting shall be deemed to be properly convened if:

(i) all Directors are present and consent to a meeting being held; or

(ii) all absent Directors consent to a meeting being held in their absence.

Notice

7.3 (a) Notice of the time and place for the holding of a meeting of the board shall be given to every director of the Corporation not less than 7 days before the time when the meeting is to be held by one of the following methods:

(i) delivered personally to the latest address as shown in the last notice that was sent by the Corporation in accordance with Section 128 of the Act (Notice of directors) or 134 of the Act (Notice of change of directors);

(ii) mailed by prepaid ordinary mail to the director's address as set out in (a);

(iii) by telephonic, electronic or other communication facility at the director's recorded address for that purpose; or

(iv) by an electronic document in accordance with Section 17 of the Act.

(b) Notice of a meeting shall not be necessary if all of the directors are present, and none objects to the holding of the meeting, or if those absent have waived notice of or have otherwise signified their consent to the holding of such meeting. Notice of an adjourned meeting is not required if the time and place of the adjourned meeting is announced at the original meeting. Unless the By-Laws otherwise provides, no notice of meeting need specify the purpose or the business to be transacted at the meeting except that a notice of meeting of directors shall specify any matter referred to in subsection 138(2) (Limits on Authority) of the Act that is to be dealt with at the meeting.

Agenda

7.4. The Secretary, in consultation with the Chairperson, shall be responsible for preparing the agenda for each Board meeting. The second item, after a call to order, on any agenda shall be ratification of the agenda.

Quorum

7.5. (a) A quorum in the case of a meeting of the Board shall constitute 50% of all Directors.

(b) Quorum shall be present for any business to be conducted at a Board meeting. All business transacted in the absence of quorum is null and void.

(c) If quorum is not present at a meeting of Board, or if quorum is lost during a meeting, the Chairperson shall, after waiting a reasonable amount of time for quorum to be established or re-established, adjourn the meeting.

(d) If quorum is not present and urgent decisions are required, the Chairperson shall call a new meeting subject to the required notice periods in Section 7.3(a).

(e) Minutes shall be taken and retained at the Corporation's offices.

Conduct of Meetings

7.6 (a) The rules contained in *Robert's Rules of Order Newly Revised (12th Edition)* shall govern all Board meetings, to the extent that they are not inconsistent with the By-Laws and the policies of the Corporation.

(b) Every Board meeting shall be presided over by the Chairperson who shall adjudicate all questions concerning the conduct of the meeting.

(c) If the Chairperson and the Deputy Chairperson are absent from the Board meeting, then the Directors present at the Board Meeting will elect by Ordinary Resolution a person to preside over that meeting.

Decision-making

7.7 (a) All decisions of the Board shall be made in the form of resolutions duly recorded in the minutes.

(b) Any vote taken at a Board meeting shall be voted on solely by the Directors who are present at the meeting.

(c) Unless otherwise provided in these By-Laws or the Act, motions must be approved by Ordinary Resolution of the Directors.

(d) Voting shall be by a show of hands at all Board meetings, except in respect to the appointment of the Managing Director and the appointment of the CRO in which case a secret ballot shall be taken.

(e) All Directors, except where precluded under Section 15, shall have the right to one vote at meetings of the Board.

(f) Any decision required to be made by the Board by way of an Ordinary Resolution or Special Resolution may be made by way of a resolution in writing signed by all the Directors.

Secret Ballot

7.8 Where a secret ballot is required, the Board shall ensure that the ballot is conducted in a manner that ensures confidentiality.

Tie Vote

7.9. (a) In the event of a tie at the Board of Directors on a vote which is (i) a final disposition of a matter; and (ii) not regarding the position of the Chair, the Chair shall break the tie in any manner which the chair considers proper.

(b) In the event of a tie at the Board of Directors on a matter which is not the final disposition of a matter, the Chair shall break the tie in a manner which the chair believes would allow the Board the opportunity for further debate and exploration on the matter.

(c) in the event of a tie at the Board of Directors on a matter which is regarding the position of the Chair, the motion has failed. (amended by the Board, not approved by the membership)

Secretary of the Board

7.10 The Board shall hire and appoint, by Ordinary Resolution, a Secretary in an offer of employment or as part of the duties of an existing employee. The Secretary shall have the following duties and responsibilities in addition to those described in their employment agreement:

(a) record, without note or comment, all resolutions, decisions and other proceedings of the Board;

(b) if required by any Director present at a vote, to record the name and vote of every Director voting on any matter or question;

(c) keep the originals or copies of all by-laws and of all minutes of the proceedings of the Board and forward these documents to the Corporation's solicitor;

(d) any additional functions the Board may deem necessary.

8. CHAIRPERSON

Accountability
8.1. The Chairperson will be offered an employment agreement after fulfilling the requirements set out in section 8.5 and will be directly accountable to the Board of Directors in the employment context.

Term of Office and Removal
8.2. (a) The term of office of the Chairperson shall be from May 1 to April 30, unless the Chairperson is removed by the Board, the Members at a Members' Meeting or is otherwise disqualified under these By-Laws.

(b) A Chairperson may only be removed:

i) by a Special Resolution passed by the Members at a meeting of the Members; or

ii) by a Resolution passed by the Directors and in accordance with the Chairperson's Employment Agreement.

Role and duties
8.3 The Chairperson shall be offered an employment agreement detailing the extent of their duties and the terms of their employment with the Corporation. In addition to the terms described in their employment agreement, the Chairperson shall:

(a) preside over Board meetings and Members' meetings, in particular by:

(i) applying *Robert's Rules of Order Newly Revised (12th Edition) at* meetings and informing Members and Directors of appropriate procedures when necessary; and

(ii) interpreting the By-Laws as they pertain to the conduct of meetings;

(b) act as the representative of the Corporation both within and outside the College, and in conjunction and subject to limits as the Board of Directors shall appoint;

(c) uphold, promote and further the interests of the Corporation;

(d) maintain a file specifically related to their portfolio that will be useful to their successors to the position;

(e) co-ordinate those committees for which they are the Chair;

(f) have a working knowledge of the Corporation's By-Laws and policies;

(g) abide by all policies of the Corporation, as determined by the Board; and

(h) promote public involvement in the Corporation activities;

(i) participate in and foster activities that enhance the economic, social and environmental well-being of the Corporation and its Members;

(j) provide leadership, information and recommendations to the Board regarding the finances, programs and services of the Corporation.

(k) Foster relationship with and gain knowledge of the processes of the College to better advise and inform the Board of Directors on the processes of the College.

(l) present a brief report at every Board meeting and a final report on their activities at the Annual General Meeting (once adopted, this final report will be retained by the Corporation).

Executive Officer
8.4 The Chairperson shall be deemed an Executive Officer.

Election
8.5 The Chairperson shall be elected by the Members during the general elections in the Winter semester.

Eligibility
8.6 The Chairperson must be a Member of the Corporation at the time of their election and for the duration of their term of office.

Remuneration
8.7 (a) The Chairperson position shall be shall be part-time, up to 25 hours a week, except from:
(i) the first day in May until the Second Friday in May;

(ii) the third Monday in August to the second Friday in September and

(iii) the first day of operations in January to the second Friday in January
where the position will be 37.5 hours a week.

(b) The Chairperson shall be paid vacation and other leave as outlined in the Non Union Manager and Corporate Officers Renumeration Policy. (amended by the Board, but not confirmed by the membership)

Time Commitment
8.8 The Chairperson position shall be full-time, up to 40 hours a week, from May 1st to September 15th of every year and shall be part-time, up to 20 hours a week, from September 15th to April 30th of every year.

Ceasing to Hold Office
8.9 The Chairperson shall cease to hold office when they resign or when section 8.2(b) is enacted.

Discipline
8.10 The Board may discipline the Chairperson in accordance with section 18.
Decision to Remove the Chairperson
8.11 The Board shall consult with the Corporation's solicitor before utilizing section 8.2(b) and 18.

Vacancies
8.12 If a vacancy occurs, as a result of the action set out in 8.8 or otherwise, the Board shall have the discretion to hire or appoint a Member or non-member to become the Chairperson.

Deputy Chairperson
8.13 The Board shall immediately after the appointment of the Managing Director appoint a Deputy Chairperson, the Deputy Chairperson shall:

(a) be an associate of the Chairperson in the affairs of the Corporation, upon the request of the Chairperson;

(b) In the absence of the Chairperson, or at the Chairperson's request, the Deputy Chairperson shall be chairperson of the Board.

(c) The Deputy Chairperson shall continue in office until (i) removed by special resolution of the Board of Directors; (ii) the April 30th of each year.

9. SENIOR MANAGERS

Positions
9.1 The Senior Managers of the Corporation are:

(a) the General Manager; and

(b) the Financial Controller.

Eligibility Requirements
9.2 The following are requirements to become a Senior Manager:

(a) General Manager. The General Manager shall be hired by the Board and shall have an employment agreement describing the terms of their employment. Moreover, the Senior Managers Policy shall describe the terms of the General Manager's office.

(b) Financial Controller. The Financial Controller shall be hired by the Board and shall have an employment agreement describing the terms of their employment. Moreover, the Senior Managers Policy shall describe the terms of the Financial Controller's office.

Vacancies
9.3 Vacancies occurring for the General Manager and Financial Controller offices shall be filled using the Selection and Recruitment Policy.

General Manager
9.6 The General Manager shall have the following duties:

(i) Exercising general control and management of the affairs of the Corporation for the purpose of efficient and effective operations of the Corporation.

(ii) Recommending a course of action or policy to the or the Board regarding the general control and management of the Corporation;

(iii) Managing all staffing and human resource affairs of the Corporation;

(iv) overseeing the strategic direction of all staff of the Corporation.

(v) Act as the point of contact with all staff of the Corporation;

(vi) Act as the point of contact with Uniform Local 222 for all labour relations, including but not limited, to grievances and collective agreement bargaining;

(vii) Give instructions to the Corporation's legal counsel on all legal matters of the Corporation;

(viii) Execute all agreements between the Corporation and third parties;

(ix) Manage the Management Committee, in order to accomplish their goals and duties;

(x) Facilitate Board meetings and meetings; (xi) Overseeing the Corporation's Health Plan; and

(xii) Facilitate training for the Board and the Chairperson.

Financial Controller
9.5 The Financial Controller shall have the following duties:

(i) Facilitating the entirety of the Corporation's finances;

(ii) Developing budgets for the Corporation;

(iii) Monitoring the financial procedures of the Corporation, as outlined in the Financial Administration Policy;

(iv) Managing the Corporation's procurement practices as outlined in the Financial Administration Policy;

(v) Facilitating payroll for the Corporation;

(vi) Facilitating expenditures for the Corporation;

(vii) Coordinating with the others on common projects;

(viii) Advising the Board on the appointment of an auditor for the Corporation;

(ix) Reporting to the Board;

(x) Attend Finance Committee meetings to help make determinations at such meetings;

(xi) Recording the agreements between the Corporation and third parties; and

(xii) Any other duty assigned to the Financial Controller in their employment agreement, the Senior Manager Policy and/or the Financial Administration Policy.

10. MANAGEMENT COMMITTEE

Composition

10.1 Members of the Management Committee shall be:

(a) the Chairperson;

(b) the General Manager; and

(c) the Financial Controller.

Powers of the Management Committee

10.2 (a) Subject to Section 10.2(c), the Management Committee shall have the following powers:

(i) To act in place of the Board in dealing with financial business with respect to matters involving amounts less than $50,000, except in circumstances which, in the opinion of the majority of the Management Committee, warrant the calling of a special meeting of Board;

(ii) To act in place of the Board in dealing with other routine business of the Corporation, except the following circumstances, which warrants a determination by the Board:

(a) Entering into any binding agreement for a duration of more than six (6) month and\or an amount of $50,000.00;

(b) Any other financial obligations mentioned in the Financial Administration Policy; (c) Determining the positions of the Corporation regarding the Operating Agreement with the College

(iii) To act in the place of the Board in entering into binding agreement of up to the amount of $75,000 where the Board:

(i) anticipated the expense; and

(ii) authorized the Management Committee to enter into agreement.

(iv) Such other powers as may be specifically delegated by the Board by way of Special Resolution. (amended by the board but not confirmed by the membership)

(b) The signing authority of the Management Committee shall be as set out in Section 17.2.

(c) Notwithstanding anything to the contrary herein, the Board may not delegate to the Management Committee the powers to:

(i) submit to the Members any question or matter requiring the approval of the Members;

(ii) fill a vacancy among the Directors or in the position of auditor or of a person appointed to conduct a review engagement of the corporation;

(iii) appoint additional Directors;

(iv) issue debt obligations except as authorized by the Directors;

(v) approve any financial statements or the budget;

(vi) adopt, amend or repeal by-laws; or

(vii) establish contributions to be made, or dues to be paid, by Members.

Responsibilities of the Management Committee

10.3 (a) The Management Committee shall be responsible for:

(i) administrating the day-to-day affairs of the Corporation in accordance with the applicable policies of the Corporation at Article 20 and the direction dictated by the Board;

(ii) implementing and abiding by the policies of the Corporation;

(iii) upholding the By-Laws of the Corporation;

(iv) monitoring the actions of Committees of the Board;

(v) distributing among themselves the responsibilities of any Management Committee Member who is temporarily unable to act;

(vi) coordinating the actions of each Management Committee Member;

(vii) implementing any and all decisions of the Board;

(viii) reporting to each meeting of the Board and acting accordance with any decisions of the Board; and

(ix) performing such other functions as the Board may determine.

Spent provision
10.4 Spent Provision

Designation
10.5 The Management Committee shall be considered a committee of the Board, but the members of the Management Committee shall not be deemed Directors.

Decision-Making and Record-Keeping
10.6. Management Committee decisions shall be made by consensus and shall be recorded in writing, with the option of being done by email. Consensus shall be when all Senior Managers agree. Any matter that cannot be reached by consensus must be taken to a vote at the Board.

Meetings
10.7 The Management Committee may meet at their discretion at the request of any of its members or by the Board.

11. MANAGING DIRECTOR

Accountability
11.1 The Managing Director shall be accountable directly to the Board of Directors.

Term of Office
11.2 The Managing Director shall be from June 1 to May 31, unless the Managing Director is removed by the Board, the Members at a Members' Meeting or is otherwise disqualified under these By-Laws.

Role and duties
11.3 The Managing Director shall:

(a) approve the expenses of the Senior Managers;

(b) provide information to the Board of Directors about staff and Senior Managers and liaise between the Board and the Senior Managers when necessary;

(c) together with the Chairperson and the Financial Controller prepare the annual budget of the Corporation;

(d) provide leadership to the Standing Committee;

(e) other duties as assigned by the Board of Directors.

Appointment
11.4 The Managing Director shall be a duly elected Director and shall be appointed by the Board at the first Board Meeting.

Eligibility
11.5 The Managing Director must be a Director at the time of their appointment and for the duration of their term of office.
Remuneration
11.6 (a) The Managing Director shall receive such compensation, the amount of which shall be set by a resolution of the Board.

(b) The Managing Director shall not receive any monetary or in-kind benefits other than the compensation referred to in Section 11.7(a) without the consent of the Board. This shall not affect the use of Corporation facilities and funds reasonably associated with the carrying out of their duties.

Time Commitment
11.7 The Managing Director position shall be part-time, up to 15 hours a month, from June 1st to May 31th of every year. (amended by the board, not confirmed by the membership)

Ceasing to Hold Office
11.8 The Managing Director shall cease to hold office when they resign or when section 11.9 is enacted.

Removal of the Managing Director
11.9 The Board may remove a Managing Director by a ¾ majority vote at a Board meeting if:
(a) the Managing Director does not comply with the Act, the Articles of Incorporation or any by-law or resolution of the Corporation;

(b) the Board is of the opinion that the Managing Director is incapable of performing their functions because of sickness or absence; or

(c) the Board believe that the removal of the Managing Director is in the best interest of the Corporation.
The Managing Director's position as a duly elected Director will not be affected by the removal provisions above. A Director may only be removed from their position in accordance with section

6.9. The Managing Director office becomes vacant if the Managing Director is no longer a director of the corporation by resignation or removal under these by-laws, but not expiry of their term of office.

Discipline
11.10 The Board may discipline the Managing Director in accordance with section 18.

Decision to Remove the Managing Director
11.11 The Board shall consult with the Corporation's solicitor before utilizing section 11.10 and 18.

Vacancies
11.12 If a vacancy occurs, as a result of the action set out in 8.8 or otherwise, the Board shall have the discretion to hire or appoint a Member or non-member to become the Chairperson.

12. STANDING COMMITTEE, ELECTION COMMITTEE AND AD-HOC COMMITTEES

Purpose
12.1 The Committees used to assist the Board and staff of the Corporation in governing the Corporation and to give Members the opportunity to participate in the affairs of the Corporation.

12.2 Deleted

12.3 Deleted

Authority of the Committees
12.4 Any decision of any Committee must be approved by the Board before it has any force or effect. All decisions of such Committees shall be cast in the form of recommendations and presented to the Board, with a report, for approval.

General
12.5 (a) Each Committee shall obtain, as is reasonable, input on projects within its mandate from Members of the Corporation and, where appropriate, from outside sources.

(b) In the event of the failure of a voting member of a Committee to attend two meetings during their term either in person, the Chair of the Committee shall remind the member in writing of their duty to attend Committee meetings. If, after notice has been given, a subsequent meeting be missed by the member, the Chair may, at the discretion of the other members of the Committee, remove the member from the committee.

Composition
12.6 (a) The Standing Committee shall be composed of:

(i) The Managing Director as the Chair;

(ii) at least three Directors appointed by the Board;

(iii) the Chairperson, Deputy Chairperson, and General Manager.

(b) The Elections Committee shall be composed as set forth in Elections Policy.

Quorum

12.6 (a) In any Committee of the Corporation with a composition not exceeding 3 members, all voting members must be present in person for business to be transacted.

(b) In any Committee of the Corporation with a composition exceeding 3 members, a majority of one-half plus one must be present in person for business to be transacted.

(c) All business transacted in the absence of quorum is null and void.

Conduct of Meetings

12.7 (a) The rules contained in Robert's Rules of Order Newly Revised (12th Edition) shall govern all Committee meetings, to the extent that they are not inconsistent with the By-Laws and Policies of the Corporation.

(b) Every Committee meeting shall be presided over by the Managing Director of the Committee who shall adjudicate all questions concerning the conduct of the meeting.

The Standing Committee Responsibilities

12.8 The Standing Committee shall be the general committee of the Board of Directors and shall be responsible for:

(a) reviewing the finances of the corporation including the budget, financial statements, and the audit;

(b) reviewing the services of the corporation, including proposals for new services and realignment of services;

(c) review and recommend changes to any by-laws and policies of the Corporation;

(d) Providing forums for substantial policy discussion of the finances, services and policies of the Corporation;

(e) Making policy recommendations to the Board; and

(f) other items which the Board may ask the Committee to review.

Elections Committee

12.9 The Elections Committee is responsible for the duties as contained in the Elections Policy. (approved by the Board of Directors, not ratified by the membership)

13. CHIEF RETURNING OFFICER

Appointment

13.1 The Elections Committee shall appoint a Chief Returning Officer to preside over elections, by-elections and referenda of the Corporation, provided that such appointment must be ratified by an Ordinary Resolution of the Board.

Eligibility Requirements
13.2 The CRO may be a Member, non-Member or an outside organization.

Term of Office
13.3 The term of office of the CRO shall be determined by the Elections Committee for any given year.

Role
13.4 (a) The powers and duties of the CRO shall be set out in the Elections and Referenda Policy.

(b) The CRO shall report to the Elections Committee. Appeals of decisions of the CRO may be made to the Elections Committee in accordance with the Elections and Referenda Policy.

(c) The CRO may delegate any of his or her powers, duties and functions as she or he sees fit to deputy returning officers or elections staff, provided that such people are not Directors nor do they hold an office as the Chairperson or staff position within the Corporation.

Remuneration
13.5 The CRO shall receive compensation as set by the Elections Policy.

Vacancy
13.6 In the case of a vacancy of the CRO, the Elections Committee may appoint a new CRO as soon as reasonably possible in all cases, but in no later than 10 days after a vacancy that occurs during an election, provided that such appointment shall be ratified by the Board.

Ceasing to Hold Office
13.7 In the event that a CRO wishes to resign before the completion of their mandate, they must inform the Elections Committee in writing at the earliest opportunity.

Removal of the Chief Returning Officer
13.8 The Board or the Members, at a Board Meeting or a Meeting of the Members, may remove a CRO by a Special Resolution if:

(a) the CRO does not comply with the Act, the Articles of Incorporation or any By-Law or resolution of the Corporation; or

(b) the CRO is incapable of performing their functions because of sickness or absence.

14. STAFF POSITIONS AND PERSONNEL POLICIES

Role of Employee, staff and volunteers

14.1 It is the role of the employees, staff, and volunteers of the Corporation to:

(a) carryout the programs, services, and activities of the Corporation in accordance with the policies and decisions of the Management Committee and the Board;

(b) undertake research and provide advice to the Management Committee and Board; and

(c) to carry out all other duties under the By-laws, and policies of the Corporation.

Staffing Decisions

14.2 (a) The General Manager shall determine the Corporation's requirements and create and approve such paid and volunteer positions as are deemed necessary, subject to complying with the approved budget of the Corporation and Board approval.

(b) To fill new or existing positions, the General Manager can create an ad-hoc hiring committee of any composition, as long as it is consistent with any applicable collective agreement).

(c) Each employment position created by the Corporation must have terms of reference and an explicit job description prepared by the General Manager.

(d) All employees, or prospective employees, shall be in good standing with the College.

Collective Agreement

14.3 (a) This Section 14 shall be subject to the Collective Agreement involving the Corporation, if any.

(b) The Corporation will act in a manner consistent with the Collective Agreement, if applicable, when dealing with employees and employee issues.

15. CONFLICTS OF INTEREST & CONFLICTS BETWEEN GOVERNING DOCUMENTS

Conflict of interest - generally

15.1 A conflict of interest arises when a Director or a Management Committee member:

(a) has an interest in a contract to which the Corporation is a party;

(b) is a director or an officer of, or has a material interest in, any person or organization who is a party to a material contract or transaction with the Corporation; or

(c) is a director or officer of another student union at any other academic institution.

Procedures upon declaring a conflict

15.2 If any Director or Management Committee member is faced with a situation where an existing or potential conflict of interest, that member:

(a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;

(b) shall not take part in the discussion of, or vote on any question in respect of the matter;
(c) shall not attempt in any way whether before, during or after a Meeting to influence the voting on any such question.

(d) Where the meeting referred to in subsection (c) is not open to the public, in addition to complying with the requirements of that subsection, the Director or Management Committee Member shall forthwith leave the Meeting or the part of the Meeting during which the matter is under consideration. The declaration of interest shall be public, even if the declaration was made in closed session.

(e) when the Member has administrative duties regarding the affairs of the Corporation and has a conflict of interest, then the Management Committee shall designate another member of the Management Committee to perform their functions and duties.

(f) the disclosure shall be recorded in the minutes of the Meeting at which the declaration occurred, and shall be recorded in the registry kept by the Secretary in the form prescribed.

Failure to Disclose

15.3 Failure to disclose a potential conflict of interest constitutes grounds for the disciplinary procedures described in the By-laws.

Conflicts between governing documents

15.4 (a) In the event of a conflict between the *Robert's Rules of Order Newly Revised (12th Edition)* and these By-Laws, these By-Laws shall govern;

(b) In the event of a conflict between these By-Laws and the Articles of Incorporation; the Articles of Incorporation shall govern; and

(c) In the event of a conflict between the Articles of Incorporation and the Act, the Act shall govern.

16. RECORD KEEPING DISCLOSURE OF INFORMATION

Records

16.1 The Corporation shall prepare and maintain records containing:

(a) the Corporation's Articles of Incorporation and By-Laws, and amendments to them;

(b) the minutes of meetings of the Members and of any committee of Members;

(c) the resolutions of the Members and of any committee of Members;

(d) the minutes of meetings of the Directors and of any committee of Directors;

(e) the resolutions of the Directors and of any committee of Directors;

(f) a register of Directors;

(g) a register of Officers;

(h) accounting records adequate to enable the Directors to ascertain the financial position of the Corporation with reasonable accuracy on a quarterly basis; and

(i) the conflict of interest registry described in section 15.2;

(j) any other records required by law.

Inspection by Directors

16.2 (a) The records described in Section 16.1 must be open to inspection by the Directors during the Corporation's regular office hours.

(b) The Corporation will, at the request of any Director, provide the Director with any extract of the records described in Section 16.1 free of charge.

Inspection by Members, etc.

16.3 (a) A Member, a Member's legal representative and a creditor of the Corporation may examine the records referred to in Sections 16.1(a), 16.1(b), 16.1(c), 16.1(f) and 16.1(g) during the Corporation's regular office hours.

(b) In addition to the records set out in Section 16.3(a), a Member, a Member's solicitor or legal representative may examine the records referred to in Section 16.1(d) and 18.1(e) during the Corporation's regular office hours.

(c) A Member of the Corporation, and a Member's solicitor or legal representative on the Member's behalf, is entitled on request and free of charge to one copy of any record of the Corporation that they are entitled to inspect.

(d) A creditor of the Corporation exercising the rights set out in Section 16.3(a) must pay a reasonable fee in order to obtain an extract or copy from those records.

Confidentiality

16.4 Every Management Committee Member and Director will be required to sign a confidentiality agreement in the form approved by the Board by Ordinary Resolution.

17. FINANCIAL MATTERS

Fiscal Year
17.1 The fiscal year of the Corporation shall be from the first day of May of any given year to the thirtieth day of April of the following year.

Signing Authority
17.2 Signing authority shall be as follows or as otherwise determined by the Board:

(a) all cheques, other bills of exchange and notes of indebtedness issued by the Corporation shall be signed by the Chairperson and Financial Controller, the General Manager and the Financial Controller, or the General Manager and the Chairperson;

(b) the Chairperson and the Financial Controller, the General Manager and the Financial Controller, or the General Manager and the Chairperson are required to sign for any withdrawal of funds from the Corporation's account;

(c) the General Manager and the Financial Controller are required to sign any loan agreements; and

(d) the General Manager shall sign all contracts on behalf of the Corporation, unless otherwise determined by the Board.

Approval of Expenses
17.3 Ordinary expenses included in an approved budget of the Corporation do not require additional approval by the Board or Management Committee. Any deviation from the budget or any material expenditure not contemplated shall be dealt with in accordance with the Financial Administration Policy.

Banking
17.4 (a) All monies of the Corporation shall be deposited to the credit of the Corporation in such bank or other financial institution as the Board may determine.

(b) The General Manager, a senior manager authorised by the General Manager and the Financial Controller are authorized to conduct the banking business of the Corporation in accordance with these By-Laws.

Financial Reports
17.5 The Auditor shall present a financial report to all Members of the Corporation at the Annual General Meeting.

Budget
17.6 (a) The Financial Controller, in consultation with the Finance Committee, shall prepare an annual budget for the Corporation and submit it to the Board for approval.

(b) The Chairperson shall present the approved budget for the coming fiscal year at the Annual General Meeting. However, the budget is not subject to any additional approval or ratification by the Members.

(c) If, for any reason, the Board has not approved a budget before the commencement of a fiscal year, the Board may authorize that expenditures may be made and liabilities may be incurred on the basis of the budget for the previous financial year, until the new budget is approved.

(d) Any expenditures made under Section 17.6(c) shall be reported to the Board at each and every Board meeting until the approval of said budget.

(e) The Corporation shall abide by the reserve provisions in the Financial Administration Policy to ensure that the staff payroll and the operational costs of the Corporation are covered in its entirety.

Auditors

17.7 An independent external auditor as appointed at the Annual General Meeting shall prepare a statement of the Corporation's financial position for the preceding year. This report shall be presented to the Board in the fall term and to the Members at the Annual General Meeting.

Dedicated Funds

17.8 The Corporation may maintain dedicated funds for prescribed purposes. In the event that a dedicated find is created, the Board shall pass a policy prescribing the purpose and use of any such fund.

Indemnity

17.9 (a) Every Director, the Chairperson or any Senior Manager undertaking any action or liability on behalf of the Corporation, either within the scope of their office or with express authority of the Corporation, shall be indemnified and saved harmless out of the funds of the Corporation from and against:

(i) any and all costs, charges, damages and expenses sustained or incurred in relation to the affairs of the Corporation; and

(ii) with respect to any action, suit or proceeding brought against her for any act or thing done or permitted by her in the execution of her duties, unless such costs, charges, damages or expenses are occasioned by her own wilful neglect or default.

(b) The indemnity described above in Section 17.9(a) shall only be available to an individual if:

(i) he or she acted honestly and in good faith with a view to the best interests of the Corporation; and

(ii) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, he or she had reasonable grounds for believing that his or her conduct was lawful.

External Partnerships

17.10 (a) The funds held by the Corporation is for the benefit of the Members of the Corporation

(b) The General Manager, in consultation with the Management Committee or Board may enter into a contract for a joint service, event, or program only if that service, event, or program is to benefit the membership.

(c) In making a decision under subsection (b), the General Manager or the Board must consider and have regards to all the circumstances of the service, event, or program, and the level of participation by the membership of the Corporation in that service, event, or program.

(d) Any contract for a joint service, event, or program must:

(i) not be for longer than a 12 months duration;

(ii) have review mechanism in it to ensure that the Corporation's members are receiving benefit from the joint, service, event, or program;

(iii) have a complaint mechanism which reports to the appropriate structure of the Corporation.

Changes to Directors compensation

17.11 Any change to the compensation for Board Members, Managing Directors, the Chairperson shall take effect May 1 on the year following the year which has been approved, unless such change is approved by the membership at a membership meeting.

18. DISCIPLINING DIRECTORS & CHAIRPERSON

Grounds

18.1 The Corporation shall have the right to discipline its Directors and Chairperson. Grounds for disciplinary action are as follows:

(a) poor attendance at meetings;

(b) theft, fraud, or embezzlement of funds;

(c) failure to disclose a significant or obvious conflict of interest;

(d) breach of confidentiality;

(e) misuse of Corporation property;

(f) negligent misconduct related to the operations or finances of the Corporation; and

(g) failure to perform their duties as specified in the Corporation By-Laws.

Sanctions

18.2 (a) Upon committing one of the above grounds for disciplinary action, the Board shall meet to determine whether a meeting of the Members shall be called in order to sanction the Director or Chairperson.

(b) The Board may impose any of the following sanctions:

(i) provide a verbal or written reprimand; and

(ii) call a meeting of the Members for the purposes of considering a resolution to remove a Director in accordance with these By-Laws.

(c) The Director will be entitled to make representations at a meeting of the Board called for the purposes of imposing sanctions.

(d) The Director or will be entitled to give the Corporation a statement giving reasons for opposing their removal if a meeting of the Members is called for that purpose. If the Director provides a statement, the statement shall be circulated with the notice of meeting sent with respect to the meeting to consider the removal of the Director, or as soon as possible thereafter if it is not practical to circulate the statement with the notice.

Suspension

18.3 Should a Director or Executive Officer be charged with an offence under the Criminal Code during their term in office, then that Director's capacity to exercise powers and duties under their respective office shall be suspended and they shall be placed on a leave of absence.

Standing with the College

18.4 Should a Director fall out of good standing with the College during their term in office, then that Director's capacity to exercise powers and duties under their respective office shall be suspended until a further determination by the Board can be made.

Conviction of Criminal Offence

18.5 Upon conviction of an offence under the Criminal Code the office of a Director or Chairperson shall become vacant.

Termination by the Board

18.6 Should the Board of Directors determine that any Senior Managers or the Chairperson is in breach of their employment agreement or the Bylaws of the Corporation the Board of Directors shall:

a) terminate that person's employment agreement with the Corporation;

b) suspend that person on terms to be determined by the Board of Directors; or

c) issue a written reprimand to that person.

A Senior Manager and Chairperson that receives a letter from the Board of Directors pursuant to a) or b) shall be deemed to have resigned from their office.

19. ELECTIONS AND REFERENDA

Policy
19.1 The Corporation shall follow the rules and procedures facilitating the general election or by-elections of the Corporation described in the Elections and Referenda Policy.

Attributes of the Policy
19.2 In addition, any elections or referendum held by the Corporation shall have the following attributes:

(a) Where Members are entitled to vote in an election or referendum that must be held under these By-Laws and the Articles of Incorporation, such voting will be conducted by secret ballot and in accordance with the Elections and Referenda Policy.

(b) The CRO is responsible for the elections of the Directors and the Chairperson.

(c) Notwithstanding anything to the contrary in these By-Laws or in the Act, such elections or referenda may be held at a time other than during a duly-called Members meeting and the results of the secret ballot will have the same effect as a vote in person at a Members meeting when such results are read into the record at a duly called Members meeting, provided that quorum will be deemed to be established if the number of ballots cast meets the quorum requirement of Section 5.8(a).

(d) The Board shall ensure that the secret ballot is conducted in a manner that ensures confidentiality while still maintaining the integrity of the voting process. The Corporation shall abide by the voting procedures for elections and referenda prescribed in the Elections and Referenda Policy.

Elections Policy
19.3 The Corporation will comply with the Elections and Referenda Policy and, to the extent of any inconsistency between these By-Laws and the Elections and Referenda Policy, this By-Law will prevail.

20. POLICIES OF THE CORPORATION

General Description
20.1 (a) Policies established in accordance with Section 20.2 are the official policies of the Corporation, and they stand until revoked as per Section 20.2.

(b) Policies may set out:

(i) operational details of certain aspects of the Corporation; or

(ii) official positions of the Corporation.

Establishment of Policies

20.2 (a) Policy proposals may be submitted to the Corporation by any Member, Director or Board Committee and will be subject to review by the Board.

(b) Policies may be enacted, amended or repealed by a Special Resolution of the Board.

(c) A Policy may be repealed by a Special Resolution of the Members at a Members meeting. A motion to repeal a Policy shall constitute Special Business and is subject to the applicable provisions of these By-Laws.

Required Policies

20.3 (a) The Board shall establish and approve the following Policies:

(i) An Elections and Referenda Policy;

(ii) An Executive Remuneration Policy;

(iii) A Senior Manager Policy;

(iv) An Accessibility Policy;

(v) An Internet and Social Media Policy;

(vi) A Harassment Policy;

(vii) A Violence Prevention Policy;

(viii) A Recruitment and Selection Policy;

(x) A Health and Safety Policy;

(xi) A Progressive Discipline Policy;

(xii) A Privacy Policy;

(xiii) A Services Policy;

(xiv) A Financial Administration Policy;

(xv) A Policy for any dedicated fund established under these By-Laws.

Binding Nature

20.4 Policies are binding on Corporation staff, Members, Directors and Senior Manager and the Chairperson.

Policy Manual

22.5 All policies of the Corporation shall be compiled in a Policy Manual, to be updated regularly and kept in the Corporation office. The Corporation's Policy Manual shall be provided to any Member of the Corporation upon written request.

21. INSURANCE POLICIES

Insurance
21.1 The Corporation shall at all times maintain a Commercial and General Liability insurance policy with an aggregate limit of $5 million dollars.

Additionally Insured
21.2 The Corporation shall add the College as an additional insured party to its Commercial and General Liability insurance policy.

Value of Policy
21.3 The Corporation shall at all times maintain a directors and officers insurance policy with an aggregate limit of limit of $2 million dollars.

Multimedia Insurance
21.4 The Corporation shall at all times maintain a multimedia insurance policy.

Crime insurance
21.5 The Corporation shall at all times maintain crime insurance policy.

22. REQUEST FOR PROPOSALS

Purchasing
22.1 The Corporation shall ensure that its purchasing policies are consistent with the requirements of the Broader Public Sector Procurement and Expense Directives, Binding Policies and other directives of the Government of Ontario governing public institutions.

Request for quotes
22.2 The Corporation shall obtain no less than three (3) written quotes prior to deciding to purchasing goods or services with a value of five thousand dollars ($5,000) and up to but not including one hundred thousand dollars ($100,000), excluding any applicable taxes.

Request for proposals
22.3 The Corporation shall conduct a Request for Proposal process for purchases of goods or services of one hundred thousand dollars ($100,000) or more.

23. AMENDMENTS AND OTHER CHANGES TO THE BY-LAWS

Amendments to the By-laws
23.1 The Members may at the Annual General Meeting or a Special Meeting of the Members, by Special Resolution make, amend or repeal a by-law not contrary to the Act or to the Articles of Incorporation that regulate the activities or affairs of the Corporation.

Member Proposal
23.2 A Member entitled to vote at a meeting of the Members may make a Proposal in accordance with Section 5.7 to make, amend or repeal a by-law in accordance with this Section 23, provided that such proposal must be confirmed by the Members in accordance with this Section 23.

Amendments by the Board
23.3 The Board may by Special Resolution make, amend or repeal a by-law not contrary to the Act or to the Articles of Incorporation that regulate the activities or affairs of the Corporation.

Approval by the Members
23.4 A by-law addition, amendment or repeal at subsection 23.3 is effective from the date of the resolution of the Board. If the by-law addition, amendment or repeal is confirmed, or confirmed as amended, by the Members it remains effective in the form in which it was confirmed.

Subsequent Resolution
23.5 If a by-law addition, an amendment or a repeal ceases to have effect, a subsequent resolution of the Board that has substantially the same purpose or effect is not effective until it is confirmed, or confirmed as amended, by the Members.

Corrections
23.7 The Board, upon recommendation of the Secretary or the By-Laws committee may:

(a) correct spelling, punctuation or grammatical errors, or errors that are clerical, typographical or similar nature;

(b) alter the style or presentation of the text or graphics to be consistent with the editorial or drafting practices of the Corporation or to improve electronic or print presentation;

(c) make such minor changes as may be required to ensure a consistent form of expression;

(d) replace a form of reference to an Act, regulation, or a provision or other portion of an act with a different form of reference in accordance with drafting practices;

(e) replace a description of a date or time with the actual date or time;

(f) when the name, title, location or address of a body, office, person, place or thing has been altered, change references to the name, title, location or address to reflect the alteration, if the body, office, person, place or thing continues under the new name or title or at the new location or address;

(g) correct errors in the numbering of provisions or other portions of an Act or regulation and make any changes in cross-references that are required as a result;

(h) if a provision of a transitional nature incorporate it as a provision of the relevant consolidated by-law and make any other changes that are required as a result;

(i) make a correction, if it is patent both that an error has been made and what the correction should be.

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER A-1

BOARD PROCEDURAL POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION (hereinafter the "Corporation")

BOARD PROCEDURES POLICY (hereinafter the "Policy")

PART I - POLICY STATEMENT

Policy shall govern meetings

1. The Board establishes this Policy to govern the procedures of meetings of the Board and the Committees thereof.

PART II: DEFINITIONS

Definition not provided for in this policy by-laws

2. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the By-Laws.

Definitions

3. The following definitions shall apply to the Policy:

"Motion" shall have the same meaning as Ordinary Resolution, as defined in the By-laws.

"Rule of Order and Procedure" shall mean the Robert's Rules of Order Newly Revised (12th Edition) and if the matter still be unresolved the House of Commons Procedures and Practices (third edition).

PART III: GENERAL

Procedures at meetings

4. The procedure for meetings as contained in this Policy shall be maintained throughout all meetings of the Board, and all committees meetings thereof.

Authority in unproven cases

5. In all cases not provided for hereinafter, or by resolution of the Board procedure questions shall be decided by the Chairperson, whose decision shall be based on the usages, forms, customs and precedents of the parliamentary traditions set forth in most recent edition of the Rules of Order and Procedure.

Adaption for disabilities

6. The Chairperson may alter the application of any practice in order to permit the full participation in the proceedings of any Executive Officer, Director or Member with a disability.

PART IV: OPEN MEETING

Public meeting

7. Except as provided in this division, all Meetings shall be open to the public.

Closed Meeting

8. A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is,

    a) the security of the property of the DCSA;

    b) personal matters about an identifiable individual;

    c) a proposed or pending acquisition or disposition of property;

    d) labour relations or employee negotiations;

    e) litigation or potential litigation;

    f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, or on the recommendation of the corporation's solicitor;

    g) a position, plan, procedure, criteria, or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the DCSA, including matters regarding the relationship with Durham College of Applied Arts and Technology; or

    h) Durham College of Applied Arts and Technology is requesting the matter be dealt with in a closed session.

Conditions before closing meeting

9. A Meeting may be closed to the public if the following conditions are both satisfied,

    a) The Meeting is held for the purpose of educating or training the Executive Officers Directors; and

    b) at the Meeting, no Executive Officer or Director discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Board.

Resolution required

10. Before holding a Meeting or part of a Meeting that is to be closed to the public, the Board shall state by resolution,

    a) the fact of the holding of the closed Meeting and the general nature of the matter to be considered at the closed Meeting; or

    b) in the case of a meeting under section 9, the fact of the holding of the closed Meeting, the general nature of its subject-matter and that it is to be closed under that section.

Vote in closed session

11. Subject to section 12, a Meeting shall not be closed to the public during the taking of a vote.

Conditions for vote in closed session

12. Despite section 11, a Meeting may be closed to the public during a vote if,

    a) section 11 permits or requires the Meeting to be closed to the public; and

    b) the vote is for a procedural matter or for giving directions or instructions to officers, employees, legal counsel, any deemed agents of the DCSA, or persons retained by or under a contract with the DCSA; or

    c) it is expedient to the flow of business that the vote be held in closed session and the resolution and the vote be announced at the first instance where the board meets in open session after the vote was taken.

Closed session mandatory for discipline

13. A Meeting shall be closed to the public if the subject matter is regarding discipline of Directors, Executive Officers, or employees of the Corporation.

Compliant over closed meeting

14. Should any Director or Member have reasonable grounds to believe that a provision of this Article IV has been violated, then that Director or Member shall notify the Secretary of the Board who shall forward the complaint to the Corporation's legal counsel so they many review the subject matter of the closed session. If the subject matter of the closed session is not in accordance with part IV the Corporation's legal counsel shall advise the Board regarding the closed session and give such recommendations as they deem fit.

Exclusion from closed session

15. The Directors may exclude the Chairperson, the General Manager, and the Secretary of the Board from a meeting, should the majority agree that it is in the best interests of the Corporation to do so, and the Corporation's Legal Counsel agrees.

PART V: NOTICE

Notice

16. The Secretary of the Board shall give notice of all Meetings of the Members or, the Board by placing the notice on the website of the Corporation, and by e-mail to all Directors of the Corporation and the Chairperson, General Manager, and Financial Controller. This would normally be done seven days (7) before the meeting of the body which shall meet, however in cases of a Special Meeting this shall be done when the consent to the holding of the Meeting with less than seven days notice.

DIVISION VI: PROCEDURES TO BE MAINTAINED AT THE BOARD

Agenda for Board Meeting

17. Upon the date and hour specified in the calling of the Meeting, the order of business for the Meeting shall be:

    (a) Call to Order and Roll Call

    (b) The Land Acknowledgement

    (c) Adoption of the Agenda

    (d) Declaration of Conflict of Interest

    (e) Adoption of the Minutes of the previous meeting

    (f) Delegations/presentations

    (g) Motions

    (h) Report of the Executive Chairperson and General Manager

    (i) Reports of Committee

    (j) Financial Reports

    (k) Other Reports

    (l) Statements or Questions by Members

    (i) Supplemental agenda

    (m) Closed Session

    (n) Adjournment

Quorum at start of meeting

18. If at the date and hour specified in the calling of the Meeting, there is not quorum present, the Board shall adjourn for a quarter hour, and if quorum is not present upon the quarter hour after the date and hour specified, the Meeting shall be adjourned and further notice shall be given for another time and date for the Meeting of the board.

Quorum during the meeting

19. If at any point during the Meeting there is not a quorum present, the Board shall adjourn for a quarter hour, if quorum is not present upon the at the end of the quarter hour, the meeting shall be adjourned and further notice shall be given for another time and date for the meeting of the board.

20. If the Board met in closed session and held in a vote in accordance with section 14(c), then a quorum need not be present for the vote to be announced in open session.

Board to elect presiding office

21. If at the date and hour specified in the calling of the Meeting, the Chairperson and the Deputy Chairperson are not present, the Board shall elect another person to chair the Meeting in accordance with the By-laws.

Chairperson role for decorum

22. The Chairperson shall ensure that decorum, proper conduct and ensure the Rules of Order and Procedure are observed, and is authorized to rule on all points of order, questions of privilege, points of information and other matters relating to this Policy. The Chairperson shall be advised by the Secretary of the Board when ruling on all points of order, questions of privilege, points of information and other matters relating to this policy.

Director arriving late for meeting

23. If a Director arrives at a Meeting after the roll has been called or leaves before the Meeting has been adjourned, the Secretary of the Board shall note the time of the Member's arrival or departure in the minutes. When a Member arrives early or late and has a conflict of interest they shall declare the interest before the matter is considered.

Agenda

24. It is the responsibility of the Secretary of the Board to prepare the agenda for the meeting. The Secretary of the Board shall accept items for the agenda from any Director. The Secretary of the Board shall accept any item on the agenda from staff only if that item has the approval of the General Manager. Once the agenda has been delivered to the Directors, it may only be amended by (i) a supplemental agenda; or (ii) a simple resolution of the Board.

Supplemental agenda

25. The Secretary of the Board may prepare a supplemental agenda which contains matters not found on the initial agenda, before considering any aspect of the supplemental agenda, the Board shall pass a resolution to consider the items on the supplemental agenda.

Land Acknowledgement

26. The Chairperson shall at the appointed time read or ask a member to read the Land Acknowledgement in this or similar format:

    Durham College Student Association is situated on the traditional lands of the First Peoples of the Mississaugas of Scugog Island First Nation. We recognize the lands on which we gather are covered under the Williams Treaties and rest within the traditional territory of the Mississaugas, a branch of the Anishinaabeg Nation, which also includes Algonquin, Chippewa, Odawa, Ojibway and Pottawatomi. It is through the treaty process that we are able to live, learn, gather, teach and prosper in this region.

    We acknowledge with gratitude this land and the Indigenous Peoples who have cared for and continue to protect Turtle Island (North America) and its resources. We commit to the responsibility of reconciliation and the work of increasing awareness and understanding of our shared history. We do so by recognizing the past and working towards a shared future as friends and allies.

Delegation - invitation

27. In order to have a delegation or presentation to the Board, the presentation must be relevant to the role of the Board, and approved by the Board, the Chairperson, or the General Manager.

Delegation - limits

28. There shall be no more than three presentations during the course of a Meeting. The presentations shall be limited to ten minutes with a ten minute question and comment period.

Reports – order of address

29. Reports of Committee shall be address in the following manner:
    (a) Report of the Management Committee, and the Members thereof;

    (b) Reports of the Standing Committees; and

    (c) report of other Committees.

Report – motion

30. Reports from Committees, the General Manager or other Executive Officers do not need to be voted on unless that report includes a Motion. When a Motion is included the Motion shall be addressed with after the report has been considered.

Statement and Questions

31. Each Director is entitled to make a statement, an announcement, or ask a question of the Executive Officers at the point in the agenda specified in 17(j) for a period of up to one minute. If a question is asked, another minute shall be given for a response.

When motion to adjourn is in order

32. A Motion to adjourn requires a seconder and may be made at any time during a Meeting except:
    (a) when another Director has the floor;

    (b) when a vote has been called; or

    (c) during the taking of a vote.

Motion to Adjourn - limit

33. If a Motion to adjourn is defeated, another Motion to adjourn shall not be made until after an intermediate proceeding has been completed.

Automatic Adjournment

34. Meetings shall automatically adjourn three hours after commencement if still in session, unless otherwise decided by a Special Resolution of the Directors present. Where a Meeting is authorized to continue past three hours, the Meeting shall be automatically adjourned one hour later, unless the Meeting is authorized to continue for further one-hour periods, with each period requiring the unanimous consent of all Directors present.

PART VII – MOTIONS

Motion in writing

35. No Motion or amendment shall be considered unless seconded and reduced to writing.

Notice required

36. No original Motion, except procedural Motions, shall be received without notice, except by permission of the Board.

Motion withdrawal

37. When a Motion has been read by the Secretary of the Board it cannot be withdrawn without the consent of the Board.

Speaking limits

38. A member who moves a Motion is entitled to four minutes to speak, all other speakers are entitled to three minutes to speak. The mover of the Motion may have the opportunity to close debate, thereafter the chair shall immediately close debate dispose of the question.

Amendment - notice

39. A Director who intends to propose an amendment to a Motion that is being debated may give the Chairperson written notice of such intention with the text of the intended amendment.

Close debate

40. When a Motion or an amending Motion has been made and seconded any Director may move that the debate be closed and a vote taken on the Motion or the amendment.

Limits on closing debate

41. The Chairperson shall not accept a Motion that the debate be closed:

    a) if any Director or Member who has given the Chairperson written notice of intention to propose an amendment has not had an opportunity to do so, or

    b) if in the opinion of the Chairperson the Motion that the debate be closed is an abuse of the rules or would deny Directors or Members an adequate opportunity for discussion.

Closing debate – without debate

42. When the Chairperson accepts a Motion that the debate be closed, that Motion, when seconded, shall be decided without debate. When a Motion that the debate be closed is carried, the Chairperson shall immediately call the question on the Motion or amendment before the board. When a Motion that the debate be closed is lost, discussion shall continue on the Motion or amendment before the board.

Order of precedence - motion

43. When a Motion is under consideration, no other Motion shall be received except:

i) to adjourn;

ii) to lay it on the table;

iii) to consider it clause by clause;

iv) to postpone it until a certain time;

v) to postpone it indefinitely;

vi) to refer it;

vii) to amend it; or

viii) to divide upon it;

and Motions for any of these purposes shall have precedence in the order named, following a Motion to put the question.

Motion - lay on the table - debate

44. Motions to adjourn or to lay on the table or to put the question shall be decided without debate.

Motion – refer – debate

45. Debate on a Motion to refer shall be restricted to the questions whether to refer and to whom.

Amendment limits

46. No more than one amendment to a proposed amendment of a Motion shall be in order at one time.

Order of amendment

47. When the amendments are proposed to any Motion, the amendments and the original Motion shall be put in the reverse order to that in which they were brought forward.

No further debate after question

48. When a question is finally put by the Chairperson, either as an original Motion, as an amendment, or as an amended Motion, no further debate shall be allowed, the Chairperson first declaring that the question is finally put.

No director rising after question is put

49. When the Chairperson is putting a question, no Director shall rise.

PART VIII – MOTIONS REGARDING EXPENDITURES

Management Committee Motions regarding Expenditures

50. When the Management Committee recommends that an expenditure is to be authorised, the motion shall be presented in the agenda with a report regarding the expenditure and recommending that it be authorised.

Other motions regarding expenditure

51. The Board shall not consider a motion regarding expenditure originating from a member unless:

    (a) 10 days notice of the expenditure is given to the Secretary of the Board;

    (b) The expense is reviewed by the Financial Controller to determine if the expense is within the current budget and it is reviewed by the Management Committee to demine if it is within the best interest of the Corporation.

    If the expense is determined not to be in the best interest of the Corporation, then the resolution requires two-thirds majority to pass.

Suspension of section - limits

52. Sections 50 and 51 may only be suspended by unanimous consent of the Board and the concurrence of the management Committee.

PART IX - VOTING

Voting required

53. When the question is put, every Director present, except the Chairperson and members who are disqualified by conflict of interest, shall be required to vote on the same.

Order of vote

54. In voting, those who vote in the affirmative shall so signify first, and then those who vote in the negative.

Recorded vote

55. Any Director present at a Board Meeting may require a recorded vote. When a recorded vote is requested the Chairperson shall call the roll. Each Member who is not disqualified for voting by way of conflict of interest shall announce his or her vote openly. The Chairperson shall announce and record the result of the vote, and the Secretary of the Board shall record in the Minutes of the meeting how each Director have voted.

Ballot

56. When a secret ballot is allowed for in the By-Laws, any Director present may request that a secret ballot be taken. When a secret ballot is taken each Director shall mark on a sheet of paper if they are in favour or against the question or the name of the candidate. The Chairperson shall collect the sheets of paper and announce the results.

PART X - COMMITTEES

Standing Committee – Rules of Order

57. The Standing Committee shall operate in accordance Parts VI, VII, VIII, and IX mutatis mutandis.

Standing Committee Agenda

58. The agenda for Meetings of the Committees shall be as follows:

(a) Call to order

(b) Adoption of the Agenda

(c) Declaration of Conflict of Interest

(d) Adoption of the Minutes of the previous meeting

(e) Informal consideration of matters

(f) Motions

(g) Supplemental agenda

(h) Closed Session

(i) Adjournment

Standing Committee – Informal consideration

59. During informal consideration of matters each Member shall discuss issues and items of importance to their role and any matters place on the agenda by the General Manager.

Standing Committee – Seconder not required

60. Motions do not have to be seconded in the Committee.

Standing Committee – Notice not required

61. There is no requirement for notice in the Committee.

PART XI - ELECTION OF THE MANAGING DIRECTOR, THE STANDING COMMITTEE, DEPUTY CHAIRPERSON AND THE EXTERNAL DIRECTOR

Timing of the election

62. At the first meeting following training, the Board shall meet by ballot elect the Managing Director, the Standing Committee, and the Deputy Chairperson (hereafter called "the appointment meeting").

External Director

63. The Secretary of the Board shall post the position for External Director at least fifteen days before the appointment meeting. The Board shall receive the report at the candidates for External Director and shall proceed by secret ballot to elect a candidate to be the External Director.

Managing Director Election – procedures

64. The Managing Director shall be elected as follows:
(a) A member who does not wish to be nominated for the position of Managing Director shall inform the Secretary of the Board by noon the day of the Appointment Meeting that they do not wish to be nominated for the position.

(b) At 12:01 p.m. the Secretary of the Board shall present a list of candidates for the office of Managing Director.

(c) At the appointed hour, the Board shall meet and each candidate shall be given the opportunity to address the Board for up to three (3) minutes, and then answer any questions from the Board.

(d) The Board shall then proceed to a vote by secret ballot. Balloting shall continue until one candidate receives a two-thirds majority of the total votes cast. The candidate with the lowest number of votes shall be removed after each ballot which does not produce a winner until there are two candidates left on the ballot. If there are two candidates left, and no candidate receives the required two-thirds majority after three successive ballots, then a simple majority of fifty percent (50%) plus one (1) shall be used to determine the winner.

(e) Upon a winner being declared, the Board shall recess for five minutes.

Deputy Chairperson election – procedures

65. The Deputy Chairperson shall be elected as follows:
    (a) Upon the expiry of the recess of the Board after the election of the Managing Director, the Chairperson shall ask for nominations for the position of Deputy Chairperson;

(b) Each candidate shall be given the opportunity to address the Board for up to three (3) minutes, and then answer any questions from the Board.

(c) The Board shall then proceed to a vote by secret ballot. Balloting shall continue until one candidate receives a majority of the total votes cast. The candidate with the lowest number of votes shall be removed after each ballot which does not produce a winner until there are two candidates left on the ballot.

(d) Upon a winner being declared, the Board shall recess for five minutes.

Recess

66. The Board shall immediately proceed to the election of two additional members of the Standing Committee.

Special Appointment Meetings

67. If a special appointment is needed due to resignation or disqualification then the procedures of the Appointment Meeting will be adapted to ensure that the appointment is made in due course.

DIVISION XII – ELECTRONIC MEETINGS OF THE BOARD

Interpretation

68. Interpretation – In this Section the following shall apply, in addition to the definitions in Article II of this policy

> "Electronic Meeting" means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in person attendance;

Electronic meeting when called

69. A regular meeting or special meeting of the Board or Committee may be conducted by Electronic Meeting, in accordance with this section and any Electronic Meeting Protocol, as developed and amended as necessary, by the Secretary of the Board (and attached as Appendix I).

Members participating -quorum

70. Members participating in an Electronic Meeting, either in person or by electronic means, shall be counted for purposes of quorum at the commencement and at any point in time during the meeting. Members shall be entitled to vote, as if they were attending the meeting in person through a vote tallied by the Secretary of the Board, noting only if a vote was made in favour or opposed, and shall not be deemed a recorded vote unless requested by a member.

Closed session during electronic meeting

71. An Electronic Meeting may include a Closed Session, which shall be conducted in the absence of the public and in accordance with this Section.

Notice of electronic meeting

72. A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such Electronic Meeting.

Hybrid meetings

73. Members of the board may participate electronically or in person during meetings and the procedures for hybrid participation is adapted to reflect the hybrid nature of the meeting.

PART XIII – SUSPENSION OF THE RULES OF ORDER

Motion to suspend

74. A Motion to suspend a Rule of Order and Procedure or a section of this Policy relating to procedures shall take precedence over all other Motions and shall be decided without debate. No Rule of Order and Procedure or section of this Policy relating to procedures shall be suspended except upon the vote of two-thirds of the Members present and voting.

Closed meeting

75. The close meeting provisions of this Policy cannot be suspended.

APPENDIX I – ELECTRONIC MEETING PROTOCOL

Approved by the Secretary of the Board April 24, 2020

1. An electronic board meeting may be considered when:
    a. Time is of the essence;
    b. There is a key matter to consider; or
    c. an in-person meeting is not possible.

2. The decision to call an electronic meeting shall be left to the discretion of the Chair and Secretary of the Board.

3. A meeting may be conducted by electronic means if notice of the meeting is given to the public, including notification of the way in which the meeting is to be conducted and how to view/attend.

4. Meeting notice shall be provided in accordance with the Board Procedural Policy.

5. All meetings convened shall be webcast.

Participation

6. All Members may participate electronically using technology as determined by the Secretary of the Board.

7. Appropriate staff, may also participate electronically using technology as determined by the Secretary of the Board.

Closed Session Meetings

8. Closed session electronic meetings shall not be made available to the public.

9. Members who declare a conflict of interest must withdraw from the closed session, including electronic/audio participation, for the entire discussion of the matter about which they have declared a conflict.

General

10. Members and Staff participating electronically shall make sure they are electronically present a minimum of 5 minutes prior to the published meeting start time. The Secretary of the Board may verify audio and/or video connections or provide other instructions relevant to the meeting and its format.

11. At the published meeting start time, or shortly thereafter, the Chair shall open the meeting.

Member Speaking

12. All Members are able to participate in debate in keeping with the rules of procedure.
    a. The Chair is to announce each agenda item on the floor of the meeting and shall maintain an orderly meeting process keeping Members informed;
    b. Members participating by audio and visual participation shall raise their hand to indicate they wish to speak;

Motions

13. The Secretary of the Board shall record who verbally a moved and seconded a motion from those Members present and verbally identify themself and confirm verbally their willingness to move/second the motion. All motions shall be read aloud by the Secretary of the Board and each member present shall be called upon one at a time in random order to speak to the motion (if desired). Follow up questions will be at the discretion of the Chair.

14. Where possible, amendments shall be discussed with the Secretary of the Board prior to the meeting so that they may be prepared in advance. Where an unanticipated amendment is to be presented, the member shall ensure they are duly recognized by the Chair prior to moving the amendment. When recognized by the Chair, the member shall state their amendment and the Chair shall request a seconder who shall make themselves known verbally. The Secretary of the Board shall prepare the amendment which will be dealt with as outlined in the section 6.1 above.

Voting

15. All Members participating electronically must vote on matters which require voting.

16. When the Chair calls for a vote on a matter, Members who are participating:
    a. Using Audio-only communications, shall verbally announce their vote by stating “in favour” or “opposed”;
    b. Using Audiovisual communications, shall visually show their vote by raising their hand to show they are either “in favour” or “opposed”.

17. The votes shall be tallied by the Secretary of the Board, noting only if a vote was made in favour or opposed, and shall not be deemed a recorded vote unless requested to so by a member as per the By-Laws.

18. If a member is present in-person or electronically, and when their name is called no response is received to indicate a vote provided, the Secretary of the Board will ask one

more time, and if no indication of vote is stated again the vote is deemed a negative vote, unless directed otherwise by the Chair.

19. The Secretary of the Board shall announce the result of the vote being "carried" or "defeated" only.

20. When a vote by ballot is permitted or used, the Secretary of the Board shall use software and to conduct a vote by ballot. The length of the vote shall be for seven minutes or until all members who are entitled to vote have voted, which every shall occur first.

Member Conduct

21. Each Member shall remain silent and attentive to the proceeding when not assigned the floor by Chair.

22. Each Member is to listen for their name in order to be assigned the floor to speak or to vote.

8.3 Each Member shall take directions from Chair in order to facilitate an effective, efficient and orderly meeting.

Attendance and Technology Interruptions

22. Members will inform the Chair of any intended departure from a meeting, whether it is temporary or permanent.

Meeting Etiquette

23. The Following Etiquette shall be Followed During Electronic Meetings:
a. Dress appropriately as the proceedings and member's video image will be webcast.

b. Control audio quality by testing audio before the meeting, situate yourself in a quiet indoor location and if possible, use a good quality headset with microphone.

c. Consider lighting by checking the video quality before the meeting and not sitting too close to a bright light source.

d. Consider your background to ensure a neutral backdrop free from personal items.

e. Speak to the camera and not the screen.

f. Mute your microphone when you are not speaking to cut down background noise.

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER A-2

ELECTED OFFICER SEATING, RESIGNATION AND VACANCY POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENTS ASSOCIATION *(hereinafter the "Corporation")*

ELECTED OFFICER SEATING, RESIGNATION AND VACANCY POLICY *(the "Policy")*

Definition

1. In this policy:
    a. "Elected Officer" means a Director of the Corporation or the Executive Chairperson.

Procedures upon seating

2. Upon the Certificate of Election being received by the Secretary of the Board stating an election of a member, the Secretary of the Board shall attain all necessary information required for the add that member to the Register of Directors and Officers.

3. Before taking a seat on the Board, a board member shall make before the Secretary of the Board or another person duly authorised the declaration of office in the form approved.

4. Upon the declaration of office being made in the form approved, the Secretary of the Board shall issue a certification of installation and give a copy of that certificate to the Elected Officer.

5. In the event of a member elected during a by-election, the member will be introduced and seated during the course of a board meeting after making the declaration and being installed.

6. The Secretary of the Board shall prepare a commission for the Managing Director, Deputy Chairperson, and members of the standing committee and a certificate of election for members of external committee in the form approved.

Procedure upon resignation

7. Any Elected Officer shall resign in accordance with the applicable section of the By-Laws to the Secretary of the Board, in the form as contained in the appendix or another similar form.

8. Upon receiving the resignation of an Elected Officer, the Secretary of the Board shall issue notice for Directors of the Corporation in the form and manner provided by this policy and shall inform the Officers of the Corporation of the resignation, and shall inform the Board of this resignation at the next meeting.

Acting Executive Chairperson

9. In the event of the death, resignation, suspension, inability, or removal of the Executive Chairperson:
    a. The Deputy Chairperson shall become the Acting Chairperson, until the election a new Chairperson, or in the case of an inability, the inability no longer exists; and
    b. The Deputy Chairperson shall receive the renumeration of the Executive Chairperson during such vacancy on inability.

10. For the purpose of section 9, inability shall be determined as follows:
    a. by a letter addressed by the Secretary of the Board to that effect signed by the Chairperson; or
    b. by a letter to the Secretary of the Board signed by any two of:
        i. the General Manager;
        ii. the Managing Director;
        iii. the Deputy Chairperson;
        iv. members of the Standing Committee which are not the General Manager, Managing Director or Deputy Chairperson; or
        v. the Corporation's Solicitor.

11. A resolution under section 10(b) shall be reported to the Board of Directors, and if there is any dispute if an inability exists it shall be determined by a resolution of the Board of Directors.

12. The Chairperson shall resume the duties of the Office of Chairperson upon either of:
    a. A letter to the Secretary of the Board that no such an inability exists signed by the Chairperson, if the inability is declared under section 10 (a);
    b. A letter to the Secretary of the Board that no such inability exists signed by those officers mentioned in section 5(b), if the inability is declared under section 10 (b); or
    c. A resolution of the Board of Directors stating that no such an inability exists.

Acting Managing Director

13. In the event of the death, resignation, suspension, inability, or removal of the Managing Director:
    a. The Deputy Chairperson shall become the Acting Managing Director, until the Board elects a new Managing Director, or the inability no longer exists; and
    b. The Deputy Chairperson shall receive the renumeration of the Managing Director during such vacancy.

14. For the purpose of section 13, inability shall be determined as follows:
    a. by a letter addressed by the Secretary of the Board to that effect signed by the Managing Director; or
    b. by a letter to the Secretary of the Board signed by any two of:
        i. the General Manager;
        ii. the Executive Chairperson;
        iii. the Deputy Chairperson;
        iv. members of the Standing Committee which are not the General Manager, Executive Chairperson or Deputy Chairperson; or
        v. the Corporation's Solicitor.

15. A resolution under section 14(b) shall be reported to the Board of Directors, and if there is any dispute if an inability exists it shall be determined by a resolution of the Board of Directors.

16. The Chairperson shall resume the duties of the Office of Chairperson upon either of:
    c. A letter to the Secretary of the Board that no such an inability exists signed by the Chairperson, if the inability is declared under section 14(a);

d. A letter to the Secretary of the Board that no such inability exists signed by those officers mentioned in section 9(b), if the inability is declared under section 14 (b); or
e. A resolution of the Board of Directors stating that no such an inability exists.

Acting Deputy Chairperson

17. In the event of the death, resignation, suspension, inability, or removal of the Deputy Chairperson, the Chairperson may request another member perform the duties Deputy Chairperson until the vacancy no longer exists or another Deputy Chairperson is appointed under the By-Laws or the inability no longer exists.

The Alternative Contact for Vacant Board of Directors during a Vacancy

18. During a vacancy in the officer of Board of Directors, the Executive Chairperson or designate shall be the contact listed for students to contact during such vacancy.

19. Further, the Board may determine the date, time, and manner of filling such vacancies or may decide not to fill such vacancies, in accordance with the by-laws.

General

20. If notice is received that a vacancy is about to occur upon a date or time, or thing occurring, then the Secretary of the Board may arrange for the election to occur before the date or time where the vacancy becomes effective.

21. A variation in the procedures as contained in this policy does not invalidate the act.

Appendix

Declaration of office

I, … , having been elected to the office of … do hereby solemnly and sincerely promise and affirm that:

(a) I consent to act as a director of Durham College Student Association;

(b) I will truly, faithfully, and impartially exercise this office to the best of my abilities in accordance with the By-Laws of Durham College Student Association and I will not receive any payment or reward or promise of a payment or a reward for the exercise of this office in a biased, corrupt, or otherwise improper manner;

(c) I will disclose any conflicts of interest, direct or indirect, in accordance with the by-laws;

(d) in all things to be treated, debated or resolved at the board, I will faithfully, honestly, and truly declare my mind and opinion;

(e) I shall keep secret all matters committed and revealed to me as a member of the Board of Directors which are not public knowledge, and which are dealt with in a closed session of the Board of Directors or the committees thereof.

Declared before the Secretary of the Board at … Ontario, located in the traditional territory of the …. People, this … day of …, ….

[signature]
Executive Officer

Witness:
[signature]
Secretary of the Board

Certificate of Office

DURHAM COLLEGE STUDENT ASSOCIATION
CERTIFICATE OF OFFICE AND INSTALLATION AS A DIRECTOR

BE IT MADE KNOWN UNTO ALL PEOPLE, I, …, Secretary of the Board of Directors of Durham College Students Association do hereby certify that, an election was held in accordance with the

by-laws and policies of Durham College Students Association on … , and that at the said election the membership did duly and lawfully elect: **…** to the office of **…** And that the … did make before me the Declaration of Office in the form established on… , and have entered into the duties of their office on…

GIVEN UNDER MY HAND AND SEAL at … Ontario, located in the traditional territory of the …. People, this … day of …, …., and of the Corporation the … .

[signature] [seal]
Secretary of the Board

Seating of a Member

Secretary of the Board:
Chairperson, I have the honour to present to you …. Member of the Board of Director for …., who has been duly elected, made the declaration, been installed into their office, and now claims the right to take their seat at this Board of Directors.

Chairperson:
Let the member now take their seat.

Commission for Managing Director

DURHAM COLLEGE STUDENT ASSOCIATION.
[Executive Chairperson]
BY THE BOARD OF DIRECTORS of the Durham College Student Association
To Our trusty and well-beloved … of … Director for Class … of the Membership and all others to whom these presences shall come or shall concern; greeting;
WHEREAS, the Board of Directors having elected you to the office of Managing Director of Durham College Student Association to a term starting of … .
THEREFORE WE, reposing especial Trust and Confidence in your Integrity, Prudence and Ability do by appoint you did Constitute and Appoint you to be the Managing Director of Durham College Student Association
AND WE DO authorize, empower, and command you to execute and fulfill the duties of that Office according to the by-laws of the Corporation, and to have and to hold the office with all the powers and privileges thereunto of right appertaining during the pleasure of the Board of Directors of Durham College Student Association in accordance with the by-laws.

In Testimony whereof I have caused these Letters to be made Patent and caused our common seal to be affixed. WITNESS the Trusty and Well Beloved, …, Executive Chairperson and Chief Elected Officer of Durham College Student Association.
GIVEN UNDER MY HAND AND SEAL at … Ontario, located in the traditional territory of the …. People, this … day of …, …., and of the Corporation the … .
[signature] [seal]
Secretary of the Board

Commission for Deputy Chairperson

DURHAM COLLEGE STUDENT ASSOCIATION.
[Executive Chairperson]
BY THE BOARD OF DIRECTORS of the Durham College Student Association
To Our trusty and well-beloved … of … Director for Class … of the Membership and all others to whom these presences shall come or shall concern; greeting;
WHEREAS, the Board of Directors having elected you to the office of Deputy Chairperson of Durham College Student Association to a term starting of … .
THEREFORE WE, reposing especial Trust and Confidence in your Integrity, Prudence and Ability do by appoint you did Constitute and Appoint you to be the Deputy Chairperson of Durham College Student Association
AND WE DO authorize, empower, and command you to execute and fulfill the duties of that Office according to the by-laws of the Corporation, and to have and to hold the office with all the powers and privileges thereunto of right appertaining during the pleasure of the Board of Directors of Durham College Student Association in accordance with the by-laws.
In Testimony whereof I have caused these Letters to be made Patent and caused our common seal to be affixed. WITNESS the Trusty and Well Beloved, …, Executive Chairperson and Chief Elected Officer of Durham College Student Association.
GIVEN UNDER MY HAND AND SEAL at … Ontario, located in the traditional territory of the …. People, this … day of …, …., and of the Corporation the … .
[signature] [seal]
Secretary of the Board

Commission for Acting Deputy Chairperson

DURHAM COLLEGE STUDENT ASSOCIATION.
[Executive Chairperson]
We, …, Executive Chairperson and Chief Elected Officer of Durham College Student Association.

To Our trusty and well-beloved … of … Director for Class … of the Membership and all others to whom these presences shall come or shall concern; greeting;
WHEREAS, the Board of Directors having elected … to the office of Deputy Chairperson of Durham College Student Association.
AND WHEREAS, due to the inability of both ourselves and our Deputy Chair to act on … day there is a need to appoint a member to be Acting Deputy Chairperson;
THEREFORE WE, reposing especial Trust and Confidence in your Integrity, Prudence and Ability do by appoint you did Constitute and Appoint you to be the Acting Deputy Chairperson of Durham College Student Association on … date, to act on our behalf.
AND WE DO authorize, empower, and command you to execute and fulfill the duties of that Office according to the by-laws of the Corporation, and subject to the conditions prescribed.
In Testimony whereof We have caused these Letters to be made Patent and caused our common seal to be affixed. WITNESS the Trusty and Well Beloved, …, Executive Chairperson and Chief Elected Officer of Durham College Student Association.
GIVEN UNDER OUR HAND AND SEAL at … Ontario, located in the traditional territory of the …. People, this … day of …, …., and of the Corporation the … .
[signature] [seal]
Secretary of the Board

Commission for members of the Standing Committee

DURHAM COLLEGE STUDENT ASSOCIATION.
[Executive Chairperson]
BY THE BOARD OF DIRECTORS of the Durham College Student Association
To Our trusty and well-beloved … of … Director for Class … of the Membership and all others to whom these presences shall come or shall concern; greeting;
WHEREAS, the Board of Directors having elected you to the sit on the Standing Committee of Durham College Student Association to a term starting of … .
THEREFORE WE, reposing especial Trust and Confidence in your Integrity, Prudence and Ability do by appoint you did Constitute and Appoint you to be the a member of the standing Committee of Durham College Students Association
AND WE DO authorize, empower, and command you to execute and fulfill the duties of that Office according to the by-laws of the Corporation, and to have and to hold the office with all the powers and privileges thereunto of right appertaining during the pleasure of the Board of Directors of Durham College Student Association in accordance with the by-laws.
In Testimony whereof I have caused these Letters to be made Patent and caused our common seal to be affixed. WITNESS the Trusty and Well Beloved, …, Executive Chairperson and Chief Elected Officer of Durham College Student Association.
GIVEN UNDER MY HAND AND SEAL at … Ontario, located in the traditional territory of the …. People, this … day of …, …., and of the Corporation the … .

[signature] [seal]
Secretary of the Board

Certificate of Election for External Committee

DURHAM COLLEGE STUDENT ASSOCIATION.
CERTIFICATE OF APPOINTMENT TO …

To all whom these presences may come or shall in anywise concern; greeting;

I, … , Secretary of the Board of Durham College Student Association, do hereby certify that meeting … on the … day of …, in the year two-thousand and twenty… , the Board of Directors of Durham College Student Association, did appoint, in accordance with the by-laws and by the terms of resolution … : … , … whose email address is …. @…..ca; to the …. of Durham College of Applied Arts and Technology.

GIVEN UNDER MY HAND AND SEAL at … Ontario, located in the traditional territory of the …. People, this … day of …, …., and of the Corporation the … .
[signature] [seal]
Secretary of the Board

Letter of Resignation to the Secretary of the Board

To the Secretary of the Board of Directors;

I, ……, having been elected to the (Office of Director for Class….) or (Executive Chairperson) do here by resign my office effective midnight on …….. (or otherwise as required).

Given under my hand this … day of …, … .

[Signature of Board member]

Notice of Resignation

To the Officers and Directors of the Corporation;

I, …, Secretary of the Board of Directors for Durham College Student Association hereby inform you that I have received the resignation of … for the office of …. Effective …. and in accordance with the by-laws.

Given under my hand and seal this … day of …, … .

[Secretary of the Board]

Notice of other vacancy

To the Officers and Directors of the Corporation;

I, …, Secretary of the Board of Directors for Durham College Student Association hereby inform you that that I have received the notice of vacancy for the office of …. Effective …. and in accordance with the by-laws.

Given under my hand and seal this … day of …, … .

[Secretary of the Board]

Letter of Inability (self)

To the Secretary of the Board of Directors;

I, ……, having been elected to the (Executive Chairperson) or (Managing Director) do here by declare that I am unable to fulfill the duties of my office effective… .

Given under my hand this … day of …, … .

[Signature]

Letter of Inability (declared)

To the Secretary of the Board of Directors;

I, ……, having examined the facts and circumstances of the inability of … to fulfill the duties of …, hereby declare that I believe that … is unable to fulfill the duties of … because of the following facts:
1. [state fact].

Given under my hand this … day of …, … .

[Signature]

Report of the Board of Directors

To the Officers and Directors of the Corporation;

I, …, Secretary of the Board of Directors for Durham College Student Association hereby inform you that that I have received a letter from … and … stating than in ability to fulfill the duties of their office exists.

[I have also received a statement from … that they disagree whether an inability exists. I therefore call a board meeting to be held … at …. to resolve if an inability exists.]

Given under my hand and seal this … day of …, … .

[Secretary of the Board]

Letter of nullifying declaration of Inability (self)

To the Secretary of the Board of Directors;

I, ……, having been elected to the (Executive Chairperson) or (Managing Director) do here by declare that I am able to resume the duties of my office effective… .

Given under my hand this … day of …, … .

[Elected Officer]

Letter of nullifying declaration of Inability (declared)

To the Secretary of the Board of Directors;

I, ……, having examined the facts and circumstances of the inability of … to fulfill the duties of …, hereby declare that I believe that … is able to fulfill the duties of ….

Given under my hand this … day of …, … .

[designation maker]

Letter of nullifying declaration of Inability (board determination)

To the Officers and Directors of the Corporation;

I, …, Secretary of the Board of Directors for Durham College Student Association hereby inform you that the Board of Directors has determined (that an inability exists) or (that an inability no longer exists) of … duly elected to the office of …

Given under my hand and seal this … day of …, … .

[Secretary of the Board]

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER A-3

NON-UNION MANGERS AND CORPORATE OFFICERS REMUNERATION POLICY, 2022

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION *(the "Corporation")*
NON-UNION MANGERS AND CORPORATE OFFICERS REMUNERATION POLICY *(the "Policy")*

Purpose

1. The purpose of this policy is to ensure that wages of the Non-Union Managers and Corporate Officers reflect the changes in the cost of living.

Definitions

2. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the By-Laws.

General Manager - Renumeration

3. The General Manager shall be compensated in accordance with their employment agreement.

Financial Controller - Renumeration

4. The Financial Controller shall be compensated in accordance with their employment agreement.

Chairperson - Renumeration

5. The Chairperson shall:
   (a) Work the hours specified in the by-laws and their employment contract.

   (b) Be compensated at a rate of $20 per hour for the during their term of office;

(c) Notwithstanding section 3.6.2 the Chairperson shall receive their average earnings of the previous four weeks during the period of time where the DCSA Offices are closed for the winter break.

Managing Director - Renumeration

6. The Managing Directors shall:
   (a) Work as needed to fulfill their duties but not more than 15 hours a week; and

   (b) receive a honorarium of $150.00 per week for the course of the duties of their office.

Directors -Renumeration

7. The Directors of the Corporation shall receive a honorarium of $350.00 per semester.
   (a) The Directors of the Corporation who are members of the Standing Committee shall receive an additional honorarium of $100.00 per semester.

   (b) The Deputy Chairperson shall receive an additional honorarium of $100.00 per semester.

   (c) The honorarium shall be suspended if the director missed more than two board meetings during the semester, unless the Board directors otherwise by a two-thirds majority vote.

Non-Union Manager - Renumeration

8. Non-Union Managers shall be compensated in accordance with their employment agreement.

Wage Adjustment - CPI

9. The wage of the Executive Officers and non-union manager will be adjusted to CPI as of May 1st, each year.

Wage Adjustment beyond CPI

10. Any wage increase not related to CPI for the Executive Officers, must be approved by a simple resolution of the Board of Directors, and would not take effect until May 1 of the next fiscal year unless approved by a membership meeting.

Non-Union Managers – Wage Increases

11. Non-Union Managers wages may be increased beyond CPI according to:
    (i) their employment agreement; or

    (ii) resolution of the Board of Directors authorising the increased.

Management Service Grant

12. Management shall also receive service grant of $1,500 for all managers for each year of continual service to the Corporation on the anniversary of their employment with DCSI, in addition to the increase in the base salary according to this policy at the same rate as unionised employees, unless otherwise specified in their contract.

Benefits – Full Time Managers

13. Unless otherwise stated in this policy, the Corporation will provide full time managers with the same benefits as members of the collective bargaining unit are entitled to through the Collective Agreement.

14. For the greater certainty, the benefits referred in paragraph 4.1 include all types of leaves of absences, and all types of renumeration which members of the collective bargaining unit are entitled to.

Wellness and Tuition Benefits - Managers

15. The Wellness and Tuition Benefit for Non-Union managers shall be paid as follows:
    (a) the amount of the Wellness and Tuition Benefits shall be the same amount as unionised employees are entitled to;

    (b) claims for Wellness and Tuition Benefits shall be paid throughout the year as approved by the manager's direct supervisor; and

    (c) On April 30st of each year the balance of the Wellness and Tuition Benefit shall be paid as an one-time wellness benefit.

RRSP – Non-union Managers

16. Non-Union Managers are entitled to participate in the DCSA RRSP Program in the same manner which members of the Collective Bargaining Unit are entitled to participate in.

Executive Chair – Benefits

17. The Executive Chairperson and Chief Elected Officers shall be entitled to the following benefits:
    (a) the cell phone benefit;

    (b) A parking pass or a monthly transit pass;

    (c) enrollment on the student health plan if not already enrolled in the plan;

    (d) ten (10) days paid vacation throughout their term of office; and

    (e) any other benefit in their employment agreement.

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER A-4

ELECTIONS POLICY, 2022

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

Durham College Student Association.
(hereinafter the "Corporation")

ELECTIONS POLICY

PART 1: INTERPRETATION AND DEFINITIONS

Short Title

1. This policy may be cited as the Durham College Student Association Elections Policy.

Definitions

2. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the By-Laws. The following definitions shall apply to this Policy:

"**All-Candidates Meeting**" means the meeting between the CRO and the candidates desirous to run in the elections

"**Board**" means the Corporation's Board of Directors, as defined in the By-Laws;

"**By-Laws**" means the Corporation's By-Law No. 1 effective July 13, 2017 and any subsequent amendments.

"**Campaign Period**" means the period of time during which the candidates can campaign on the campuses of the College, as described in section 35.

"**Candidate**" means a Member that submits a nomination form and is accepted as a candidate by the CRO.

"**Chair**" means the Chairperson of the Elections Committee;

"**Chairperson**" means the Chairperson of the Corporation, as defined in the By-Laws;

"**College**" means the Durham College of Applied Arts and Technology;

"**CRO**" means the Chief Returning Officer, as described in By-Laws.

"**DCRO**" means the Deputy Chief Returning Officer, as described at section 18.

"**Director**" means an elected director of the Corporation as outlined in the By-Laws.

"**Elections Office**" means the office made up of the Chief Returning Officer, as defined in By-Laws, as well as the administrative agent, poll clerks, or other employees.

"**Elections**" means any general election, by-election or appointment by a class of the membership.

"Election period" means the period of time from the day which notice was given under section 14 until the day which the notice of results are given under section 61.

"**Executive**" or "**executive member"**, means elected executive officers of the Corporation as outlined in By-Laws.

"**By- Election**" means a By-election for any vacant positions left by the General Elections of the
same year.

"**General Elections**" means the election in the winter of the year to elect the Executive Officers and the Directors of the Corporation.

"**Member**" means a Member, as described in By-Laws.

"**Nomination Period**" means the period which nomination can be received. .

"**Nomination**" means the solicitation of support for a Members candidacy in the Corporation's elections.

"**Start Date**" means May 1st of each year in case of an election or 10th days after the election in case of a by-election.

"**Voting Days**" means the period of time during which voting takes place.

Computation of Time

3. (a) The time limits and other specified time that would otherwise land on a holiday or other day which the offices of the Corporation would be closed is extended to the time specified on the next business day which the offices of Corporation would be opened. For greater clarity, a reference to a number of days between two events excludes the day on which the first event happened, and includes the day on which the second event happened.

Computation of Time – Leap Year

(b) On a year where February has 29 days, the policy shall be read to ensure the day of the week is appropriate for the action which takes place before and after the 29th day of February.

Amendments in the Course of Accommodations for Disabilities

4. Notwithstanding any relevant provisions in the By-Laws or accessibility related Policies, the CRO may at their discretion amend this Policy, as required from to time to time, to accommodate the needs of electors and candidates with disabilities, as long as those adaptions are consistent with the principles and intent of this Policy and the By-Laws.

Authority in unproven cases

5. In all contingencies not provided for in the Elections Policy, or by resolution of the Elections Committee shall be decided by the Chief Returning Officer and, in making the ruling the Chief Returning Officer shall base the decision on the democratic rights of members. In doing so the Chief Returning Officer shall have regard to any applicable usages and precedents of as contained in the *Canada Elections Act, Elections Act (Ontario), and the Municipal Elections Act*.

Authority of the By-laws and the Acts

6. The *Canada Not For Profit Corporations Act and the By-laws of Durham College Student Association* have supremacy over this policy, and any provision of this policy that is inconsistent with the provisions of the *Canada Not For Profit Corporations Act or the By-laws of Durham College Student Association* is, to the extent of the inconsistency, of no force or effect

Authority of the Membership

7. Nothing in this policy affects the power of a duly called Membership Meeting to appoint directors of the Corporation under the *Canada Not For Profit Corporations Act* which can be done in accordance with Division 10 of this policy.

DIVISION 2: THE AUTHORITY TO ADMINISTER THE ELECTION

Authority of the Elections Committee

8. The Elections Committee is authorised, empowered, and commanded under this policy to administer the elections in accordance with this policy.

Elections Committee - Composition

9. The Elections Committee shall, unless otherwise determined by the Board, be comprised of:

   (a) Three (3) Directors or/and Executive Officer or two (2) Director or/and Executive Officer and one (1) member who is not an officer or director, elected by the Board.

   (b) The CRO, Secretary of the Board and the General Manager or designate as a non-voting members.

   (c) A vacancy in a membership does not invalidate an act in the election proceedings of the Elections Committee.

Responsibilities

10. The Election Committee, and its members, shall:

    (a) Act autonomously from any external or internal influences;

    (b) Oversee the planning, development and execution of the Corporation's elections in accordance with the provisions of this Policy;

    (c) Develop, maintain and make public a clear set of criteria and considerations to be used by the Elections Committee when making decisions relating to elections;

    (d) Act impartially during the election process;

    (e) Conduct the election in a fair manner;

    (f) Meet regularly during the academic year to plan and discuss the upcoming election; and

    (g) Supervise, consult, assist, advise and caution the CRO as necessary.

Meetings of the Election Committee

11. The Election Committee will hold meetings at the call of the Chair as required during the election period. The Elections Committee may meet in a private and closed session to address sensitive issues and/or confidential matters, including matters regarding identifiable individuals, disciplinary matters, or consultations with the Corporation's legal counsel; however, all decisions will be made public and recorded in the minutes.

Quorum

12. Quorum for the Election Committee's meetings shall be two members.

Chair of the Elections Committee

13. The Chair of the Election Committee selected by the committee, from among the voting and non-voting members of the committee.

Votes at the Elections Committee

14. The Chair of the Elections Committee shall have a vote (if a voting member of the committee), and when a vote is tied the questions shall be deemed returned in the negative.

Chief Returning Officer -Term of Office

15. (a) The Election Committee may either:
    (i) appoint a Chief Returning Officer who shall hold office during the election period; or

    (ii) after consultation with the General Manager appoint the Secretary of the Board to be the Chief Returning Officer.

    (b) When an employee of the corporation is appointed as Chief Returning Officer, the normal renumeration of that employee shall be the renumeration of the Chief Returning Officer.

    (c) When a Chief Returning Officer is appointed the hourly salary of the Chief Returning Officer shall be $25.00 per hour.

Chief Retuning Officer Duties

16. The Chief Returning Officer shall act impartially in all matters relating to the administration of the Election and is responsible for managing the Elections Office and facilitating Elections. Further the Chief Returning Officer shall:
    (a) Oversee any elections that take place in their contract term;

    (b) Be the principal officer and manager of the Election Office;

    (c) Hold regular office hours before and during the Election;

    (d) Review and approve all campaign materials produced by Candidates;

    (e) Recruit and train any volunteers/staff necessary to conduct the election;

    (f) be the primary adjudicator of any complaints made during the process of an election unless such complaint shall be regarding the conduct of the CRO. In adjudicating such complaints, the CRO shall act fairly, honestly, and dispassionately in seeking the facts of such compliant. In resolving such compliant the CRO must act to promote a just and fair election and take such action to get a just result for the electoral system;

    (g) Schedule and oversee: (i) the All-Candidates' Meetings; (ii) at least one candidate forum for Candidates at each campus; and (iii) other events as necessary;

    (h) Ensure that this Policy and all relevant By-Laws related to Elections are enforced;

    (i) Authorize all Election notices, publicity, and campaign materials regulated by this Policy; and

    (j) Present a final report of the Elections to the Election Committee and the Board following the election results.

Special powers of the CRO

17. When in the opinion of the CRO, by reason of mistake, miscalculation, emergency, unusual, or unforeseen circumstances, a situation arises where there is no provision made under this Policy, and the CRO is satisfied that if adaptations are not made a substantial numbers of voters would not be able to vote, or for those votes to be counted, the Chief Returning Officer shall give such directions as the Chief Returning Officer considers proper and necessary, for the sole purpose of enabling elections to exercise their right to vote, or for the enabling of counting those votes. Such directions include, but are not limited to changing the dates for the elections, the timeframe of the elections, the method of voting, or the place where voting is taking place. The Chief Returning Officer shall immediately give notice of such direction to all the candidates, all members of the Board, and post it in such a way that is visible for all electors.

Deputy Chief Returning Officer

18. The Elections Committee may appoint a Deputy Chief Returning Officer and shall hold office during an electoral period on good behaviour. The Deputy Chief Returning Officer shall not be an Officer or Director of the Corporation. The Deputy Chief Returning Officer may only be removed with caused by the Board of Directors, on the recommendations of the Elections Committee.

Deputy Chief Returning Officer - Duties

19. The Chief Returning Officer shall set forth in the appointment letter the duties and powers of the Deputy Chief Returning Officer.

Poll Officials

20. The Chief Returning Officer shall have the authority to appoint poll officials as is necessary and proper to facilitate the election.

Elections Compliance Oversight Committee

21. The Election Compliance Oversight Committee shall be composed of the voting members of the Elections Committee, and two other members of the Durham College Community, appointed by the Board of Directors. The committee shall appoint the Chair from among its members. The Secretary of the Board or designate is the Clerk of the Committee.

PART 3 – THE CONDUCT OF AN ELECTION

Calling of a General Election

22. General Elections shall be held the second Tuesday, Wednesday, and Thursday in March, unless otherwise set by two-thirds of the Board of Directors. Should the Elections Committee believe that the day prescribed for an election is not suitable for that purpose, including because of its being in conflict with a day of cultural or religious significance or a federal, provincial or municipal election, the Elections Committee may choose other days within 14 days before or after the dates prescribed.

Calling of a by-election

23. A by-election may be called by the Board of Directors within 45 days of a vacancy of a member of the Board of Directors, provided that no election shall be held between April 1st and September 15th of each year. The Board of Directors does not have to call an election to fill a vacancy which occurred after January 1st.

Notice of Election

24. The Chief Returning Officer shall give notice at least 29 and not more than 37 days before the first day of voting of an election.

Nominations period

25. Upon notice being given of an election and until 1:00 p.m. on the 21st day before the last day of voting for the general election, the Chief Returning Officer shall receive nominations in the prescribed form.

Prescribed form – Nominations

26. A nomination paper shall contain the following information:
    (a) the Candidates name, date of birth, student number, email address, phone number, and mailing address;

    (b) Any other name by which the candidate is commonly known by which the candidate wishes to be known on the ballot paper;

    (c) A statement that the candidate consents to the nomination and agrees to be bound by this policy;

    (d) A consent that the candidate agrees to the disclose of eligibility information to determine eligibility in accordance with the by-laws;

    (e) For Executive Officers, endorsements baring the name, student number, and signatures of at least 20 and not more than 50 qualified electors;

    (f) For Directors, endorsement baring the name, student number, and signatures of at least 10 and not more than 30 qualified electors within the class of membership the candidate wish to represent; and

    (g) For the signatures under subsection (e) and (f) the declaration of the witness of those signatures that the signatures were original and for the person to who the name was written.

(h) In the event of the closure of the campus due to emergency, or other circumstances, the Elections Committee may waive the requirements of subsection (e) and (f).

Withdraw of Nominations

27. A candidate may withdraw at any time before 4:00 p.m. on the closing day for nominations by filing, in person, with the Chief Returning Officer a statement in writing to that effect signed by the candidate and witnessed by two electors who are entitled to vote in the electoral district in which the candidate's nomination was confirmed.

28. For the greater certainty, the Chief Returning Officer may allow for a nomination to be withdrawn after this date, as long as it would not affect balloting, and the request for withdraw is freely given.

Second nomination

29. If a person who has been nominated for an office is nominated for another office to which this policy applies, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed.

Information Session

30. Before the 23rd day before the last day of voting in the election, the Elections Committee shall hold an information session regarding an overview of the roles, responsibilities, and operations of the Board of Director and their role in DCSA.

Close of Nominations

31. Upon the close of nominations, the Chief Returning Officer shall conditionally certify, subject to attending the All Candidates Meeting, every nomination received which is in the complete according the requirements of section 26.

All Candidate Meeting

32. On the 16th day before the last day of voting, the Chief Returning Officer shall hold an All Candidates Meeting. The All Candidates Meeting shall review the obligation of the candidate under this policy and other important information as deemed necessary by the Chief Returning Officer or the Elections Committee.

33. A candidate may make alternative arranges if they are not able to attend the All Candidates Meeting under this policy, however failure to attend the All Candidates Meeting is not justification for not performing a duty imposed by this policy.

Certification of nominations

34. On the 16th day before the last day of voting, the Chief Returning Officer shall certify every nomination which:
    (a) is conditionally certified according to section 31; and

    (b) attended the All Candidates Meeting according to section 32 or 33.

Every nomination which is not certified according to the requirements of this section is deemed to be withdrawn.

PART 4 – CAMPAIGNING

Campaigning – commencing

35. The Chief Returning Officer may review and approve campaign materials from 9:00 a.m. on the 16th day before the last day of voting in the election, but no campaigning shall occur until 11:00 a.m. on the 14th day before the last of voting in the election.

Campaigning – prohibition

36. All forms of campaign advertising, the distribution and/or posting of any materials designed and/or likely to influence voters, speeches and public forums shall not take place prior to the Campaign Period

Staff of the DCSA

37. A volunteer or employee of Durham College Student Association is eligible to be a candidate for and to be elected as a member of the board if he or she takes an unpaid leave of absence beginning as of the day that campaign begins and ending on voting day.

Board members and Executive members

38. (a) The Board of Directors shall not meet between the 14th day before the last day of voting, if the number persons running in the election is more than one-third of the total current board members.

    (b) Executive Officers and the Managing Director shall be to only perform non-public administrative duties after the 14th day before the last day of voting, should that Executive Officer be running for re-election. If there is a dispute over if this subsection applies, the Chief Returning Officer shall consult with the General Manager and make a ruling which is final, binding, and not subject to appeal.

    (c) Board Members and Executive Officer shall continue to be paid their renumerations should subsection (a) or (b) apply.

Prohibition on use of resources

39. Candidates are not entitled to use in their campaign any service or resource conferred on them by virtue of holding any position in a campus organization, this includes, but is not limited to, the use of office supplies, equipment, advertising space and staff.

Determination of Campaigning

40. The Chief Retuning Officer shall, at their discretion, be responsible for determining whether any specific action or medium is deemed to be campaigning.

Budget for campaigning

41. The spending limits for candidates shall be a maximum of $0.05 per elector, as long as the spending limit as at least $50.00 and at most $200.00.

Appropriation of funds

42. Durham College Student Association will reimburse all campaign expenses incurred by a candidate, subject to the following conditions:
    (a) To receive reimbursement for campaign expenses, Candidates must submit a campaign expense form to the CRO, with original receipts attached, by 5:00 p.m. on the 5th day after the close of voting. The CRO may, at their discretion, decide not to reimburse a candidate if the campaign expense form is received after the deadline.

(b) All Candidates, regardless of the election outcome, must keep all original receipts. Candidates will be reimbursed up to a maximum of their allocated expenditure amounts.

(c) All campaign donations must be brought to the attention of the CRO and included in the campaign expense report to be submitted by each Candidate. Any work, service, or product provided free of charge by a non-Campaign Team member is considered a donation. Donated materials of campaign material shall be assigned a dollar value based on fair market value determined by the CRO and shall be calculated as campaign expenses, but will not be considered in the calculation of a refund against election campaign expenditures.

(d) Notwithstanding the foregoing, the CRO may enter into an agreement with a direct billing service provider for the use of the candidate at a discount. If such an agreement is entered into, all candidates shall use the provider.

(e) A candidate may not purchase items of substantial personal benefit with campaign funds. Further, a candidate may not purchase thank you gifts for campaign volunteers or others with campaign funds. A candidate may not purchase anything of any value to give out for students, which does not relate directly to the campaign, this includes candy, baked goods or other similar items.

Approval of campaign material

43. All campaign materials, advertisements, and/or expenses require approval by the CRO in advance of distribution or the cost being incurred. All printed materials must be printed in full quantities and then submitted to the CRO and shall only be stamped with the Corporation logo upon approval. It is recommended that candidates submit one hard copy or a digital proof of their material for approval before printing full quantities in the case of non-approval.

Prohibition on alcohol or cannabis

44. Any Candidate who uses alcohol, cannabis, or other intoxicating substance to induce an election to vote for or against a candidate shall be disqualified.

Areas where campaigning is prohibited

45.(a) No candidate may campaign within 5 meters of the DCSA offices (in the second floor of the Student Centre, at the Whitby Campus and at Riot Radio), at a DCSA or Club, Society, or Indigenous Student Circle sanctioned event, or in an area prohibited by the Chief Returning Officer.

(b) No candidate may campaign in such a manner that would disturb or obstruct the operations of DCSA, or Durham College, including through the use of audio/visual communications technology.

Candidates Materials - posters

46. Candidates may campaign by posters subject to the following limitations:
    (a) No posters shall be larger than 11 inches by 17 inches;

    (b) No posters shall be distributed or posted off campus unless otherwise approved by the CRO.

    (c) No candidate shall post more than 20 posters at the Oshawa Campus, and 10 at the Whitby Campus.

    (c.1) If a school does not have a program located in a campus, then a candidate for the corresponding class of membership shall not be eligible to post a poster on that campus.

    (d) Posters can only be affixed to surfaces by using wall putty such as fun tack, sticky tack or otherwise as may be determined by the CRO in consultation with the College.

    (e) All materials may only contain information that is relevant to the election, as determined by the CRO.

    (f) All text in other languages on campaign materials must have an accurate English translation.

    (g) Campaign materials shall not be removed from any location, except by order of the CRO, or by the Candidate or by staff of the College.

    (h) All materials must be removed within twenty-four (24) hours of the close of the voting period.

    (i) Any posters must be more than 4 inches apart. No Candidate's campaign materials can overlap those of another Candidate.

Pamphlets and handout

47. No candidate shall prints more than 400 handout, pamphlet, or handbills.

Harassment or discrimination

48. Any candidate who violates the harassment or discrimination policy of Durham College Student Association or Durham College of Applied Arts and Technology shall be disqualified.

Social Media Campaigning

49. The candidates may campaign on social media platforms as determined by the CRO. The CRO has the right to remove, or ask to remove, all posts on social media by the candidates. The accounts for the candidates on social media shall be separate accounts made for that purpose of the Elections and shall not be their personal account. The accounts made for purposes of the Elections shall be deleted after the elation or at the demand of the CRO.

Slates – Prohibition

50. (a) Candidates shall not campaign together, affiliate, or run as a slate. Candidates shall take all reasonable steps to ensure that their campaign material is unique for their positions.

(b) Candidates shall not cross endorse.

(c) Candidates shall not share resources.

(d) Any candidate which violates subsection (a), (b), or (c) shall be disqualified.

Publication of Statements

51. The Chief Returning Officer shall provide a space for all candidates to publish a statement of up to 300 words on the website of the Corporation.

Riot Radio

52. Each candidate will be given equal opportunity and access to campaigning on Riot Radio in an appropriate manner as determined by Riot Radio. These rules will be announced each year at the All-Candidates' Meeting.

PART 5 – VOTING

Voting Rights

53. The voting rights accorded to each Member shall be those described in the Articles of Incorporation.

Electoral System

54. (a) The method of voting shall be an online ballot.
    (b) Should the membership approve the Ranked Ballot then the election shall be conducted in accordance with section 61(b) of this policy.
    (c) If the Board of Directors deem it necessary based on the totality of the circumstances that paper ballots are necessary, then the Chief Returning Officer shall create procedures for the use of the paper ballots.

Declaration of winner

55. As soon as is reasonable the close of nominations, the Chief Returning Officer shall declare a candidate elected if the number of certified nominations is the same or lesser of the total number of positions to be elected to that position.

Notice of election

56. As soon as is reasonable after the close, the Chief Returning Officer shall give notice of a poll being granted for any race where the number of certified candidates which is greater than the total numbers of positions to be elected to that position.

Online voting procedures

57. When an online voting takes place, a company with experience in performing elections shall be retained in accordance with the Financial Administration Policy, and the procedures on the vote shall be as follows:
    (a) upon the start of balloting each elector shall be issued unique credentials to their email address on record with Durham College and a direct link to the voting website;

    (b) the elector shall enter their credentials and if the system is satisfied that their credentials are those provided by the online voting system, the system shall issue a ballot;

    (c) upon the casting of a ballot the elector cannot change their vote, nor shall their vote be invalided by the system;

(d) upon the close of voting, the Chief Returning Officer shall cause the results as tabulated by the system to be published, and shall preserve an audit trail of the votes casted; and

(e) when an online vote is being conducted, no special ballots shall be issued.

Prohibition re candidates

58. (a) No candidate shall be present or within 30 feet of an elector during the casting of a vote using an online system.

(b) No candidate shall use a personal electronic device for the purpose of allowing or inducing electors from casting ballots during the course of the election.

(c) No candidate shall use a system to amplify their voice or speak loudly to induce an elector to vote or not vote for a candidate.

(d) No candidate shall attempt, induce, or ask an elector to publish, show, or produce a marked or unmarked ballot in any fashion.

Ballot format

59. (a) The ballot shall combine all positions on a single ballot.

(b) Candidates shall be listed by surname in English alphabetical order. Should a candidate have a mononym, then the ballot shall list the mononym as the surname.

(c) Should a candidate have a common name by which they are known publicly known by and by which they wish to appear on the ballot, then the candidate shall be known by that name on the ballot. The Chief Returning Officer shall reject any name which the candidate cannot prove they are known by, or which is designed to mislead the voters.

(d) Should two candidates have the same name, an initial or other distinguishing mark shall be added to ballot to different the candidates.

(f) Should the online system be able to attach a statement, the biographical statement of the candidate shall be available on the ballot or linked to the ballot.

Casting of Ballots

60. (a) An elector shall be eligible to cast one vote for the Executive Position and one vote for the director of the class of membership to which they belong.

(b) The elector shall place a distinguishing mark in the circle to the right of the candidate which they desire to vote for.

(c) Should the membership approve a Ranked Ballot, the elector shall rank the candidates in numerical order.

Declaration of Winners

61. (a) The Chief Returning Officer shall declare a Candidate the winner of the position if they have received the highest number of votes for that position from Members that voted at the elections, and with the condition that there is no outstanding appeal involving the Candidate.

(b) Should the membership adopt a ranked ballot, the following rules will be used to determine the count:

(i) If no candidate receives 50 percent plus one of the votes, then the candidate who received the least number of votes is eliminated from the race.

(ii)The votes earned by the remaining candidates are carried forward to the next round of counting. The eliminated candidate's ballots are redistributed to the remaining candidates, this time using the next choice indicated on those ballots. All of the votes are then counted again.

(iii) If any of the remaining candidates received 50 percent plus one of the votes, they are elected. If not, the process of elimination is repeated until a winner is declared.

(iv) The threshold for winning shall be a majority of the votes casted.

(v) In the event of a tie for the candidate with the fewest votes in the first round of voting, the Chief Returning Officer shall select by lot the candidate progressing to the next round of voting.

PART 6 – ELECTION DISCIPLINE

Authority of the CRO

62. The Chief Returning Officer shall have the following primary authority regarding elections discipline:
    (a) issue written warning;

    (b) campaign restriction and suspension;

    (c) issue a deduction from the total campaign expenses a candidate; and

    (d) disqualification.

Initial Authority of the CRO

63. The Chief Returning Officer shall have initial authority to determine if a violation has occurred and the appropriate punishment for it.

Powers of the CRO upon investigation

64. (a) Once a complaint is filed, the CRO may order the suspension of the activity in question until a ruling is given.

    (b) The CRO may use any and all resources necessary and available to reach a decision.

    (c) Prior to rendering a decision, the CRO shall allow the accused candidates the opportunity to hear any accusations brought against them, and to offer their defence in a fashion determined by the CRO, at the CRO's discretion.

    (d) The CRO shall render a written decision via institutional email. The CRO shall look at all the circumstances regarding the complaint and the actions of the candidate when determining what actions are necessary.

    (e) The CRO shall dismiss any complaint which is frivolous, vexatious or otherwise devoid of merit.

Warning

65. The Chief Returning Officer shall issue a warning for behaviour that is concerning to the CRO regarding violations of this Policy. If the behaviour or violations, as described in the

warning, does not cease then other disciplinary measures shall occur, at the discretion of the Elections Committee.

Campaign restriction and suspension

66. The Chief Returning Officer may prohibit a candidate from campaigning in a certain way, at a certain place, for a period of time, or at all if the candidate has violated this Policy.

Deduction of total campaign expenses

67. The Chief Returning Officer may issue a deduction of the campaign budget of a candidate; such expenses shall be counted as an expense and should the candidates total expense exceed the limit then the candidate shall be disqualified.

Disqualification

68. The Chief Returning Officer may disqualify candidates. When a candidate is disqualified, the candidate shall deemed to have not completed the Election and shall be ineligible to seek election for any Corporation position for the remainder of the election cycle in that year and participate as a member of a campaign team for the remainder of the election cycle in that year.

Disqualifying events

69. Violations of the following nature will result in automatic disqualification of a Candidate:
    (a) At the CRO's discretion, a finding of misconduct so egregious that the CRO believes it is right in the circumstances to disqualify the candidate.

    (b) Solicitation of any outside entities or individuals to interfere in the election process. Solicitation of Interference includes, but is not limited to, actions that encourage such entities or individuals to apply pressure on the CRO or Elections Committee to make or change specific decisions, interference in the voting or ballot counting process, withholding vital election documents such as voters' list and ballot boxes, and withholding Corporation funds.

Defaulting events

70. (a) A Candidate which is in default of the filing requirements under this policy if:
        (i) they have not filed the required campaign expense report;

(ii) they have spent more than the spending limit for the office which they seek;

(iii) they have misrepresented their campaign expense.

(b) A candidate who is in default will:

(i) forfeits any office to which they were elected and the office is deemed to be vacant; and

(ii) for a period of 12 months the candidate is ineligible to be elected or appointed to any office of the Corporation.

(c) A candidate who is in default under subsection (a(i)), may be cured of the default if:

(i) the candidate pays a late filing fee of $50.00; and

(ii) not more than 10 days have elapsed since the notice to the candidate.

(d) The late filing fee shall be donated by Corporation to a registered charity.

(e) A candidate who is in default under subsections (a(ii)) or (a(iii)) may appeal any facts regarding the default to the Election Compliance Oversight Committee.

Notice of a decision of the CRO

71. (a) A decision of the CRO to exercise authority determining discipline or default, shall be sent to:

(i) the candidates involved;

(ii) the Elections Committee;

(iii) a person who made the compliant.

(b) A notice of default or disqualification shall be further sent to:

(i) the Board of Directors;

(ii) the Secretary of the Board; and

(iii) the General Manager.

Disqualification

72. When the Chief Returning Officer disqualifies a candidate, the disqualification shall not take effect until:

(a) four days after the disqualification or the ruling of the Elections Compliance Oversight Committee, or

(b) a statement by the candidate which states they agree with the disqualification.

Appeal by right

73. (a) A candidate who has received a ruling of the CRO which resulted in discipline has the right to appeal to the Elections Compliance Oversight Committee.

(b) A notice of appeal shall be filed with the clerk of the committee before the fourth day after the notice has been given to the candidate.

Quorum for Appeals Hearing

74. The Elections Compliance Oversight Committee shall have a quorum of half of the appointed members when hearing an appeal.

Powers on Appeal

75. The Elections Compliance Oversight Committee shall have the power to:
(a) revise the decision of the Chief Returning Officer; or

(b) deny the appeal.

Decision on appeal

76. The Committee shall issue a written decision with reasons on appeal. That decision is final and binding

PART 7 – RECOUNT

Recount - automatic

77. The Chief Returning Officer shall hold a recount if the votes for two or more candidates who receive the same number of votes and cannot both or all be declared elected to the office.

Recount – on application

78. The Chief Returning Officer shall hold a recount upon application of an elector that an administrative mistake was made which is likely to affect the election, or it appears advantageous that a recount be needed.

Appeal to the Elections Compliance Oversight Committee

79. A candidate may appeal the decision of the Chief Returning Officer not to hold a recount to the Elections Compliance Oversight Committee.

Time for recount

80. The recount shall be held within 15 days after the Chief Returning Officer's declaration of the results of the election.

Method of recount

81. The Chief Returning Officer shall conduct the recount by auditing the electronic backup of the online voting software.

Results on recount

82. Upon a recount being completed, the results of the recount will be published by the Chief Returning Officer.

Tie vote

83. In case of a tie between any of the candidates, the tied candidates shall draw lots to determine the winner of the tied elections.

PART 8 – ELECTIONS MATERIAL AND VOTERS LIST

Election material

84. Schedule I shall set forth the manner of various elections material and notices. The Chief Returning Officer is authorised to alter the form and contents of the elections materials and notices as required.

Voters list

85. The voters list shall be provided by the College. The voters list shall be kept under the protection of the Chief Returning Officer, and shall not be used for any other purpose whatsoever.

Request of candidates for access to the voters list

86. Should a candidate request access to the voters list, then the candidate shall be given the access members list in accordance with section 23(7) of the Canada Not for Profit Corporations Act, S.C. 2009, c. 23, then the member shall swear a statutory declaration before someone a person who is legally eligible to make oaths in the province of Ontario that they require access to the list in accordance with the provision of the act, and will not use the list for any other purpose whatsoever.

Breaches of privacy regarding the voters list

87. Breaches of privacy regarding the voters list is a violation of privacy policy of the corporation and the college, and will be dealt with in accordance with those policies.

PART 9 – CONCLUDING PROCEEDINGS

Certificate of Elections

88. Upon the count of votes, the Chief Returning Officer shall officially validate the results of the election by adding all statement of votes together and thereupon declaring the candidate elected to be the winners of the election. The Chief Returning Officer shall provide notice of this to the Board, and to be posted on the Corporation's website.

Report of the Chief Returning Officer

89. The Chief Returning Officer shall thereupon issue a report to the Board of Directors on the conduct of election under this policy and make recommendations as is appropriate.

Status of Candidates

90. Between the date of publication of the results and Start Date, or in the case of By-Elections the 10th day after voting, the elected candidate has no privileges or powers other than being a Member of the Corporation.

Taking Office

91. The successful candidate in any elections becomes an Executive Officer or a Director, as the case may be, at the Start Date, or in the case of By-Elections the 10th day after voting.

PART 10 - CONFLICTS OF INTEREST

Executive Officers and Directors

92. An Executive Officer or Director currently in office cannot be employed by the Elections Office in any role, paid or otherwise.

Prohibition of use of resources

93. The Corporation's resources, financial, promotional, or other, cannot be used in favour of any candidate.

Prohibition re statements

94. The following people shall not be permitted to campaign for, or make any public statements regarding, the candidate(s):
    (a) Any Full-Time Staff member of the Corporation;

    (b) An Election Committee member;

    (c) Any Executive Officer or Director not running for election.

PART 11 – APPOINTMENT THROUGH MEMBERSHIP MEETING

95. Whenever there is a vacancy on the Board of Directors which is not filled through by-election, or which the board has decided not to fill a vacancy, the Board shall call a membership meeting of the class which is vacant to fill the vacancy.

96. The Secretary of the Board shall be the coordinator of the Membership meeting.

97. The notice of the Membership meeting shall be given in the timeframes described in the by-law.

98. Nominations shall be received until 12th day before the Membership Meeting.

99. On the 9th day before the Membership Meeting, the Secretary of the Board shall issue a convening circular with a statement from each candidate of not more than 300 words in length.

100. Voting shall open at 9:00 a.m. on second day before the Membership Meeting and voting shall be done as follows:

(a) If one candidate is running for the position, a motion to the effect of:

> "That – be elected to the office of Director for Class -- of the membership consisting of the school of ---."

Shall be deemed to be moved, seconded, read, and debated, and electors shall have vote either in favour or opposed to it.

(b) If there are two candidates running for the position, then the candidates shall be listed in English Alphabetical order and elector shall vote for the candidate which they wish to vote for. The motion shall read as follows:

> "That ____ be elected to the office of Director for Class -- of the membership consisting of the school of ---."

Shall be deemed to be moved, seconded, read, and debated, and electors shall have vote either in favour or opposed to it.

(c) If there are more than two candidates running for the position, then the candidates shall be listed in English Alphabetical order and elector shall rank in order of preference the candidates which they wish to vote for. The motion shall read as follows:

> "That ____ be elected to the office of Director for Class -- of the membership consisting of the school of ---."

Shall be deemed to be moved, seconded, read, and debated, and electors shall have vote either in favour or opposed to it and the ballot shall be counted in accordance with the method of section 61(b).

101. Parts 5, 7, 8, 9 and 10 of the Election Policy shall apply mutatis mutandis to the election, as decided by the Secretary of the Board of Directors.

102. Campaigning methods shall be set by the Secretary of the Board, and the Secretary of the Board shall have appropriate authority to enforce campaigning methods. Any appeal shall be heard by the Standing Committee.

SCHEDULE I

Form 1 – Notice of Election

NOTICE OF ELECTION

of which all members of the Durham College Student Association are required to take notice hereof and to govern themselves accordingly that there shall be a General Election in accordance with the by-laws to elected the directors and executives.

Nominations are due at 1:00 p.m. on –

An All Candidates Meeting will be held at --- on ----.

Campaigning will begin at 9:00 a.m. on ---

Voting will be held on ---- and until.

Given under my hand, this --- day of ---, 20---.

Chief Returning Officer

Form 2 – Nominations paper

NOMINATION PAPER
OF A CANDIDATE FOR GENERAL ELECTION
OF DURHAM COLLEGE STUDENT ASSOCIATION

MUST BE RETURNED TO THE DURHAM COLLEGE STUDENT ASSOCIATION OFFICE
ROOM 212, SECOND FLOOR, STUDENT CENTRE, NORTH CAMPUS, 2000 SIMCOE ST. NORTH
BY _____ AT 1:00 P.M.

Part I – Candidate's Information

The name appearing in the boxes below must be exactly as the candidate wishes their name to appear on the ballot paper. One or more of the given names of the candidate may be replaced by the nickname by a normal aberration of one or more of the candidates given name (i.e. Meg, Andy, Bill). Mononyms are not accepted on the ballot, unless that the mononym is the legal name of the nominee.

Surname	Given name

If your name by which you are registered at Durham College is different than the name which you wish to have appear on the ballot paper please give your legal name here:

Surname	Given name

This name will not appear on the ballot paper but will be used to verify your status as a student with the college.

Student Number:

Position sought:

Please check the box to the left of the position you wish to seek.

- ☐ Executive Chair and Chief Elected Office
- ☐ Director for the School of Health and Community Services
- ☐ Director for the School of Justice and Emergency Services
- ☐ Director for the School of Media, Art and Design
- ☐ Director for the School of Skilled Trades, Apprenticeship and Renewable Technology
- ☐ Director for the School of Science and Engineering Technology
- ☐ Director for the Center for Food

☐ Director for the School of Business, IT and Management

☐ Director for the School of Interdisciplinary Studies

Part II – Contact Information

This information is collected for the use of the election services department. It is not used by third parties.

Telephone number:

Cell	Other

Email address:

Durham College	Preferred (if different than the college)
@dcmail.ca	

Part III – Candidate's Consent to Nominations

I, the above named candidate, the nominee in this nomination paper, do affirm that:

- I consent to the nomination
- I am a qualified elector and I am eligible to be a candidate for the position which I seek;
- I am aware of the obligations imposed on me as a candidate in the by-laws and Elections and Referendum Policy; and
- My name as recorded in Part I, is exactly how I wish my name to be spelled on the ballots.

I, the above named candidate, further agree to the disclosure of personal information regarding my academic standing held by the Office of the Registrar of Durham College of Applied Arts and Technology to the Chief Returning Officer for the purpose of determining my eligibility to run for an position. I consent to disclosure of my academic information in accordance with section 42(1)(b) of the *Freedom of Information and Protection of Privacy Act* (RSO 1990, C. F-31).

Dated _____, 202__,

_____

Candidate's signature

Part V – Signatures of nominators (Must be full time students)

I nominate _____ for the position of _____ in the Durham College Student Association General Election. I am qualified as an elector (i.e. full time student) and I consent to the nomination.

	Student name	Student number	School/faculty	Signature
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Director nominations need not submit more than 10 signatures, however it is recommended that they do as a precaution to ensure accuracy.				
11				
12				
13				
14				
15				
15				
16				
17				
18				
19				
20				
Executive nominations need not submit more than 20 signatures, however it is recommended that they do as a precaution to ensure accuracy.				

21				
22				
23				
24				
25				
26				
27				
28				
29				
30				

Form 3 – official statement of votes

POLL NUMBER	LOCATION OF POLL
TABULATION OFFICER	TABULATION OFFICER

EXECUTIVE CHAIR AND CHIEF ELECTED OFFICER	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

DIRECTOR CLASS A	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

DIRECTOR CLASS B	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

DIRECTOR CLASS C	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

DIRECTOR CLASS D	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

DIRECTOR CLASS E	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

DIRECTOR CLASS F	
CANDIDATE A	
CANDIDATE B	

DIRECTOR CLASS G	
CANDIDATE A	
CANDIDATE B	
REJECTED BY TABULATION OFFICER	

REJECTED BY TABULATION OFFICER	
BLANK	
TOTAL	

BLANK	
TOTAL	

I certify and solemnly affirm that the results as stated above is a true and complete record of the votes casted at the polling station named above.
Dated at _____, Ontario this ____ day of ___, 20___.

_____ tabulation officer

_____ tabulation officer

_____
Chief Returning Officer

Form 4 – Declaration of results

I, [name of CRO] of [municipality of CRO] Chief Returning Officer for Durham College Student Association, do hereby solemnly declare [or make oath and say] that in accordance with the mandate of the Board of Directors, held an election on the following question for the election of officers and directors of Durham College Student Association by the following method [paper ballots] [online ballots].

The result of the election for [enter name of office] is as follows: [number of votes] voted [name of candidate]; [number of votes] voted [name of candidate]; [number of votes] voted [name of candidate]; [number of votes] voted abstained. [repeat as necessary]

I am aware of no violation of the elections policy which would cause the results of the referendum to be invalid.

[I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.]

Affirmed [sworn] before me,

at [city], Ontario, this [date] of

[month], [year]

_____
[name of Chief Returning Officer]

_____
Commissioner, etc

[stamp of Commissioner if needed]

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER A-4

REFERENDUM POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

Durham College Student Association *(hereinafter the "Corporation")*

REFERENDUM POLICY

Short Title

1. This policy may be cited as the Durham College Student Association Referendum Policy.

Definitions

2. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the Elections Policy.

Calling of a Referendum

3. Whenever it seems appropriate to do so and it is in the public interest to do so, the Board of Directors may by Ordinary Resolution call a referendum in accordance with this policy.

More than One Question

4. The Board may call a referendum which:
   a) have more than one question; and

   b) use a rank voting system.

Wording of the Question

5. The Referendum Question and all Answers shall be concise and simple. If there is a dispute over if the question is concise and simple, the Chief Returning Officer shall attain the opinion of legal counsel regarding the question and shall make the determination if a question is concise and simple.

Timing of Question

6. A referendum question must be passed by the Board of Directors at least 10 days before a referendum is called.

Notice of Referendum

7. The Chief Returning Officer shall give notice at least 25 and not more than 37 days before the first day of voting of a referendum.

Application of the Elections Policy

8. (a) Subject to any provision of this policy, the Elections Policy, as adapted applies to a referendum.

(b) The Chief Returning Officer shall have the authority to adapt the Elections Policy as is necessary for the conduct of an election.

Formation of Campaign Committees

9. (a) A referendum committee may apply for registration for the purposes of a referendum by filing with the Chief Returning Officer, during the Nomination period, an application in accordance with this section.

(b) An application for registration shall set out the following:

(i) the full name of the committee,

(ii) the name, student number and email address of the leader of the committee,

(iii) the name, student number, email address and title of each officer of the committee,

(vi) the name, student number and email address of the chief agent of the committee; and

(v) indicate which answer to the question the committee supports.

Chief Agent of Committee

10. The Chief Agent of the Committee is the responsible for approving all campaign activities done by the committee, and this must be understood by all members of the committee.

Discipline

11. The Discipline Provisions of the Elections Policy applies to the committees.

Spending Limit

12. The Spending Limit of the Executive Chair Race shall be the spending limit for a referendum committee.

The Board of Directors

13. The Board of Directors may by special resolution run a campaign for the referendum to promote an answer to the referendum question. The Board is subject to a spending limit but is not subject the prohibition on the use of Corporate Resources.

The Effect of Disqualification on a campaign

14. When a disqualification occurs, the leadership of the committee shall be ineligible to hold office for the same period of time as if they were disqualified under the Elections Policy.

SCHEDULE I

Form 1 – Notice of Referendum

NOTICE OF ELECTION

of which all members of the Durham College Students Inc. are required to take notice hereof and to govern themselves accordingly that there shall be a General Referendum in accordance with the by-laws to answer the following question:

Petitions to form campaigns are due at 1:00 p.m. on –

An All Campaign Meeting will be held at --- on ----.

Campaigning will begin at 9:00 a.m. on ---

Voting will be held on ---- and until.

Given under my hand, this --- day of ---, 20---.

Chief Returning Officer

Form 2 – Nominations paper

PETITION PAPER
OF A REFERENDUM COMMITTEE OF A REFERENDUM
OF DURHAM COLLEGE STUDENT ASSOCIATION

MUST BE RETURNED TO THE DURHAM COLLEGE STUDENT ASSOCAITON OFFICE
ROOM 212, SECOND FLOOR, STUDENT CENTRE, NORTH CAMPUS, 2000 SIMCOE ST. NORTH
BY [date] AT [time]

Part I – campaign Information

The name appearing in the boxes below must be exactly as the campaign wishes to be registered in the referendum as. This name must appear on all campaign material during the course of the campaign.

Name of campaign

Part II – Statement of Campaign officers

Officer	Title	Student number

Part III – Statement of officers of campaign

I, the undersign officer, for the campaign agrees to be bound by the rules of the referendum as contained in the Referendum Policy.

Name of officer	Signature of office

Part VI – Primary contact of the campaign

We designate the following campaign official to be the primary contact for the campaign.

Contact first name	Contact last name
Contact email address	Contact phone number

Form 3 – Declaration of results

I, [name of CRO] of [municipality of CRO] Chief Returning Officer for Durham College Student Association, do hereby solemnly declare [or make oath and say] that in accordance with the mandate of the Board of Directors, held a referendum on the following question: [text of questions here] on the following days [insert days of the referendum] by the following method [paper ballots] [online ballots].

The result of the referendum is as follows: [number of votes] voted yes; [number of votes] voted no; and [number of votes] abstained.

I am aware of no violation of the referendum policy which would cause the results of the referendum to be invalid.

[I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.]

Affirmed [sworn] before me,

at [city], Ontario, this [date] of

[month], [year]

_____
[name of Chief Returning Officer]

_____
Commissioner, etc

[stamp of Commissioner if needed]

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED PO LICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022
CHAPTER B-1

FINANCIAL ADMINISTRATION POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION *(the "Corporation")*

FINANCIAL ADMINISTRATION POLICY *(the "Policy")*

PART I: POLICY STATEMENTS

Budget

1. Financial transactions will adhere to the annual operating and capital budgets approved by the Board.

Use of funds

2. Funds shall be used in a manner consistent with the purpose for which they were provided in the operating and capital budget.

Safeguard funds

3. The Corporation will safeguard all funds and assets by ensuring that appropriate internal control procedures are documented and in place.

Application of GAAP

4. Accounts will be reconciled, and financial statements will be prepared monthly in accordance with the generally accepted accounting principal ("GAAP").

Variance Reporting

5. Variance reporting and year end forecasts will be prepared monthly.

Long term operating and capital plans

6. Rolling five-year operating and capital plans will be developed annually for Board review.

Statutory regulations

7. All financial administration will conform to statutory requirements.

Annual Performance Measurement

8. Annual performance measurement key performance indicators will be used to measure both financial and non-financial performance.

Record retention

9. All records will be kept for seven years in secure storage.

Auditor engagement

10. The auditors or other external consultants will be engaged as required to ensure financial policy objectives are achieved.

PART II: APPLICATION

Application of this policy

11. This Policy applies to all the employees, Executive Officers and Directors of the Corporation.

Amendments to the policy

12. This policy may only be modified by the Board of the Corporation at a meeting duly called for that purpose and in accordance with the By-Laws of the Corporation.

PART III: DEFINITIONS

Definitions

13. The following definitions shall apply to this Policy and its Schedules:

"Accountability" – The obligation of an employee, agent or other person to answer for or be accountable for work, an action or a failure to act following delegated authority.

"Approval authority" – The authority delegated by the Corporation to a person designated to hold a position to approve on its behalf one or more procurement functions in the plan-to-pay cycle, up to specified dollar limits. The approval authority is subject to the applicable legislation, regulations and procedures in effect at the time.

"Authorized Purchaser" – shall mean an Executive Officer that has been delegated purchasing authority by the General Manager in accordance with section 20.

"Board" – The Board of Directors of the Corporation.

"Competitive procurement" – A set of procedures for developing a procurement contract through a bidding or proposal process. The intent is to solicit fair, impartial and competitive bids.

"Conflict of interest" – A situation in which financial or other personal considerations might compromise or bias professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the professional's judgment is likely to be compromised.

"Consultant (Advisor)" – A person or entity that, under an agreement other than an employment agreement, provides expert or strategic advice for strategic consideration and decision making. Non-consultants are referred to as service providers.

"Contract" - An obligation between competent parties, upon a legal consideration, to do or to abstain from doing some act. For a contract to be duly created, the parties must intend that their agreement will have legal consequences and be legally enforceable. The essential elements of a contract are an offerand an acceptance of that offer; the capacity of the parties to contract; consideration to support the contract; a mutual identity of consent or consensus ad idem; legality of purpose; and sufficient certainty of terms.

"Goods" – A tangible product (excludes goods for capital-funded construction projects).

"Invitational competitive procurement" – A form of procurement where a number of qualified suppliers are asked to submit a written proposal in response to the defined requirements outlined by an individual or organization.

"Non-consulting service provider" – An individual or company contracting to provide services other than consulting services (expert or strategic advice for decision-making)to another individual or business. Non-consulting services contracts (whether awarded to individuals or entities) are goods and services agreements and therefore subject to this policy.

"Officers"- The officers of the Corporation as described in the Bylaws of the Corporation, which may be amended from time to time.

"Procurement" – Acquisition of goods or services by any means, including purchase, rental, lease or conditional sale.

"Procurement value" – The estimated total financial commitment resulting from procurement, taking into account optional extensions.

"Purchase order (PO)" – A written offer made by a purchaser to a supplier, formally stating the terms and conditions of a proposed transaction.

"Request for Proposal (RFP)" – A document used to ask suppliers to propose solutions for the delivery of complex products or services or to provide alternative options or solutions for a purchase value over $100,000. This process uses pre-defined evaluation criteria in which price are not the only factor.

"Request for Quotation (RFQ)" – A document used for a purchase value of more than $5,000 and less than $100,000 for which suppliers are invited to submit a price in a competitive environment where the terms and specifications are clearly identified. This process is efficient for market pricing studies. If no evaluation criteria have been established, the best pricing prevails. The procurement officer may negotiate with the supplier.

"Segregation of duties" – A method of process control to manage conflict of interest, the appearance of conflict of interest, errors or fraud. It restricts the amount of power held by any one individual and puts a barrier in place to prevent errors or fraud that may be perpetrated by one individual.

"Service" – An intangible product, including non-consulting and consulting services (excludes services for capital-funded construction projects).

"Service provider" – A non-consulting service provider, i.e., one that does not provide expert or strategic advice and related services for strategic consideration and decision-making provides a service, task, work and deliverable as contracted.

"Single-source supplier" – Award for the supply of a good or service that can be purchased from only one supplier because of its specialized or unique characteristics or because of exceptional circumstances.

"Supplier/Vendor" – Any person or organization that, based on an assessment of that person's or organization's financial, technical and commercial capacity, can fulfill the requirements of procurement.

Further definitions

14. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the By-Laws of the Corporation.

Taxes

15. Any amounts of money referenced in this Policy shall be without any applicable taxes, but shall include relevant fees. PART IV: RESPONSIBILITIES

Responsibilities

16. It is the responsibility of the Financial Controller to ensure this policy is implemented and to report to the Board any failure to respect the said policy

PART V: RECORD KEEPING PROCEDURE

Contracts retention

17. All contracts executed with suppliers will be maintained by the Financial Controller in a central file location.

PART VI: PROCUREMENT PROTOCOLS

Role of General Manager

18. In consultation with the officers of the Corporation and the employees, it is the role of the General Manager of the Corporation to identify the need for goods and services.

Supply Chain Activities

19. The General Manager is responsible for administrating all supply chain activities for the procurement of goods and services for the DCSA. It is the only person responsible for engaging the Corporation into a commercial contract for goods and services and for issuing purchase orders. Provided however that the General Manager shall obtain the approval of the Board for any procurement of goods or services that were not approved by the Board in the Budget of the Corporation and have a total value of more than $10,000. The General must still abide by the RFQ protocols described in this Policy for purchases over $5,000 but under $100,000. It is responsible for ensuring that the procurement process fully complies with provincial law and directives and internal policies.

Delegation of Authority

20. The General Manager may delegate its purchasing authority to other officers or employees of the Corporation provided however that the said person will be accountable to the Corporation for any purchase made under such delegation of authority. Informal delegation of the purchasing authority is forbidden.

Purchase Orders

21. The General Manager authorize the issue of purchase orders as is needed in consultation with the appropriate manager and the Financial Controller.

Credit Card Purchases

22. Purchases made by Credit Card that are compliant with Schedule A of this policy will be considered to have been made with proper purchasing authority. Any Credit Card purchase that do not respect the procedure of Schedule A will be considered to have been made without proper delegation of authority. Each Authorized Purchaser will have a monthly purchase order workbook provided by the Finance department. When a purchase order is required, the purchase order will be completed, logged and appropriately authorized.

Total Goods Procurement Value	**Means of Procurement**
Up to but not including $5,000	Purchasing credit card or verbal purchase order
$5,000 to $100,000	RFQ– three written quotations
$100,000 and more	RFP

Use of non-competitive procurement process

23. The Corporation will employ a competitive procurement process to achieve optimum value for money. It is recognized, however, that the nature of some purchases may require the Corporation to use non-competitive procurement. Items exempt from competitive process include the following:

- Alcoholic Beverages
- Customs
- Courier and freight charges
- Conference, seminar fees
- Leaseholds
- Debt payments
- License fees
- Interest payments
- Event entertainer fees
- Organization/Board development consulting services
- Honorariums
- Investments and related fees
- Subscription fees
- Course registration fees
- Payroll and benefits
- Recruitment agency fees
- Real property charges
- Event venues
- Insurance premiums
- Sponsorship fees
- Membership fees
- Refunds
- Taxes and charges
- Donations
- Petty cash items
- Travel expense
- Utilities
- Vehicle license fees

Where appropriate, single source purchasing agreements will be established to provide for preferential pricing and terms (e.g. food service suppliers). These agreements will be reviewed annually.

Consulting Services

24. In the case of consulting services only one supplier maybe solicited; however, to contract consulting services from a sole supplier, the supplier in question must have a professional designation such as a lawyer, an accountant, or other regulated professional. Contract for consulting services under the amount of $10,000 shall be approved by the General Manager. Contracts over that said amount shall require the approval of the Board.

Non Consulting Services Contracts

25. Contracts for the procurement of non-consulting services require the same signatures,

number of quotations and processes as those for the procurement of a good (refer to section 6.6).

PART VII: CONTRACTS

Review by the General Manager

26. Regardless of point of origin, all contracts must be reviewed by the General Manager prior to execution.

Review by the Board of Directors

27. All contracts with a term equal to or longer than one 1 year and/or a total value equal to or greater than $50,000 shall be authorized by the Board. Furthermore, if there is a change to the cost of a Board approved contract that requires an additional funding of at least five per cent of the approved value of the contract, then those change orders shall also be approved by the Board. The Board may delegate its signing authority of the General Manager via written resolution.

Other Contracts

28. Subject to the terms of this policy, all other contracts shall be executed by the General Manager of the Corporation. The General Manager may delegate its authority to sign contract to other officers of the Corporation.

Original

29. Following approval, the original signed copy of the contract will be forwarded to the General Manager. An electronic copy of the signed contract will be forwarded to the office of the Controller on a central shared drive created for this purpose.

Employment agreements

30. This Division 7 does not apply to the employment agreements of the Corporation, except with regards to execution at subsection 28.

PART VIII: BUDGETING

Budget standards

31. Budgets provide a standard by which to measure performance, encourage planning, and allocate resources in accordance with funding source requirements.

Reasonable assumptions

32. Budgets should use reasonable assumptions of income and expenses. Budgets should be balanced, and should lead to the accumulation of reasonable Reserves, as set out in Schedule E, which can be used to ensure cash flow over time.

Presentation by the Financial Controller

33. The Financial Controller shall present to the Board no later than April 30th of each year the prosed Budget for the Board approvals. This Budget will present fairly the expected operational expenses and capital expenses and will be prepared in consultation with the General Manager and Executive Officers of the Corporation.

Cash reserves

34. The Board should be notified when cash reserves are below 3 months regular operating expenses.

Annual budget

35. The organization budget is prepared by the Financial Controller, in consultation with the other manager of the Corporation, beginning no later than March of every year.

Non budgeted expenses – less than $10,000

36. Non-budgeted expenditures that exceed $10,000 will be recommended by the General Manager and Financial Controller to the Board for approval and to consider a formal revision of the approved annual budget

Non budgeted expenses – more than $10,000

37. Non-budgeted expenditures between $1,000 and $9,999 that cannot be easily accommodated by shifting expenses from another budget line should prompt a discussion between the General Manager, the Financial Controller, the Chairperson, and the Managing Director to justify the expense, how it will be financed, and how other budgeted expenses may be affected. If consensus is reached on the above matter, execute the decision. If no decision is reached than the matter shall be referred to the Board for approval.

Non budgeted expenses – less than $1,000

38. Non-budgeted expenditures less than $1,000 do not require discussion if they are approved by the General Manager and/or the Financial Controller.

Department expenses

39. Within any budgeted expense category, expenditure changes that do not exceed the total budgeted amount are within the discretion of the appropriate department Manager. (For example, funds allocated to Clubs may be redirected for other Clubs purposes as long as the total line item amount is not exceeded.)

Right to Dissent

40. The General Manager and Financial Controller should exercise the right to express disagreement and dissent with a decision by the Chairperson or Managing Director and should seek to resolve such disagreements informally.

Appeal Dissent.

41. When that is not possible, the General Manager, Financial Controller, Chairperson, and Managing Director to resolve the dispute as contained in 8.10, the matter shall be forwarded to the Board. A member other than the Chairperson shall preside at the Board meeting when a dissent is registered.

PART IX: SEGREGATION OF DUTIES

Separation of duties

42. There will be separation of financial duties and responsibilities so that no staff member has sole control over cash receipts, payroll, bank reconciliations, accounts payable or other accounting functions.

Separation of Duties Cheques

43. With the exception of the Financial Controller, the cheque signer will not be the same person who approves expenditures, records bookkeeping entries, or prepares cheques for signing.

Secondary Cheque Signer

44. The Financial Controller will be a secondary cheque signer.

Review of Bank Statements

45. Bank statements will be reviewed by at least one person in addition to the person performing the reconciliation.

Bank Deposits

46. Bank deposits will be made by someone other than the person recording receipts.

PART X: SAFEGUARDING ASSETS

Duty to carry out financial practices

47. The Financial Controller shall have primary responsibility for ensuring that proper financial management procedures are maintained and that the policies of the Board are carried out.

Filing System

48. A proper filing system will be maintained for all financial records.

Comparison of actuals to budget

49. Actual income and expenditures will be compared to the budget on a monthly basis.

Holding of funds

50. All funds will be kept at Royal Bank of Canada, or otherwise as determined by the Board of Directors from time to time.

Excess cash

51. All excess cash will be kept in an interest-bearing account.

Bank statements

52. Bank statements will be promptly reconciled on a monthly basis by the bookkeeper/generalist or the Financial Controller, and reviewed by the other.

Approval of signing officers

53. The board of directors shall approve annually any new signers for each bank account and any new and necessary bank accounts.

Notification of changes to signing officers

54. The Controller is responsible for promptly notifying financial institutions of any changes to authorized signers on organizational accounts.

Insurance

55. Appropriate insurance for all assets will be maintained.

Monthly reconciliation of bank statements

56. On a monthly basis, the bookkeeper/generalist, or the Controller, will reconcile the bank statements to the general ledger, and notify each other of any discrepancies.

Discrepancies

57. The Controller will resolve all discrepancies with the assistance of the bookkeeper/generalist, and the bank, if necessary.

Monthly bank statement

58. Independently, the Executive Chair or Managing Director will receive a copy of the general operating monthly bank statement for review of reasonableness.

SCHEDULE A "REIMBURSEMENT PROCEDURE"

PRINCIPLES

1. The Corporation shall provide information and guidance about the appropriateness of incurring, reporting and receiving reimbursement for allowable business expenses.

2. Allowable business expenses shall be within approved budget allocations.

3. Allowable business expense reimbursement shall be authorized by Financial Controller or, circumstances where the Financial Controller is unavailable, the General Manager.

PROCEDURES

4. In May of each year, the Financial Controller shall determine the Financial thresholds and per diem rates for categories of allowable business expenses for that academic year.

5. The timelines for submitting requests for reimbursement and for receiving payment shall be as follows: Allowable business and professional development expenses incurred will be reimbursed only during the fiscal year in which the transaction(s) took place

6. The documentation requirements for allowable business expenses shall be as follows: Original receipts from the transaction(s) must be retained and submitted along with a completed Corporation reimbursement form, which includes a full accounting of the transaction(s) as well as appropriate authorization, including supporting documentation and signatures.

7. Despite section 6 of this Schedule A, employees may be required to provide additional information to support reimbursement.

8. Individuals shall request reimbursement only for their individual allowable business expenses and provide original signatures on the reimbursement request form given to them by the Financial Controller.

9. Foreign currency expenditures shall be reimbursed using the average daily Bank of Canada

exchange rate.

10. Employees shall return to the Corporation all monies in excess of substantiated expenses within prescribed timelines.

11. Authority to approve allowable business expenses shall rest in the offices named in the following table, as long as no one approves their own expenses:

Submitted by	Approved by one of:
Board members Executive Chairperson The General Manager The Finance Manager	The Managing Director The Deputy Chair of the Board The General Manager
The Operations Manager The Outreach Manager Unionized staff members Part time staff members	The General Manager the Operations Manager the Outreach Manager
Routine invoice	The General Manager
Elections candidate	The Chief Returning Officer

FINANCIAL CONTROLLERS RIGHT TO REFUSE

12. Expenses that appear to, or actually, provide personal benefit to an employee, without a valid business purpose, shall not be reimbursed.

13. Any exemption from this procedure shall be authorized by the Financial Controller.

14. The Financial Controller, on behalf of the Corporation, retains the right to refuse, in whole or in part, reimbursement of business expenses.

SCHEDULE B "CORPORATE CREDIT CARDS"

PERSONS AUTHORIZED TO HAVE CREDIT CARDS

1. The Corporate Credit card is available to the General Manager.

2. Additional cards may become available should both the General Manager and Financial Controller authorize their issuance.

3. The General Manager's credit card, or any other person's credit card authorized in accordance with subsection 1.2 of this Schedule A, shall be embossed with their name and only that person is authorized to use the said credit card.

4. The Financial Controller is the primary contact for the credit card program and is required to review all purchases made with the card, as well as ensuring compliance with the program procedures.

CARDHOLDER RESPONSIBILITIES

5. It is the responsibility of the cardholder to comply with this Schedule A, including documentation requirements. Specific duties include:
    a. Immediately report a lost or stolen credit card as detailed in section 5 of this Schedule A;

    b. Ensure that the card is not used by anyone other than the cardholder;

    c. Submit all transactions on a regular basis for approval using the prescribed form;

    d. Advise the Financial Controller by email, 5 days ahead of "Seasonal Increase" in credit limit including time frame;

    e. Retain all documentation of purchases for audit purposes;

    f. Contact vendors directly on disputes pertaining to invoices/receipts. The cardholder will document the name of the person with whom they spoke, the dollar

amount of the credit card and when it will be issued;

g. Surrender the credit card immediately if subject to disciplinary action, as defined in the By-Laws or as required by the Financial Controller;

h. Any unsubstantiated charges will be the responsibility of the cardholder;and

i. Advise the Financial Controller with any technical problems (e.g. denied card).

The prescribed form referred to in subsection c shall be an excel sheet, with columns indicating: the transaction date, cardholder, supplier, amount, applicable taxes, net amount and business purpose.

FINANCIAL CONTROLLER RESPONSIBILITIES

6. It is the responsibility of the Financial Controller to ensure that the cardholders comply with this credit card procedure, including documentation requirements. Specific duties include:
    a. Review and reconcile the statement of account, with the substantiating documentation, and remit monthly payment to the credit card company;

    b. Provide assistance to cardholders on account reconciliation and any related technical problems (i.e. denied card). In an emergency, perform cardholder reconciliation responsibilities during cardholder absences;

    c. Review statements to identify possible improper, unauthorized, fraudulent, or wasteful purchases;

    d. Immediately report any violation of credit card procedures to the Financial Controller; and

    e. Archive credit card reports and files.;

    f. Manage “Seasonal Increase” in credit limit within the corporate limit.

UNAUTHORIZED USE OF CREDIT CARD

7. Without exception, the credit card shall not be used for the following purposes:
    a. Personal expenditures of any kind;

    b. Cash advances;

    c. Fuel purchases for personal vehicles;

    d. Alcoholic beverages (unless as part of a rider or contract or as approved by the Financial Controller);

    e. Products or services that require contracts or quotations; and

    f. Computer hardware; software; or capital equipment, unless authorized by the Managing Director.

LOST OR STOLEN CREDIT CARDS

8. In the event that a credit card has been lost or stolen or if the credit card information has been compromised in a fraudulent manner, the cardholder should:
    a. Immediately notify the credit card company to report the loss.

    b. Immediately notify the Financial Controller with the following information within one business day after the discovery of the loss:
        i. Credit card number

        ii. Date and location card is to be believed to be lost or the date the card was stolen;

        iii. Date and time MasterCard was notified;

        iv. Any purchases that had been made by the cardholder before the loss; and

        v. Other pertinent information.

        vi. If the cardholder finds the original purchasing card, it shall be cut in half and returned to the Financial Controller.

SCHEDULE C - "DONATIONS, GIFTS AND PROVIDED MEALS"

GIFTS/DONATIONS FROM SUPPLIERS

1. No employee should solicit or accept gifts, including money, awards, loans, food, liquor, events, or anything other than items of nominal value from any supplier;

2. An employee may only accept a gift of nominal value or supplier logo merchandise such as an advertising novelty, when it is customarily offered to others having a similar relationship with the supplier. As a guideline, only gifts valued at less than $50 may be considered nominal;

3. Any employee offered a gift which may be of more than nominal value or have any doubts about a particular situation, should consult his or her manager.

BUSINESS MEALS AND ENTERTAINMENT WITH SUPPLIERS

4. Supplier personnel must participate and be in attendance when Corporation employees accept social amenities.

5. Entertainment should be limited to sporting and cultural events not involving overnight stays.

6. The total cost of any specific event should not exceed $100 per person (excluding any meal expenses).

7. Spouses or guests should only attend such events if the company paying the bill (whether Corporation, Durham College or the supplier) has specifically invited the guests and offered to pay their expenses. Corporation employees should not solicit invitations for their guests and should offer to pay their guest's expenses if they are invited.

ASK MANAGER WHEN UNCERTAIN

1.1 Whenever business amenities are provided by a supplier, your immediate manager should be notified before the event, where possible. Business amenities that clearly exceed these guidelines require the prior approval of your manager. If you are unsure if it is appropriate to accept an invitation to a specific event, always contact your manager for approval so that he or she can assess and make a decision that is in the best interest of the Corporation and has minimal impact to the supplier relationship.

SCHEDULE D - "ACCOUNTS PAYABLE AND FUND DISBURSEMENTS"

PRINCIPLES

1. All disbursements, except petty cash, are made by cheque or credit card and are accompanied by substantiating documentation, as described in schedule A.

2. All cheques are pre-numbered and accounted for monthly.

3. Blank cheques are stored in a locked area.

4. The Financial Controller and/or bookkeeper/generalist is responsible for invoices and cheque requests being marked "PAID" once they have been.

5. Vouchers are required for all petty cash disbursements. The petty cash fund is reconciled (beginning amount less voucher amounts) before the fund is replenished.

6. Cheques are written only after a successful reconciliation is complete.

7. Blank cheques may never be signed in advance.

PROCEDURES

8. All invoices received are stamped with the date received by the Financial Controller or the designated person assisting them and placed in the unpaid open invoice file.

9. The Financial Controller approves all invoices and expenditures and prepares cheque requests weekly.

10. The Financial Controller or the designated person assisting them records all disbursements in the accounts payable ledger.

11. The Financial Controller or the designated person assisting them prepares all cheques for the approved expenditures, using pre-numbered cheques.

12. The cheques with approved invoices or other supporting documentation may be forwarded to either the General Manager, the Operations Manager or Outreach

Manager by the Financial Controller so they may review all cheques and supporting documentation prior to signing cheques.

13. After signing the cheques in accordance with section 12, the Financial Controller or the designated person assisting them takes the cheque stubs attached to the supporting documentation (for each cheque) to place into the Corporation's financial filing cabinet.

14. The Financial Controller or the designated person assisting them is responsible for mailing all cheques.

SCHEDULE E "RESERVE FUNDS"

TYPES OF RESERVE FUNDS.

1. The Corporation shall maintain three reserve funds: the operations reserve funds, the health plan reserve fund, and building reserve fund.

DEFINITIONS

2. The following definitions shall apply to the Schedule E:

3. **"Operating Reserve Fund"** - The Operating Reserve Fund is defined as the designated fund set aside by action of the Board. For the purposes described at section 2 below of this Schedule E.

4. **"Target Minimum Operating Reserve Fund"** - The Target Minimum Operating Reserve Fund is equal to [3] months of the average recurring total operating costs of the Corporation, budgeted for any given fiscal year.

5. **"Building Reserve Fund" –** The Building Fund is a dedicated fund of the Corporation funded by the student center fee collected from Members in order to contribute to the improvement of the student center at the North Oshawa main campus.

6. **"Health Plan Reserve Fund"** - The Health Plan Reserve Fund is defined as the fund set aside for the payment of health plan claims and health plan related expenses.

THE OPERATIONS RESERVE FUND

7. Purpose. The Corporation may, from time to time, build and maintain an adequate level of unrestricted net assets in an Operating Reserve Fund to support the organization's Members in the event of unforeseen shortfalls such as, academic supports to assist with college strikes, and/or student scholarships to assist with undue hardships that may result due to unexpected circumstances.

8. Usage. The Operating Reserve may also be used for one-time, nonrecurring expenses that will build long-term capacity, such as investment in infrastructure, or renovations to the Student Centre Building.

9. Funding the Operating Reserve Fund. The Corporation shall fund the Operating Reserve

Fund to contribute an amount as set by resolution of the Board of Directors each month to the Operating Reserve Fund. This monthly amount shall be reviewed in May of each year by the Board, under the guidance of the Financial Controller, to ensure that the Operating Reserve Fund is adequately funded.

10. Replenishing the Operating Reserve Fund. If the Operating Reserve Fund falls under the Target Minimum Operating Reserve Fund, the Corporation shall endeavor to replenish the Operating Reserve Fund to the Target Minimum Operating Reserve Fund.

11. Revisions to Accommodate Changes. The Operating Reserve Fund serves a dynamic role for the Corporation and may be reviewed and adjusted by the Board in response to internal and external changes affecting the Corporation or its membership.

12. Review of Target Minimum Operating Reserve Fund. In addition to calculating the actual Operating Reserve Fund at the fiscal year-end, its Target Minimum Operating Reserve Fund shall be reviewed each year after approval of the annual budget.

13. Reports. The Operating Reserve Fund will be reported to the Board at the first Board meeting in May of each year and included in the regular financial reports.

14. Target Minimum Operating Reserve Fund Shortfall. If the Target Minimum Operating Reserve Fund falls below the 3-month threshold for 3 months, either consecutively or cumulatively during the fiscal year, the Financial Controller shall propose revising the Target Minimum Operating Reserve Fund amount to the Board at the Board meeting following the discovery of such an issue.

15. Forbidden Usage. Operating reserves are not intended to replace a permanent loss of funds or eliminate an ongoing budget gap.

BUILDING FUND

16. Student Center Fee. The Corporation is currently collecting a fee from its Members for to pay towards the maintenance and capital infrastructure in the student center at the Oshawa campus.

17. Rent. The student center fee is used to pay the rent charged by the College for the Corporation's tenancy in the student center and may also be used for other costs and expenses associated with the operations of the student centre.

18. Expiration of Lease Payments. The student center fees collected from the Members shall be kept into the Building Reserve Fund should the Corporation is no longer obligated to pay rent under the Lease Agreement with the College.

19. The Board shall direct the amount of the Student Centre Fee being diverted to the Building Fund.

20. The Board may only use the Leasehold Improvements Reserve Fund to finance leasehold improvements.

HEALTH PLAN FUND

21. Health Plan Fee. The Corporation may collect a Health Plan Fee, a Dental Plan, a Health Plan Administration Fee, and a Dental Plan Administration Fee which shall be set by the Board on the recommendation of the General Manager after consultation with the Health Plan service provider.

22. The Health Plan fund shall be used to pay the claims of the Health Plan, Dental Plan, the administrative expenses of the health and dental plan, and shall maintain a reserve which shall be set by the Board on the recommendation of the General Manager after consultation with the Health Plan Service provider.

23. The Board may create a long-term plan for the use of the Health Plan Fund to support the Organization's Initiatives that relate to the health and wellbeing of students

ACCOUNTING FOR RESERVES

24. Record-Keeping. The Reserve Funds shall be recorded in the Corporation's accounting system and financial statements in a manner determined by the Financial Controller.

25. Available Only in Cash. The Reserve Funds will only be available in cash or cash equivalents.

SEGREGATION OF FUNDS.

26. The Reserve Funds shall be kept into a separate bank accounts, isolated from all other funds and separated from all other monies of the Corporation. Investing. The Financial Controller may advise the Board and the Board may determine, from time to time, to invest the Reserve Funds in low-risk investment vehicles ((e.g. Guarantee Investment Certificate or Government Bonds).

AUTHORITY TO USE OPERATING RESERVES

27. No Funds from the Reserve Funds may be used unless specifically authorized by the Board, or allowed under this policy.

REPORTING AND MONITORING

28. The Financial Controller and the General Manager are responsible for ensuring that the Reserve Funds are maintained and used only as described in this Schedule E.

29. Upon approval of the use of Reserve Funds, the Financial Controller will maintain the relevant records and plan for replenishment.

30. The Financial Controller shall provide quarterly reports to the Board regarding the progress to restore the Reserve Funds.

31. The Financial Controller shall annually discuss the relevant risk factors associated with the Reserve Funds.

"SCHEDULE F" – CORPORATE TRAVEL

Travel Authority

1. All DCSA travel must be pre-approved as per the requirements this policy.

2. All travel expenses must be approved according to this policy.

3. Sustainable travel options should be considered during the pre-authorization of travel arrangements.

4. Travellers will not be paid for travel expenses related to travel for personal reasons.

5. All corporate travel will be approved by the General Manager, except travel from the General Manager which would be approved by the Managing Director.

Accommodation for travel

6. The standard for accommodation is a single or double room, in a safe environment, conveniently located and comfortably equipped.

7. When travel plans change and the accommodation will not be required, the traveller must ensure that reservations are cancelled. Non-cancellable accommodations should not normally be booked, unless authorised by the General Manager.

8. *The Public Services and Procurement Canada Accommodation and Car Rental Directory* for the Government of Canada must serve as a guide for the cost, location and selection of accommodation. It is the traveller's responsibility to verify the city rate limit for their destination and determine if the supplier they wish to use has a rate within or above the limit. Any booking twenty five percent above the limit needs to be authorised by the General Manager.

Meals

9. The Meals Allowances for travel is the same as the Directive on Travel, Appendix B, for the Canada Revenue Agency.

10. Meal Allowances shall not be paid if the conference or accommodation fee includes meals.

Transportation

11. The General Manager determines the method of transpiration for corporate travel. The selection of the mode of transportation must be based on cost, duration, convenience, safety and practicality.

Air travel

12. First class and business class air travel are not permitted.

13. Itineraries must be arranged to provide for an overnight stop after continuous travel time of at least nine hours unless declined by the employee.

14. Trips of less than 300 kilometres should not normally be by air except when specifically pre-authorized by the general manager.

15. Travellers will be reimbursed for the airport shuttle, taxi or ridesharing company fare from the traveller's residence, workplace or travel location to the carrier's terminal and vice versa.

16. Travellers who drive a privately owned vehicle to and/or from the carrier's terminal to begin or end a period on travel status, will be paid the CRA kilometric rate specified in the CRA Directive on Travel Appendix A: CRA Kilometric Rates up to the distance between the traveller's residence, workplace or temporary duty travel location and the carrier's terminal.

17. If another person drives a traveller to and/or from the carrier's terminal, the traveller will be paid the CRA kilometric rate specified in the CRA Directive on Travel Appendix A: CRA Kilometric Rates for the round trip between the traveller's residence, the workplace or the temporary duty travel location and the carrier's terminal.

Vehicles travel

18. Travellers must use the most direct, safe and practical road routes and must claim expenses incurred only for distances necessarily driven on DCSA business travel.

19. The use of rental vehicles is encouraged and the rates as set forth in *The Public Services and Procurement Canada Accommodation and Car Rental Directory* for the Government of Canada applies.

20. The use of privately owned vehicles must be approved by the General Manager, and is subject to the provisions of this policy.

21. In the interest of safe driving, when traveller-driven vehicles are authorized, travellers will not be expected to drive more than:
    250 kilometres after having worked a full day;
    350 kilometres after having worked one-half day; or
    500 kilometres on a day the traveller has not worked.

22. Travellers who drive on DCSA business are to have a valid driver's license, respect all license conditions, practice safe driving, and follow all driving rules, regulations and laws that apply.

23. Travellers will be reimbursed the actual costs paid for parking the vehicle at both the workplace and at the point of call only when the cost of parking at the workplace is an additional cost that they would not normally incur.

24. Travellers will be reimbursed the actual costs of road, ferry, bridge and tunnel tolls only when these are incremental costs resulting from DCSA business travel.

25. The DCSA assumes no financial responsibility for privately owned vehicles and is not responsible for premium costs and reimbursing deductible amounts related to insurance coverage.

26. Privately owned vehicles used on DCSA business must, at a minimum, have basic insurance coverage, including the minimum PLPD coverage required by the province or territory of registration of the vehicle.

27. When Supplementary Business Insurance (SBI) is required for the applicable period on DCSA business, premium costs will be paid by the DCSA.

Miscellaneous provisions

28. Provided there are no additional costs to the DCSA, travellers on DCSA business travel can join loyalty programs and retain benefits, for business or personal use, offered by government approved services and products in the travel industry.

29. Costs associated with personal travel or for the travel of another person accompanying travellers on DCSA business travel are not reimbursable. Further:
    a. The travellers must include in their travel request the assessment of the financial impact of the personal portion of their trip.

    b. Travellers will not be paid for any reduction in cost for the DCSA business travel resulting from the personal travel plans.

    c. Travellers will be paid only the cost of the most economical and direct route that would have been taken had no personal travel arrangement been incorporated.

30. In case of any unproven cases under this policy, the General Manger shall consult with *the Boarder Public Sector Financial Policies* by the Management Board of Cabinet (Ontario) and *Directive on Travel* by the Canada Revenue Agency and resolve the issue in a manner which makes the most sense for the needs of the organization.

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER B-2

PRIVACY POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION *(The **"Corporation")***

PRIVACY POLICY *(The "Policy")*

Policy Statement

1. The Durham College Student Association. is committed to providing its customers and Members with quality service. The Corporation may, in the course of its operations, collect, use and disclose some Personal Information about the Corporation's customers and Members (the "Stakeholders"). Protecting their Personal Information is one of the Corporation's highest priorities.

2. While the Corporation has always protected the privacy and Personal Information of its Members and customers, the Corporation is strengthening its commitment to protect the privacy and Personal Information of its Stakeholders by adopting this Personal Information Protection Policy (the "Policy"). This Policy abides by the requirements of the *Personal Information Protection and Electronic Documents Act* ("PIPEDA"), which sets rules and requirements on how businesses and not-for-profit corporations collect, use and disclose Personal Information.

Purpose

3. The purpose of this Policy is to outline the requirements developed under PIPEDA, which sets out the ground rules for how businesses and Organizations must handle Personal Information in the course of Commercial Activity. This Policy will provide the framework for compliance with the requirements in PIPEDA.

Applicable legislation

4. PIPEDA is a federal privacy law for private-sector Organizations. PIPEDA requires Organizations to establish policies, practices and procedures governing how Organizations will ensure the protection of Personal Information it uses, collects and discloses

Definitions

5. Any capitalized terms that are not defined herein shall have the same

meaning as those defined in the By- Laws.

6. The following definitions shall pertain throughout this policy:

"**Breach**" means the loss of, unauthorized access to or unauthorized disclosure of Personal Information resulting from a breach of the Corporation's security safeguards or from a failure to establish those safeguards.

"**Commercial Activity**" means any particular transaction, act or conduct or any regular course of conduct that is of a commercial character. Including but not limited to the selling, bartering or leasing of donor, membership or other fundraising lists.

"Member" means a member of the Corporation, as defined in the Corporation By-laws.

"Organization" includes an association, a partnership, a person, a trade union, a not-for-profit corporation or a corporation.

"Personal Information" means information about an identifiable Member, including but not limited to their name, age, home address, phone number, social insurance number, marital status, medical information, education and employment information.

"PIPEDA" means the *Personal Information Protection and Electronic Documents Act*.

"Privacy Officer" means the individual designated as responsible for ensuring that the Corporation complies with this policy and PIPEDA. The Privacy Officer for this Corporation shall be the Secretary of the Board.

"Stakeholder" means a customer or a Member, as defined in the Corporation By-laws, of the Corporation.

Application

7. This Personal Information Protection Policy applies to the Corporation and its subsidiaries, if any.

8. This Policy also applies to any service providers collecting, using or disclosing Personal Information on behalf of the Corporation.

9. This Policy and its related procedures shall protect the Personal Information used, collected and disclosed by the Corporation.

10. The following individuals shall ensure the Corporation complies with this Policy and PIPEDA:
    a. all employees of the Corporation;

    b. all Directors;

    c. the Executive Chairpersons;

    d. all Executive Officers; and

    e. all volunteers acting on behalf of the Corporation.

11. The Corporation shall also ensure that its policies, By-laws and guidelines do not contradict this Policy or PIPEDA. In the event that such a contradiction occurs, PIPEDA shall take precedence.

12. The Corporation is committed to protecting the Personal Information of its Members. Training relating to this Policy shall be provided in a way that best suits the duties of employees, volunteers and other staff members. Similarly, the Corporation is committed to promoting its compliance with PIPEDA to its Members.

Responsibilities- Board of Directors

13. The Corporation's Board of Directors is responsible for:
    a. The governance of this Policy; and

    b. Corporate liability for compliance with legislative requirements.

Responsibilities - Management Committee

14. The Corporation Management Committee is responsible for:
    a. Implementing the standards and processes described in this Policy and PIPEDA; and

    b. Supporting and promoting this Policy throughout the Corporation.

Responsibilities – Secretary of the Board

15. The Corporation's Secretary of the Board is responsible for:
    a. Acting as the Corporation's Privacy Officer;

    b. Acting as a resource for Directors, Chairpersons, other Executive Officers, employees, Members or the public on issues relating to this Policy and PIPEDA; and

    c. Providing information or training, as applicable, regarding this Policy and the Corporation's obligations under the PIPEDA.

Responsibilities – Employees

16. The Corporation's employees are responsible for cooperating with Directors, Chairpersons, other Executive Officers and other employees in abiding by the requirements of this Policy.

Principle 1: Accountability

17. The Corporation is accountable for the Personal Information it holds and or controls. This includes any information the Corporation has collected from either Stakeholders or from the Durham College.

18. The Corporation has established and put into practice policies and procedures with the purpose of protecting Personal Information. The Corporation will ensure it provides timely training to its employees and volunteers with regards to such policies and procedures and will provide such individuals training on the roles and responsibilities related to protecting Personal Information.

Principle 2: Personal Information Collected and Purpose

19. Unless the purposes for collecting Personal Information are obvious and the Stakeholder voluntarily provides his or her Personal Information for those purposes, the Corporation shall communicate the purposes for which Personal Information is being collected. This communication shall either be oral or in writing and may be before, or after the time of collection.

20. The Corporation shall only collect Stakeholder Personal Information for the following purposes:
    a. To verify identity;

    b. To identify client, customer or Member preferences;

    c. To understand the insurance needs of Corporation Members;

d. To enrol Corporation Members in an insurance plan;

e. To open and manage an account

f. To deliver requested products and services;

g. To send out association membership information;

h. To contact Members for fundraising;

i. To ensure a high standard of service to our clients, customers and Members;

j. To meet regulatory requirements;

k. To assess suitability for tenancy; and

l. To collect and process rent payments.

21. The Corporation shall document the purpose for which the Personal Information is collected.

22. If Personal Information has been collected to be used for a purpose not previously identified, the new purpose shall be identified prior to use. Such new purpose shall also be documented.

23. Individuals who collect Personal Information should be able to provide to individuals the purpose for which the information is being collected.

Principle 3: Consent

24. The Corporation shall obtain consent from its Stakeholders to use, collect or disclose Personal Information unless it is authorized under this Policy or PIPEDA to do so without consent.

25. Consent may be provided in writing, electronically and through an authorized representative.

26. If the purpose of the collection, use or disclosure of the Personal Information is obvious and the Stakeholder voluntarily provides the Personal Information for such purpose, then the consent can be implied.

27. Where the Stakeholder is given notice and a reasonable opportunity to opt-out of its Personal Information being used for mail-outs, marketing of new products, fundraising and such Stakeholder does not opt-out, then consent shall be implied.

28. Stakeholders can withdraw or withhold their consent for the Corporation to use their Personal Information in certain ways. This right is, however, subject to certain exceptions, such as, if the withdrawal or withholding of consent would frustrate the performance of a legal or regulatory obligation.

29. The Corporation may collect, use or disclose Personal Information without the Stakeholders consent if:
    a. the collection, use or disclosure of Personal Information is permitted or required by any law or regulation to which the Corporation, its employees, officers, or directors must abide by;

    b. in an emergency that threatens an individual's life, health, or personal security;

    c. when the Personal Information is available from a public source (e.g., a telephone directory);

    d. if the Corporation requires the services of a lawyer;

    e. protecting the Corporation from fraud;

    f. to investigate a Breach or anticipated Breach of an agreement; and

    g. to investigate a Breach or anticipated contravention of the law or regulation applying to the Corporation.

30. The Corporation shall not obtain consent through deception.

Principle 4: Limiting Collection

31. The Corporation shall only collect Personal Information for which the purpose has been identified in this Policy.

32. Information shall be collected by fair and lawful means.

Principle 5: Limiting Use, Disclosure and Retention of Personal Information

33. The Corporation shall only use or disclose Stakeholders' Personal Information where such use or disclosure is necessary to fulfill the purpose communicated to the Stakeholder at the time of collection or as required by law.

34. The Corporation may also use or disclose Stakeholder Personal Information where such use or disclosure is necessary to fulfill any purpose related to the purpose described at 20, such as:
    a. To conduct surveys with Stakeholders to enhance the provision of Corporation services;

    b. To contact Stakeholders directly about products and or services which may be of interest to them.

35. The Corporation will not use or disclose Stakeholder Personal Information for any additional purpose unless consent has been obtained to do so.

36. The Corporation will not, unless it has obtained consent to do so, sell customer lists, Member lists or Personal Information.

Principle 6: Accuracy of Personal Information

37. If a Stakeholder's Personal Information is used to make a decision that directly affects said Stakeholder, the Corporation will retain that Personal Information for at least one (1) year. Such retention will allow the Stakeholder sufficient time to request access to this Personal Information as required.

38. Notwithstanding section 37, the Corporation will keep the Personal Information as long as required to fulfill the purpose communicated to the Stakeholder when the Personal Information was collected. The Corporation may be subject to a legislative requirement with respect to retention periods, in which case it shall abide by such requirement.

39. Once the timeline at 6.1 has passed and the Personal Information is no longer required to fulfill the identified purpose, such Personal Information shall be destroyed, erased, or made anonymous.

40. When Personal Information of a Stakeholder is used to make a decision about such Stakeholder, the Corporation will take reasonable measures to ensure that such Personal Information is accurate and complete.

41. When Personal Information of a Stakeholder is disclosed to another Organization, the Corporation shall take reasonable measures to ensure that such Personal Information is accurate and complete.

42. Stakeholders can request that their Personal Information held by the Corporation be corrected in order to ensure the Corporation holds the most up-to-date information.

43. Stakeholders may request corrections to their Personal Information in order to ensure its accuracy and completeness. A request to correct Personal Information must be made in writing to the Secretary of the Board and provide sufficient details to identify the Personal Information and the correction being sought.

44. In order to correct Personal Information, a request should be forwarded to the Privacy Officer.

45. If the Personal Information is demonstrated to be inaccurate or incomplete, the Corporation will correct the information as required and send the corrected information to any Organization to which the Corporation disclosed the Personal Information in the previous year. If the correction is not made, the Corporation will note the clients', customers' or Members' correction request in the file.

Principle 7: Security Safeguards

46. The Corporation is committed to ensuring that Personal Information is safely protected from improper use, collection, disclosure, modification, disposal, access, or other related risks.

47. The Corporation will use the following measures to ensure that Personal Information of its Stakeholders is protected:
    a. The use of locking cabinets;
    b. The use of user ID's;
    c. The use of encryption;
    d. The use of passwords;
    e. The use of firewalls; and
    f. The restriction of employee, volunteers and agent access in physical and virtual locations containing Personal Information of Stakeholders.

48. The nature of the protective measures will vary depending on the sensitivity of the Personal Information collected, the level of distribution of such Personal Information, the format of the Personal Information and the method of storage.

49. The Corporation will also take necessary precautionary and protection measures to ensure the protection of Personal Information that has been transferred to a third party, if such is the case.

50. The Corporation will use adequate security measures in the event that it needs to destroy Stakeholder Personal Information. Such measures include:
    a. The use of shredders;

    b. The use of shredding companies; and

    c. The deletion of electronically stored documents.

51. The Corporation will, on an ongoing basis, review and if needed, update its, procedures, policies, controls and equipment relating to the protection of Personal Information.

Principle 8: Disclosure of Management Procedures for Personal Information

52. The Stakeholders of the Corporation have the general right, upon request, to be informed of the existence, use and disclosure of their own Personal Information. This right is subject to certain limited exceptions:
    a. The Personal Information is too costly to provide;

    b. The Personal Information contains references to other individuals;

    c. The Personal Information can not be disclosed for legal, security or commercial proprietary reasons; and

    d. The Personal Information is subject to solicitor-client privilege or litigation privilege.

53. If the Corporation refuses to provide access to a Stakeholder's Personal Information, it must provide the reason for denying access.

54. A request to access Personal Information should be provided to the Secretary of the Board in writing. Such request shall provide for sufficient detail relating to the reason why the Personal Information is being sought.

55. Upon appropriate request to the Secretary of the Board, the Corporation will inform Stakeholders about how their Personal Information is used, and to whom it has been disclosed, if any disclosure has occurred.

56. Personal Information requested will be provided within thirty (30) days. If more time is needed, the Corporation will provide a written notice of extension in which it will indicate the additional amount of time required to fulfill the request.

57. The Corporation may opt to charge a minimal fee to provide Personal Information. If the Corporation decides to charge a fee, the Corporation will inform the Stakeholder of the cost and will wait for direction of the Stakeholder before proceeding with the request.

Principle 9: Openness

58. The Corporation will make readily available its policies and practices related to the management of Personal Information.

59. Stakeholders shall be able to acquire information about such practices and policies without unreasonable effort.

60. Such practices and policies shall be provided in a form that is reasonably understandable.

61. The Corporation shall make available the following:

    a. The name, title and contact information of the individual who is responsible for the management of this Policy and to whom complaints can be forwarded too;

    b. The means and process of gaining access to Personal Information held by the Corporation;

    c. A copy of any document the Corporation may have that explains the Corporation's standards; and

    d. What Personal Information is made available to related subsidiaries, if any.

62. The Corporation may make available its policies and practices in a variety of ways, including through the distribution of documents at its head office or mail, on its website, or by phone.

Principle 10: Compliance

63. The Secretary of the Board of Directors will be responsible for ensuring that the Corporation is in compliance with this Policy and with PIPEDA.

64. Any complaints, questions or concerns should be addressed to the Secretary of the Board of Directors with regards to this Policy and PIPEDA.

65. The Corporation will investigate, as needed, any complaint it receives, and take appropriate measures to amend its policies, procedures and practices if needed.

66. If the Secretary of the Board is unable to resolve the concern of the Stakeholder, the Stakeholder may also communicate with the Privacy Commissioner of Canada.

DURHAM COLLEGE STUDENT ASSOCIATION

POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER C-1

SPONSORSHIP AND ADVERTISING POLICY

OFFICIAL CONSOLIDATION

Current as of

MAY 1, 2022

Durham College Student Association *(hereinafter the "Corporation")*

SPONSORSHIP AND ADVERTISING POLICY (hereinafter the **"Policy"**)

PART I - GENERAL

Policy Statement

1 DCSA is a student governed organization to enhance student experience on the Durham College Campus. As such DCSA will from time to time:

1.1 Sponsor events and/or advertise in publications which enhances the student experience at Durham College.

1.2 Receive sponsorships for programs and services which enhances the student experience at Durham College.

1.3 Produce publications which have advertising in it as a service to the students of Durham College.

1.4 Whenever the DCSA is engaged in sponsorship or advertisement activities, DCSA must:

- Only engaged in such activities if it is in the best interest of the Corporation and will further the core values of the corporation; and
- Not duplicate any fundraising or partnership work already done by Durham College.

1.5 Nothing in this policy prevents:

- A business operated by DCSA from accepting a promotional item to further the business operations of DCSA.
- A business operated by DCSA from giving a promotional item to clients to further the business operations of DCSA.
- Nothing in this section shall be interpreted in such a way which would be unethical according DCSA's policies.

1.6 In addition, sponsorship monies are deemed a desirable form of revenue diversification which allows Corporation to keep membership dues low and event fees affordable while contributing to the operational funds of the organization. Corporation may consider in kind, indirect and monetary sponsorships.

1.7 Corporation's reputation is a paramount consideration when making decisions

regarding sponsorship and advertising, as such the Corporation will not engage in activities which would bring the brand into disrepute, and only reputable individuals and organizations whose image, product or services do not conflict with Corporation's mission or values may be considered as sponsors. There is no obligation to accept any sponsorship offer.

Overview

2 This Policy outlines the procedure for: approving donations, evaluating sponsorship requests and soliciting sponsorships for events, programs and operations.

3 This Policy has been developed to provide clear and consistent guidelines for Corporation Employees, Executives Officers, and Directors and Members regarding sponsorship and advertising.

Application

4 This Policy applies to Executive Officers, Directors, staff and Members of the Corporation.

Definitions

5 The following meanings shall apply to this Policy:
"**Donation**" shall have the same meaning as described in the Canada *Income Tax Act*.

"**Sponsorship Committee**" shall have the meaning described at section 5.3 of this Policy.

"**Sponsorship Money**" Any contribution that pays to assist with the costs of an event in return for advertising and promotions of the Corporation.

Capitalization

6 Any capitalized term not defined herein shall have the same meaning assigned to it in the By-laws of the Corporation.

Handling Donations and Sponsorship Requests

7 For all donations and sponsorship requests, members and/or groups must complete Corporation sponsorship and Donation request form in order to be eligible for review. Invoice(s) may be requested by the Financial Controller for review to verify for validity of the funds being released for the event.

8 All sponsorship requests shall be reviewed by the Management Committee, if after review it is deemed to be in the best interest of the Corporation that the sponsorship request is

granted, then it will be granted accordance with provision of the Financial Administration Policy.

Administration of Policy

9 The General Manager is responsible for the administration of this Policy. The General Manager shall consult with the Management Committee on any major issues or deviations regarding this policy.

PART II: GIVING SPONSORSHIPS OR DONATIONS

Donations

10 Donations shall be awarded to organizations, causes, and events which fosters the economic, social, and other wellbeing of the DCSA. Student Networks are not eligible for donations under this policy but are entitled to funding under the Student Networks policy. Donations under $5000 can be approved by the Management Committee, donation over $5000 can only be approved by the Board of Directors. If there is any doubt as to the appropriateness of the donation, the mater will be referred to the Board of Directors who shall make the decision. Donations cannot be awarded to any political or religious organization.

Sponsorship

11 All Sponsorships under $5000 can be approved by the General Manager and the Executive Chair, all sponsorships over that amount must be approved by the Board of Directors.

12 Approved sponsorship should be managed the General Manager. Ineligibility.

12.1 Sponsorship or Donation funding may not be awarded to assist individual members or groups to attend an event or conference. This section does not prevent DCSA from accepting a gift which it received as a donation as a prize.

12.2 Sponsorship or Donation funding may not be used to purchase alcohol, tobacco products, or cannabis.

12.3 Sponsorship or Donation funding may not be used to cover day to day administrative expenses, even as part of the costs of an event.

12.4 Sponsorship or Donation funding may not be used to cover member(s) tuition expense.

Disclaimer

13 All sponsorship and donations will be determined according to the priorities of the DCSA. There is no guarantee that a proposal, even a similar proposal to a proposal which has

already been funded, would be funded.

PART III: RECEIVING SPONSORSHIP AND ADVERTISING

14 DCSA may from time to time seek sponsorships or advertising as part of contracts with third party groups. DCSA should only receive sponsorship or advertising when there is a clear benefit to DCSA and where the sponsorship or adverting in question is consistent with the mission, vision, and values of DCSA and the Membership of the Association.

Merits

15 While each potential sponsorship agreement will be considered on its merits, and judgement and discretion will characterize the decision-making, the following questions will always be raised:

a. Would this association be a good fit with Corporation's image?
b. Does the sponsorship conflict with our values?
c. Does the sponsorship suit our overall strategy?
d. Will this sponsorship help us realize our objectives?

Ethical Filters

16 Ethical filters that help determine a desirable sponsor are:

e. Environment and health.
f. Disclosure andaccountability.
g. Reputation.
h. Products and services offered.

Research

17 Research on behalf of DCSA, particularly in choosing which organizations to proactively approach, will concentrate on those areas unless the theme of the event or program makes another focus morerelevant.

Refusal to answer

18 A company may be rejected if the corporate representative refuses to answer a potentially relevant question. Not every question need be asked of every potential sponsor, and in many cases none of these questions will be relevant.

Noting not for profit status

19 The Corporation representative shall preface any questions by noting DCSA, as a not for profit organization, must withstand extra scrutiny. The questions are asked to fulfill due diligence requirements. If an organization representative is later found to have misled

Corporation, Corporation has the right to cancel the agreement.

Review

20 Sponsorship shall be reviewed with more rigor and detail where the risks to Corporation's credibility and integrity are higher. In such circumstances, information obtained solely from the potential sponsor is rarely sufficient. It may be sufficient in combination with public information. If no such public information is readily available, research is required.

Prohibition

21 It is unfair to the Corporation's volunteers and agents, and to the potential sponsor, to put time into an arrangement which has no hope of acceptance. Corporation will not continue sponsorship discussions with any organization once that organization, its parent or subsidiaries is found to be engaged in Criminal activity.

Prohibition on party politics or religious activities

22 To ensure that Corporation is perceived as an organization welcoming to everyone involved within the Durham College Community, Corporation shall not enter into sponsorship discussions with organizations that have a primary focus on partisan politics and/or the protolyzing of a religion .

Advertising

23 Corporation will not allow promotion or advertising that:

- Presents demeaning or derogatory messaging or portrayals of individuals or groups.
- Endorses controlled substances, tobacco, alcohol or cannibals brands or vape products, weapons manufacturing, weight-loss products or cosmetic surgery, adult entertainment, cheque- cashing services or pawn dealers, or any other product or service that may be deemed exploitative.
- Corporation will not allow the promotion of alcohol, lottery and gaming, or gambling to students. This section does not prevent DCSA from promoting a contest or a raffle, but for the greater certainty, the in all circumstances, the corporation must abide by the regulations of the AGCO in advertising.
- Or any other messages that may damage Corporation brand and image.

Time limit on contracts

24 DCSA will not enter into sponsorship or advertising contracts which are longer than one year, and the sponsorship or advertising agreement must be reviewed before the renewal of any contract.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER C-2

STUDENT NETWORKS POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCATION *(hereafter called the Corporation)*

DCSA STUDENT NETWORK POLICY *(hereafter called the policy).*

PART I – GENERAL

Purpose

1. This policy exists to enhance the student experience of the members of Durham College Student Association by creating Clubs, Societies and Indigenous Student Circles.

Definitions

2. The following definitions shall apply to this Policy and its Schedules:

"Student Network" means a Club, a Society, or an Indigenous Student Circle formed under this policy.

"Student" includes members of the association, and part time students, but not Students of the University of Ontario Institution of Technology.

"Designated DCSA Staff Member" means a staff member designated by the General Manager to oversee the program and service delivery of this policy.

"High risk events" means an event which the Designated DCSA Staff Member believes to be high risk due to any of the following conditions being met: (a) the use of alcohol; (b) a sport, athletic activity, or other activities which have a higher risk of the injury to the person; (c) any activity which involves youth, children or vulnerable individuals; or (d) travel in a personal automobile.

"Medium risk events" means an event which the Designated DCSA Staff Member believes to have some risk due to any of the following conditions being met; (a) a light sport, athletic activity or any other activity which have a risk of injury to the person; or (b) travel off campus not in an automobile.

"Low risk events" means an event which the Designated DCSA Staff Member believes that there are no elements of a high or low risk event.

"Commercial" means an activity designed to for personal or corporate profit, but not for the profit of the Club, Society, or Indigenous Student Circle.

Policy Statement

3. Clubs, Societies, and Indigenous Student Circles are organizations created by the Durham College Student Incorporated and self governed entities of the Durham College Student Association. If an organization which is separately Incorporated petitions to be recognized as a Club, Society, or Indigenous Student Circle they must declare that they are separately incorporated, it must have and maintain commercial liability insurance and name Durham College Student Association and Durham College of Applied Arts and Technology as co-insured on their policy.

PART II - ESTABLISHMENT OF STUDENT NETWORK

Designated Staff Member

4. The Designated DCSA Staff Member may approve an application to group of members who wish to form a Club, Society, or Indigenous Student Circles should their proposal fit within the definition as contained in this policy.

Application

5. The approval of an application creates the Club, Society or Indigenous Student Circle (hereafter called Student Network).

Club – Requirements

6. A group of members may be granted a charter to form a Club, if that Club is:
    a. non-academic but co-curricula in nature;

    b. is not in contravention with the core values of the Corporation; and

    c. the proposed activities of the club will benefit the members of the Corporation, not be commercial, and the members who form the club is able to abide by the policies and directions of the officers of the Corporation.

Society – Requirements

7. A group of members may be grated a charter to form a Society, if the Society is:
    a. academic and co- curricular in nature;

    b. is not in contravention with the core values of the Corporation; and

    c. the proposed activities of the club will benefit the members of the Corporation, not be commercial, and the members who form the club is able to abide by the policies and directions of the officers of the Corporation.

    Before the granting of a charter to a Society, an endorsement by a faculty member of Durham College.

Indigenous Student Circle – Requirements

8. A group of members may be grated a charter to form an Indigenous Student Circle, if the Indigenous Student Circle is:
    a. academic and/or co- curricular in nature;

    b. is not in contravention with the core values of the Corporation;

    c. the proposed activities of the club will benefit the members of the Corporation, not be commercial, and the members who form the club is able to abide by the policies and directions of the officers of the Corporation; and

    d. has its purpose the promotion of Indigenous Student Experience at Durham College and the reconciliation with the and Indigenous peoples of Canada as a primary objective.

Application - Requirements

9. The application to form a Student Network shall:
    a. in the prescribed form, including all appendixes;

    b. contain the name and student numbers of at least three students who wish to be members of the Student Network;

    c. contain a list of events which the Student Network wish to hold; and

    d. other items which may be required.

Application granting

10. Upon receipt of the application, the Designated DCSA Staff Member may grant an application or refuse the application.

Refusal - reasons

11. Upon the refusal of an application, the Designated DCSA Staff Member shall note which areas which the application is deficient, and what steps which needed to correct the action.

Terms and Conditions

12. Upon the granting of the application, the Designated DCSA Staff Member may place terms and conditions on the operations of the Club, Society or Indigenous Student Circle as appropriate.

Probationary Status

13. A Student Network is on probationary status for 60 days after the approval of the application, and by the end of the probationary period shall:
    a. hold at least one event during the probationary period; and

    b. have at least 10 members by the end of the probationary period.

One Society per program

14. There may only be one Society per School or Program.

PART II - MEMBERS AND OFFICERS OF CLUBS, SOCIETIES, AND INDIGENOUS STUDENT CIRCLES

Members Eligibility

15. Members of the Corporation shall be eligible for membership in Student Network according to the interest in the madidate of the Student Network.

Limits on membership

16. Should a Student Network wish to limit the membership to Student Network they may request an exemption to the general membership madidate from the General Manager on the recommendations of the Designated DCSA Staff Member along with criteria as to why the exception is needed.

17. Should a society be affiliated with a School or faculty; they may limit or exclude members of the Society.

18. Should a society be focused on a general academic interest and that Society wish to limit the membership to their Club or Indigenous Student they may request an exemption to the general membership madidate from the Designated DCSA Staff Member along with criteria as to why the exception is needed.

19. The leadership of Student Network shall be appointed in a fair and transparent manner. If there is dispute over the manner of appointed, then any member of the Student Network may appeal to the Designated DCSA Staff Member.

Officers may continue after graduation

20. Should an occasion arise where a recognized Club, Society, or Indigenous Student Circle have no officers left due to graduation, the officers may apply for an exemption for the General Manager to allow the officers to remain in office in spite of graduation for a period of time which is not more than four months.

Institute of Student Leadership

21. It is highly recommended that any student chosen for a position in a Club, Society, or Indigenous Student Circle be registered in the Institute of Student Leadership.

Representative to meetings

22. Clubs, Societies, or Indigenous Student Circles must send a representative to any meeting for any meeting of the Corporation which arrange for orientation and training.

PART III - FINANCE AND EVENTS OF CLUBS, SOCIETIES, AND INDIGENOUS STUDENT CIRCLES

Prohibition on holding own funds

23. No Club, Society, or Indigenous Student Circle shall hold funds of their own. The General Manager may exempt a Club, Society or Indigenous Student Circle from this requirement if there is assurance measures in place to ensure the funds are spent in accordance with the Financial Administration Policy.

Apportionment of clubs

24. Funds for the use of Clubs, Societies, or Indigenous Student Circles shall be apportioned after a request for funds which includes specific usages and clearly articulated goals. There shall be a limit of two thousand dollars on any such request, unless that request is extraordinary, in which case it shall be approved in the manner which is stated in the Financial Administration Policy . The funds shall be apportioned based on the following factors:
    a. membership size of the Club, Society, or Indigenous Student Circle;
    b. the size and scale of the event taking place;
    c. the previous funding used by the Club, Society, or Indigenous Student Circle; and
    d. the event needs.

Discernment of funds

25. Funds shall be dispersed according to the Financial Administration Policy.

Events approval and risk

26. Events shall be proposed when requested by the Club, Society, or Indigenous Student Circle. The proposal shall be in the prescribed form. No event shall be planned without a proposal being presented to the Designated DCSA Staff Member and no event shall be held until the Designated DCSA Staff Member has approved the event.

27. For low risk events, the only information which is required is the type of event, and budget. After the event, a form shall be submitted confirming that the event occurred and who participated in it.

28. For medium risk events, the club, society, or indigenous student circle shall present the type of event, the budget, and what elements of the event has higher risk associated with It and how the club, society, or indigenous student circle shall mitigate that risk.

29. For high risk event, the club, society, or indigenous student circle shall present the type of event, the budget, and how the risk of the event is being mitigated. All participation who attend the event shall sign a waver in the prescribed form stating that they understand and accept the risk of the event.

Joint events

30. Any event which is joint in nature with another organization will require additional information as may be prescribed.

Conditions on events

31. The DCSA Staff Member may place any additional conditions on any event. A decision of the DCSA Staff Member under this section is not subject to review.

Donation from community

32. A Club, Society or Indigenous Student Circle may receive donations of a minor nature from community members or community organization, but such a donation must first be approved by the DCSA Staff Member to ensure the integrity of DCSA.

Prohibition on funds

33. Durham College Students Inc cannot fund an event which is:
    a. offensive, misogynistic, homophobic, or otherwise inappropriate for the campus community in nature;

    b. to promote partisan politics or the proselytization of specific religious beliefs;

    c. to feature candidates running in the DCSA election during the campaign period;

d. to feature candidates running in a federal, provincial, or municipal election in a manner that gives one candidate an advantage ; and/or

e. likely to bring the operations of DCSA or Durham College into disrepute, or would impact the image of DCSA or Durham College poorly.

34. For the purposes of section 5.11 (b), the following does not count as funding an event:
    a. the provision of a room or a virtual room;

    b. the provision of minor shared materials such as bristle boards, markers or other office supplies; and

    c. other minor materials which the Designated DCSA staff member feels appropriate.

35. Notwithstanding the forgoing, a Religious or Political Club may receive funding for an event if:
    a. the event is issues based, or based around exploration of dialog;

    b. there are accredited experts who are speaking on specific issues who are speaking for educational purposes, without the promotion of partisan politics or proselytization of religion; and

    c. the event is designed for educational purposes and not to foster the interests of persons subscribing to a specific religious faith or political beliefs.

36. Notwithstanding the foregoing, a Religious or Political Club may receive funding of up to five hundred dollars per year for meetings of their membership which can including the purchase of food for their membership.

PART IV - DISCIPLINE, AND REVIEW

Material Breach

37. Student Network may be disciplined for material breach of this policy or behaviour which endanger the safety of the event participants.

38. If the breach is minor in nature, the Designated DCSA staff member shall discipline the Club, Society, or Indigenous Student Circle, through written warning or restriction on the activities of the Club, Society or Indigenous Student Circle.

Network under review

39. A Student Network shall be place under review when there has been a material breach of this policy, to such an extent that continued operations of the Student Network is called into existence. When this occurs, the General Manager shall review conduct of the club, society, or indigenous student circle, including the report of the Designated DCSA Staff Member regarding this behaviour, and may decide to terminate the Student Network . The Student Network has the right to be heard in their own defence when under review. When the General Manager recommends the disbanding of the Student Network, the confirmation of the Management Committee is required.

40. During a review of the Student Network, the General Manager shall:
    a. review the particular circumstances with the Club, Society, or Indigenous Student Circle with the Designated DCSA Staff Member;

    b. To advise leadership of the Club, Society or Indigenous Student Circle of the concerns raised;

    c. To consider the views of the membership of the Club, Society, or Indigenous Student Circle;

    d. To consider possible alternatives to the termination of the Club; and

    e. Make appropriate determinations regarding finding of facts.

41. Should the General Manager find through the review that the Leadership of the Student Network acted in such a way that a material breach was caused, however such person acted alone, then the General Manager may remove and deprive a specific person from a leadership role in a Student Network. Such determination is subject to appeal to the Standing Committee.

42. If it appears to the General Manager that it is in the best interest of the Corporation that a Student Network continues to operate or a leader within the Student Network continues the duties of his or her office while a matter is under review, the General Manager may inhibit the Student Network from functioning or a leader from performing any of the duties of his or her office, until the review is complete.

Termination of a Club

43. Upon the termination of a Club, Society, or Indigenous Student Circle the General Manager shall send a notice to the Dean of Students of Durham College.

44. Notwithstanding the foregoing, a leader shall be inhibited from performing the function or duties of their role should the accusation against the student leader be dealt with under the student discipline policies of Durham College.

PART V- ADVISORY FUNCTION OF THE STANDING COMMITTEE

Standing Committee

45. The Standing Committee may be referred items by the General Manager for consideration should the General Manager in their full discretion if the General Manager deem it expedient to refer a matter to the Standing Committee.

Report regarding Student Network

46. The Standing Committee shall once a semester receive a report from the General Manager regarding the operations of the Student Network program.

Notification of the Standing Committee

47. When the General Manager places a Club, Society, or Indigenous Student Circle under review or terminates the Club, Society, or Indigenous Student Circle, the General Manager shall notify the Standing Committee.

PART VI - CONFLICT OF INTEREST

Conflict to sit

48. It is not a conflict of interest for a board member to sit as an officer of a Club, Society, or Indigenous Student Circle under this policy.

49. It is a conflict of interest for a Board member to attempt to influence a decision made regarding a Club, Society, Indigenous Student Circle made under this policy

50. It is a conflict of interest for a member of the executive to sit as an officer of a Club, Society, or Indigenous Student Circle created under this policy.

51. No officer of a Club, Society, or Indigenous Student Circle may be a party to a contract with the Club, Society, or Indigenous Student Circle

52. No Club, Society, or Indigenous Student Circle may be actively involved in the politics of Durham College Student Association. To their end, no Club, Society, or Indigenous Student Circle may:
    a. advocate for a position, policy, or action to be done by the Board of Durham College Student Association;

    b. advocated in favour or against a motion at the membership meeting at Durham College Student Association; and

    c. campaign, endorse, or support a candidate in the election of Durham College Student Association.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022
CHAPTER D-1

SENIOR MANAGER POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

Durham College Student Association *(hereinafter the "Corporation")*

SENIOR MANAGER POLICY *(the "Policy")*

Appointment

1. The Corporation shall employ the following Senior Managers (as defined below);
   i. a General Manager;
   ii. a Financial Controller; and
   iii. an Operations Manager

2. The Corporation may, from time to time, employ Managers (as defined below).

Purpose

3. The purpose of this Policy is to outline the responsibilities and the authority of the Managers.

Application

4. This Policy applies to Senior Manager. All other Managers (as defined below) shall be governed solely by their employment agreements.

Definitions

5. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the By-Laws. The following definitions shall apply to this Policy:

   "**Financial Controller**" shall mean the person currently in the employ of the Corporation as Financial Controller.

"**General Manager**" shall mean the person currently in the employ of the Corporation as the General Manager.

"**Operations Manager**" shall mean the person currently in the employ of the Corporation as Operations Manager.

"**Managers**" shall mean those managers employed, from time to time, by the Corporation under the terms of their respective employment agreement.

"**Senior Managers**" shall mean the managers listed at section 1.

General Manager

6. The General Manager is responsible for the day to day financial operations of the Corporation. The General Manager is charged with maintaining all employment record for the Corporation. The General Manager will supervise current and future managers, and coordinators, including;
    a. the Operations Manager; and

    b. the Outreach Manager.

7. The General Manager shall act as an officer of the Corporation for the purposes of section 142 of the Act.

8. The office of the General Manager shall have the highest-ranking authority regarding: human resources, contracts, and marketing in the Corporation and shall only be accountable to the Board.

9. In addition to the responsibilities described in their employment contract, the General Manager shall be responsible for the following;
    a. Evaluating all staff that they supervise;

    b. Operating the Corporation in accordance with the By-laws and polices of the Corporation;

    c. Representing the Corporation in a professional manner while ensuring a placid and efficient operation at all times by maintaining the highest standard of professional quality and service;

    d. While working with the Executive Committee, be held fully and finally accountable to the Corporation's Board;

    e. Assisting the Corporation by being a liaison between the managerial staff and

the Executive Committee and the Board;

f. The General Manager will have signing authority on all contracts and cheques as an officer of the Corporation;

g. Approving and/or reviewing the accuracy and completeness of all cheques.

h. Supervising and managing the managers listed at section 4.1 and of all staff, excluding the Financial Controller;

i. Hiring any non-elected staff under their direction or the direction of the Board;

j. Dismissing any non-elected staff;

k. Reviewing the salaries and benefits of all non-elected employees and report the findings to the Board.

l. Negotiating, along with any other Executives or Managers, to be chosen at the discretion of the General Manager, all contracts with UNIFOR Local #222;

m. Negotiating and implementing with the assistance of the Executive Committee all other contracts, with the University or other parties;

n. Maintaining contact with the Corporation's legal counsel;

o. Developing and maintaining constructive relationships with University Officials.

10. If there is no General Manager, the Board shall appoint an Administrator of the Office of the General Manager to carry out the administrative duties of the office of the General Manager, until the Installation of a New General Manager or replace by the Board of Directors. The Administrator shall not be the Chairperson or a member of the Board of Directors.

11. Whenever it seems appropriate to do so, the General Manager may appoint an Acting General Manager to carry out the duties of the General Manager on such terms and conditions as the General Manager may prescribe.

12. If the General Manager is unable to act, and there is no Acting General Manager appointed, the Operations Manager shall be the Acting General Manager, until the Board of Directors appoints an Acting General Manager or the General Manager is able to resume the duties of their office.

13. When the Operations Manager acts as Acting General Manager in accordance with section 12, the determination that the General Manager is unable to act shall be made by two of: (i) the Chairperson; (ii) the Managing Director; (iii) the Financial Controller; (iv) the corporation's legal counsel; and (v) the majority of the Board of Directors.

Financial Controller

14. The Financial Controller is responsible for the day to day financial operations of the Corporation.

15. The Financial Controller shall act as an officer of the Corporation for the purposes of section 142 of the Act.

16. The Financial Controller shall have the highest-ranking authority regarding: budgets, financial statements and accounting in the Corporation and shall only be accountable Responsibilities. In addition to the responsibilities described in their employment contract, the General Manager shall be responsible for the following:
    a. assisting the Management Committee in developing, recommending and monitoring the budget and provides the Board with quarterly reports.

    b. reviewing financial statements on a regular basis; analyzing variances, trends and system deficiencies and discuss the results with the Board.

    c. conducting internal audits of inventories, costing systems, manual administrative and financial systems in all departments and report findings to the Board.

    d. planning for and facilitating external auditor activities as required by law.

    e. advising and informing the Management Committee on matters pertaining to revenue generating business projects and capital asset.

Operations Manager

17. The Operations Manager shall assist the General Manager in their duties, relating to the operations of the corporation.

18. The Operations Manager shall not be an officer pursuant to the Act.

19. In addition to the responsibilities described in their employment contract, the Operations Manager shall be responsible for the following:
    a. Report to the General Manger;

    b. Under the general authority of the General Manager, exercise general control and management of the affairs of the Corporation for the purpose of efficient and effective operations of the Corporation at the Whitby campus location;

    c. Recommend a course of action or policy to the Management Committee or the Board regarding the general control and management of the Corporation's Whitby campus location;

    d. Ensure comprehensive coordination and cohesion regarding the corporation's marketing, clubs, Riot Radio (collectively the "Student Life Departments";

    e. Ensure that the Student Life Departments integrates with the Outreach department;

    f. Perform the duties of the Secretary of the Board of Directors in accordance with the By-laws and Board Procedural Policy; and

    g. Coordinate the Corporations Orientation Week Activities in conjunction with the Student Life Departments, the General Manager, and the Chairperson of the Corporation.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER D-2

ACCOMMODATION POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

Durham College Student Association *(hereinafter the* ***"Corporation"****)*

ACCOMMODATION POLICY *(hereinafter the* ***"Policy"****)*

Policy statement

1) The Corporation is committed to providing an accessible workplace that strives to eliminate barriers that may restrict or exclude persons on the basis of their membership in a group protected under the Ontario Human Rights Code .

2) Where any work requirement or qualification would create a barrier that would restrict or exclude any employee or applicant on the basis of one or more Protected Grounds (as defined below), the employer will make every effort to accommodate the needs of the individual short of undue hardship.

Application

3) This Policy applies to all Employees of the Corporation.

Definitions

4) The following definitions shall apply to this Policy:

"Accommodation" in employment means adapting employment practices, systems or the work environment, or providing support mechanisms to enable an employee or applicant to meet the legitimate work-based requirement or qualification.

"Protected Grounds" includes citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, gender identity, gender expression, family status, marital status, sexual orientation, record of offences.

5) Any other capitalized term not defined herein shall have the same meaning assigned to it in the Durham College Student Association Workplace Health and Safety Policy.

Commitment

6) The Corporation is committed to achieving accommodation in a way which best respects the dignity of the individual and which, to the extent possible, preserves confidentiality.

Employee's responsibilities

7) An employee who requires accommodation has the following responsibilities:
   a) the employee must advise the General Manager of their need for accommodation in a timely manner;

   b) the employee must provide all relevant information required to assist the employer in assessing the employee's request. This information may include, for example, medical reports which clearly set out the restrictions, functional abilities and accommodation needs of the employee and information from other external professionals or officials;

   c) the employee must co-operate in the search for accommodation and in the implementation of accommodation; and

   d) the employee must accept offers of reasonable accommodation from the employer.

8) The failure of an employee to co-operate with the employer by providing necessary information or in the search for or implementation of the accommodation may result in his/her request for accommodation being denied.

Employer's responsibilities

9) The Employer has the following responsibilities:
   a) to receive and assess the employee's request for accommodation in order to determine if the request deals with matters within the scope of the Protected Grounds;

   b) to determine what information it requires in order to carry out this assessment and/or to ascertain the nature of the accommodation required and to request the employee to provide this information;

   c) to maintain any information provided by the employee in as confidential a manner as possible and to only release information to those who need to know in order to assist in

identifying accommodations and/or in implementing accommodations for the individual;

d) in the event an accommodation cannot be provided, either because no accommodation is possible or because the accommodation would cause undue hardship, the employer will advise the employee of this fact.

Monitoring

10) In the event an accommodation is ongoing, the employer will monitor the effectiveness of the accommodation to determine whether changes are needed or whether accommodation is no longer necessary.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER D-3

SELECTION AND RECRUITMENT POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION *(hereinafter the* ***"Corporation"****)*

SELECTION AND RECRUITMENT POLICY *(the* ***"Policy"****)*

Introduction

1. Durham College Student Association is an incorporated, not-for-profit, student run organization. We are your student government, your campus services, your student life, and we represent your voice on campus. Every full-time student is a member and you are encouraged to get involved in activities, understand the services provided, and participate in the events and programming we offer students.

2. Durham College Student Association is an active transparent organization supporting student first initiatives and it is important to ensure that this culture is reflected in our association.

3. This procedure is applicable to all employees, union, non-union, part-time and interns reflect this culture.

4. Any capitalized terms that are not defined herein shall have the same meaning as those defined in the By-Laws.

Financial Approval

5. The General Manager will liaise and confirm with the financial controller funds available for approval prior to posting a position.

Job descriptions

6. The job description will be jointly drafted or revised by the hiring manager and the General Manager to ensure that the qualifications required, as well as the job duties and scope of responsibility reflect the current needs of the position; including appropriate level of compensation.

Posting a vacancy

7. The posting will include an overview of the responsibilities of the position, to whom the position reports, and, where appropriate, the salary range. In addition, the posting will identify the required knowledge, skills, abilities, academic credentials and specific professional certifications, where necessary, and required recent/relevant work experience to successfully perform within the role and responsibilities of the position.

Internal job posting

8. All job opportunities will be emailed and posted in the lunch room internally for five (5) working days. Bargaining unit positions will be posted and advertised in accordance with the provisions of the Collective Agreement.

9. Once the internal posting has closed, the applications of qualified internal candidates will be forwarded to the hiring manager for review. In accordance with the Collective Agreement, when a vacancy occurs employees within the bargaining unit will be considered prior to reviewing applications from employees who are not included in the bargaining unit.

External job posting

10. External job postings are placed on the Corporation website, and through the DCIS HRIS system. Other websites, social media will be used if and when required.

Disclosure of applicant identity

11. Employees are required to contact the General Manager to disclose the identity of any family member who has applied for a position at the association.

Shortlisting applications

12. Short-listing of applicants will be done by the General Manager, who will ensure that applicants who meet or exceed the academic and experience qualifications specified in the posting, are forwarded for review by the hiring manager and selection for potential interview.

Internal applicants

13. Where internal applicants do not possess the necessary academic credentials, experience, knowledge, skills, abilities, and/or posted qualifications required to meet the job requirements, the internal candidate will be contacted by the General Manager to advise that they will not be interviewed.

Notification of unsuccessful candidates

14. The notification to any unsuccessful internal candidate(s) must be made prior to advertising externally or giving consideration to external candidates. It is important that identity of the internal applicant is held in confidence.

Telephone Interview

15. A telephone interview is an efficient method of screening to decide which shortlisted candidates will be invited for an in-person interview. The General Manager can provide support to hiring managers wishing to utilize this approach.

Interview

16. It is the responsibility of the General Manager to determine if a panel, 1:1 or simulation is required. The General Manager is also responsible to ensure that no conflict of interest is present by participating in the interview process. Individuals will remove themselves from participating in a selection process that involves family members, previous colleagues or close personal friends. There may be other situations that constitute a conflict of interest; where there is any doubt, please consult with the General Manager prior to conducting interviews.

17. All interview candidates must be invited to indicate whether they require accommodation of a disability in order to support their participation in the selection process. This will be the responsibility of Corporation employee contacting the applicants to advise the candidates of the details with regard to the interview time, place and expectations of the interview (e.g. teaching demonstrations, skills tests) and confirm candidate requests for accommodation.

Skills demonstration

18. A skills demonstration such as a work simulation, presentation, role play, testing, or pre-interview assignment, may be incorporated into the selection process. A skills demonstration should be sent to the General Manager prior to the interviews, for review.

19. Candidates must be advised of any skills demonstration that will be administered in the selection process at the time that their interview is scheduled.

Interview Rating Form

20. Record notes to compare interviewees and determine the most suitable candidates based on the interviews. In the competency column, managers should identify the skill or behavior each question is designed tomeasure.

21. Each candidate will be ranked and documented to support the hiring decision. Circle the proper rating based on the candidate's responses using the scale (1 = very weak, 5 = very strong). It is imperative that the committee take accurate notes during the interview process. Documenting the types of answers and proper use of the evaluation form will provide support for hiring decisions.

Legislative compliance

22. The Ontario Human Rights Code states that it is prohibited to "discriminate in employment on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status and handicap". Questions cannot be asked directly or indirectly in regard to any of these items during the recruitment process.

23. The job description, job posting and the entire selection process must include statements and questions related to bona fide requirements.

24. Accessibility for Ontarians with Disabilities Act (AODA)Considerations. In accordance with the AODA, all candidates selected for an interview will be offered the opportunity for accommodation of a disability in order to participate in the selection process.

Reference checks

25. The reference check is a confidential process used to validate and confirm the information provided by a candidate. This information includes: confirming academic and employment history; verifying experience and qualifications; and obtaining knowledge of past or current work performance.

26. The General Manager will conduct the reference checks for chosen applicants. The General Manager will work with hiring managers to identify any specific areas they wish to verify.

27. Before forwarding a candidate's references to the General Manager, ensure that they have signed a consent form to grant permission to obtain information from his or her selected references. A copy of this form will be included in interview packages.

28. Candidates should provide a list of references to contact, which should include current and previous supervisors. It may also include customers or clients and peers who have direct knowledge of the candidate's work record and performance.

Making an employment offer

29. A verbal offer of employment can be made once the offer letter has been reviewed and signed by the General Manager.

30. Once the offer letter has been signed, the General Manager will inform the hiring manager who will then make the offer to the successful candidate and advise the Financial Controller of the candidate's acceptance of the offer.

Contacting the final candidates

31. The hiring manager will contact all unsuccessful candidate(s) interviewed and advise them that they were not selected for the position. The General Manager may be asked to assist with this task.

Roles and responsibilities

32. The General Manager is responsible for ensuring that this policy is fully implemented. The Assistant General Manager will assist all hiring managers with the tools and resources to implement this policy. The hiring manager is responsible for ensuring compliance with this procedure when participating in the recruitment cycle.

The vacancy in the office of the General Manager

33. Whenever there is a vacancy in the office of the General Manager, the Board of Directors shall appoint a search committee to fulfill the duties on this policy and make a recommendation to the Board of Directors regarding the hiring of a new General Manager. The Chairperson shall be the Chair of the Committee, and shall carryout the duties as delegated to the General Manager under this policy.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER D-4

WORKPLACE HARRASSMET AND DISCRIMINATION POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

Durham College Student Association
(hereinafter the **"Corporation"**)
WORKPLACE HARASSMENT AND DISCRIMINATION POLICY
(hereinafter the **"Policy"**)

ARTICLE I: POLICY STATEMENT

Policy Statement - General

1) The Corporation is dedicated to maintaining a safe space. Any forms of oppressive and/or discriminatory behavior or language on account of citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, gender identity, gender expression, family status, marital status, sexual orientation and/or record of offences, will not be tolerated. As a safe space, Corporation does not tolerate any anti-LGBTQ (lesbian, gay, bisexual, transgender) violence or harassment.

Policy Statement - dignity

2) The Corporation is a place where rules and conduct promote respect and dignity for all people at all times.

Binding employees

3) All Employees of the Corporation must respect, promote and abide by this Policy.

Purposes of Policy

4) The purposes of this Policy are:
   a) to outline the Corporation's commitment to providing a discrimination and harassment-free workplace;
   b) to define the types of behaviour which, constitute discrimination and harassment; and
   c) to establish a procedure for dealing with complaints of discrimination and/or harassment.

Application of the Policy

5) This Policy applies in respect of interactions which occur during the course of the Corporation's business, activities, and events whether or not they occur on or off the Corporation's business premises and whether or not perpetrators are Employees or third parties.

Application of the Policy – Non Union

6) This Policy applies to the non-unionized Employees of the Corporation.

Application of the Policy - Union

7) Unionized Employees should consult the most recent Collective Agreement between the Durham College Student Association and Unifor and its Local 222 to identify the harassment and discrimination provisions applicable to their employment.

Definitions

8) The following definitions shall apply to this Policy:

a) "**Code**" means the Ontario Human Rights Code.

b) "**Discrimination**" means differential or unequal treatment in the workplace related to any of the Protected Ground in the the Code namely citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, gender identity, gender expression, family status, marital status, sexual orientation or record of offences.

c) "**Harassment**" means a course of vexatious comment(s) or conduct that is known or reasonably ought to be known to be unwelcome, whether or not it is based on a prohibited ground under the Human Rights Code. Harassment typically involves a pattern of comment or conduct that occurs over time. However, a single incident may, in certain instances, also constitute harassment.

d) Harassment includes comments/conduct targeted towards a particular individual as well as comment/conduct directed towards a group of individuals that creates a poisoned working environment for members of that group. The reasonable exercise of management functions is not harassment.

e) "**Members**" means the members of the Corporation, as defined in the Corporation's By-laws.

f) "**Sexual Harassment**" includes any harassment based on sex or gender, including but not limited to the following:

- any sexual advance or other conduct of a sexual nature which is known or ought reasonably be known to be unwelcome; and
- any reprisal or threat of reprisal (ex. loss of job, denial of advancement, pay increase or other employment benefit) for rejecting a sexual advance or other conduct of a sexual nature from a person in a position of authority who knows or ought reasonably to know that it is unwelcome.

g) "**Gender-Based Harassment**" is a form of sexual harassment but unlike other forms of sexual harassment, it is not generally motivated by sexual intent. Gender-based harassment is any behaviour that polices and/or reinforces traditional heterosexual gender norms. It is often based on hostility and making an individual feel unwelcome in their environment. In some cases, gender-based harassment may look the same as harassment based on sexual orientation or homophobic bullying.

Examples of Sexual Harassment and Gender-Based Harassment (as outlined by the Ontario Human Rights Commission) include, without limitation:

- demanding hugs;
- invading personal space;
- making unnecessary physical contact, including unwanted touching, etc.;
- using language that puts someone down that is related to gender;
- sex-specific derogatory names;
- leering or inappropriate staring;
- making gender-related comments about someone's physical characteristics or mannerisms;
- making comments or treating someone badly because they don't conform with sex-role stereotypes;
- showing or sending pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including on-line);

- sexual jokes, including passing around written sexual jokes (for example, by e-mail);
- rough and/or vulgar humour or language related to gender;
- using sexual or gender-related comment or conduct to bully someone;
- spreading sexual rumours (including on-line);
- making suggestive or offensive comments or hints about members of a specific gender making sexual propositions;
- verbally abusing, threatening or taunting someone based on gender;
- bragging about sexual prowess;
- demanding dates or sexual favours;
- making offensive sexual jokes or comments;
- asking questions or talking about sexual activities;
- making an employee dress in a sexualized or gender-specific way;
- acting paternally in a way that someone thinks undermines their self-respect or position of responsibility;
- making threats to penalize or otherwise punish a person who refuses to comply with sexual advances (known as reprisal).

h) "**Sexual Solicitation**" means solicitation(s) or advance(s) by any person who is in a position to grant or deny a benefit to the recipient of the solicitation(s) or advance(s). This includes Managers and Supervisors, as well as Employees where one person is in a position to grant or deny a benefit to the other.

i) "**Poisoned Environment**" means an environment where comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) create a discriminatory work environment such that it can be said that it has become a term and condition of one's employment to have to be in such a workplace. The comments or conduct need not be directed to a specific individual, and may be from any individual, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

Definition when not defined

9) Any other capitalized term not defined herein shall have the same meaning assigned to it in the Durham College Students Inc. Workplace Health and Safety Policy.

RESPONSIBILITIES

Responsibility Employees

10) All Employees are expected to uphold and abide by this Policy, by refraining from any form of harassment or discrimination and by cooperating fully in any investigation of a harassment or discrimination complaint.

Duty to Report

11) Anyone who becomes aware of any apparent workplace discrimination or harassment, including any incident of retaliation against any person for invoking this Policy, is encouraged to bring forward such incident to Management.

Duty to Act

12) Managers and Supervisors have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Managers and Supervisors are responsible for creating and maintaining a harassment and discrimination-free organization and should proactively address issues as they arise.

COMPLAINT PROCESS

Timelines for Complaints

13) All Complaints must be filed within six (6) months of the most recent instance of alleged discrimination and/or harassment. A report outside this time frame may be considered, in special circumstances, at the discretion of Management.

Confidentiality

14) Confidentiality will be maintained, to the extent possible, in any investigation. However, procedural fairness requires that the Respondent to a complaint be apprised of the nature of the complaint and by whom it has been made so that they have an opportunity to speak to the allegations. While appropriate steps will be taken to preserve the anonymity of any witnesses, this may not be possible at some or all stages of the investigation process.

Misuse of the Complaint Procedures

15) Management shall have the discretion to refuse to investigate a Formal Complaint where, in their opinion of, the Complaint has not been made in good faith, or where the Complaint does not fall under these procedures. If Management determines that a Complaint has been filed in bad faith, the Complaint process may be discontinued and disciplinary action may occur.

Reprisals

16) Alleged reprisals, if substantiated, will be subject to the same consequences as Complaints of discrimination and/or harassment.

Maintenance of Documents

17) All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, and documents related to the complaint, will be securely maintained by the General Manager or designate, separate from personnel files and disclosed only when and to the extent necessary to satisfy due process requirements

Optional Resolution Processes

18) Early Resolution. Employees who feel they have been harassed and/or discriminated against, are encouraged to take the step of informing the individual that their behaviour must stop immediately. It is recognized, however, that some situations may not lend themselves to this step and/or that some Employees may not wish to pursue this step. Accordingly this step is not a pre-requisite to bringing a Complaint.

19) Informal Complaint Stage. A Complainant may report an incident to any Manager and request that it be resolved informally without a full investigation. Likewise, the Manager may, upon receipt of a concern, suggest informal measures to resolve a concern. Neither the Complainant nor the Respondent is obliged to agree to this approach.

Formal Complaint Process

20) Initiating a Formal Complaint. If a Complainant does not wish to pursue the Early Resolution or Informal Complaint Stage or if such measures, for whatever reason, do not satisfactorily resolve the issue, the Complainant may launch a Formal Complaint by bringing such Complaint forward to a Manager. Formal Complaints are to take the form attached in Appendix "A" hereto.

21) Response to Complaint. Individuals who are named as Respondents to a Formal complaint have a right to a written copy of the Formal Complaint Form (Appendix "A") and to know the specifics of an allegation against them. Upon receipt of the Formal Complaint, a Respondent has five (5) working days from which to file a Formal Response, which is to be submitted to the Manager.

22) Threshold Assessment. All Formal Complaints filed under this Procedure shall be subject to a threshold assessment by the Manager (or designate) to determine:

- whether the alleged conduct would meet the definition of discrimination and/or harassment;
- whether the Complaint, as provided, contains sufficient detail to allow for an investigation; and/or
- whether the Complaint is frivolous or vexatious or brought in bad faith.

Such assessment shall be conducted either before or after the receipt of the Response, as determined appropriate by the Manager (or designate). Where the Manager (or designate) deems that the threshold for investigation has not been met, they may opt to not further investigate the Complaint and the Complainant (and Respondent, if appropriate) shall be so advised.

23) Investigation of Complaint. In the event that the General Manager (or designate) determines that the Formal Complaint does meet the threshold (as above) they shall appoint an Investigator to investigate the Complaint. The Investigator may be the General Manager (or designate) themselves or another third party.

FORMAL INVESTIGATION

Duties of the Investigator.

24) In a formal investigation, the Investigator shall in a timely fashion:

a) separately meet with the Complainant and the Respondent;
b) obtain the names of witnesses and other persons that the Complainant and the Respondent believe may have information relevant to the matters in issue;
c) interview the named witnesses as the Investigator deems appropriate;
d) interview any other persons who, in the Investigator's opinion, may be able to contribute relevant information to the investigation;

e) come to a conclusion about whether the specific incident(s) in issue did or did not occur based on a balance of probabilities;
f) gather other evidence as is required;
g) generate an Investigation Report; and
h) make recommendations, as appropriate.

MEASURES TO BE TAKEN

Types of measures

25) The General Manager (or designate) shall, based on the Investigation Report, take and/or facilitate appropriate action which, may include, without limitation:
a) Discipline;
b) Counseling;
c) Application of strategies to restore a positive working environment;
d) Mediation;
e) Training;
f) Separation of the Respondent and Complainant; and
g) Other remedial measures as they see fit.

Discipline

26) If discipline is imposed, such discipline may include any and all appropriate action up to and including dismissal from employment.

Unsubstantiated claims

27) In the event a Complaint is not substantiated, no further action will be taken, unless the complaint is found to be trivial, vexatious or an abuse of power in which case the Complainant may be subject to discipline and/or such other action as the General Manager (or designate) determines appropriate.

MEDIATED RESOLUTION

Definition

28) Mediation involves an unbiased third party acting as a facilitator in direct communication between the parties who voluntarily agree to enter into this process. At any time during the investigation, or before, the parties may agree to mediate their differences. In the event that such option is taken, the investigation shall be placed in abeyance until such time that mediation has been completed.

Formalizing the resolution

29) When matters are resolved through mediation, the Complainant and the Respondent will sign a plan of action for resolution outlining the terms to which the parties have agreed.

Mediation voluntary

30) Mediation is voluntary and the Complainant or the Respondent may choose not to participate or, once they have agreed to participate, to withdraw at any time.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER D-5

INTERIM VACCINATION POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

DURHAM COLLEGE STUDENTS' ASSOCIATION**,** *(hereinafter **"DCSA")***

INTERIM COVID-19 VACCINATION POLICY, *(hereinafter the "Policy")*

ARTICLE I: INTRODUCTION

As the COVID-19 pandemic evolves, DCSA continues to take action to protect its Members. Furthermore, given that DCSA operates on Durham College's (the **"College's"**) campus, it is subject to some of its rules, policies, and procedures. Specifically, DCSA's operations is subject to the College's Vaccination Policy.

Durham College has implemented a COVID-19 vaccination policy. As such, DCSA must follow this policy and its employees must respect its framework. Public health guidance on measures for fully vaccinated, partially vaccinated and unvaccinated individuals may continue to evolve and could affect the College's policy.

ARTICLE II: APPLICATION

This policy applies to all DCSA members, employees, directors, and officers.

ARTICLE III: PURPOSE

The purpose of this policy is to communicate the DCSA's expectations and provide direction on the conditions under which individuals will be permitted on the College's campuses, College operated property, or sanctioned DCSA events.

ARTICLE IV: ALL DCSA EMPLOYEES MUST FOLLOW THE COLLEGE'S POLICY

All DCSA employees must follow the College's Policy and must adhere to any new iteration of such policy. If an employee wishes to be exempt from proving their vaccination status, please use the Covid-19 Vaccination Exemption Request Form, attached as Appendix A. Please note that DCSA reserves the right to request additional information in deciding whether an exemption should be granted. The College's Policy is attached at Schedule A of this Policy.

Durham College has suspended the Vaccine Policy effective May 1, 2022

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022

CHAPTER D-6

ACCESSIBILITY POLICY

OFFICIAL CONSOLIDATION

Current as of

MAY 1, 2022

Durham College Student Association (hereinafter the **"Corporation"**)

ACCESSIBILITY POLICY (hereinafter the **"Policy"**)

Policy statement

1) The Corporation is committed to improving accessibility and to provide a respectful, welcoming and inclusive environment for its employees and its members, as defined in the Corporation By-laws (the **"Members"**). The Corporation shall implement, maintain and enhance accessibility with respect to employment and the use of all Corporation goods, services, programs and facilities in a timely manner for all persons with disabilities in a manner that:
    - Respects their dignity and independence;
    - Ensures reasonable efforts are made to provide an opportunity equal to that given to others; and
    - Allows persons with disabilities to benefit from the same services, in the same place and in a similar way to others, to the greatest extent possible.

Purpose

2) The purpose of this Policy is to outline the requirements developed under the *Accessibility for Ontarians with Disabilities Act*, 2005 (the **"AODA"**), specifically Ontario Regulation 191/11, the Integrated Accessibility Standards (the "Regulation"), which establishes the accessibility standards pertaining to information and communications, employment, transportation, the built environment (design of public spaces) and customer service, as well as additional general requirements that the Corporation must comply with. This Policy will provide the framework for compliance with the requirements.

Application

3) This Policy and its related procedures shall apply to:
    - all employees of the Corporation;
    - all executive officers and directors of the Corporation;
    - all volunteers acting on behalf of the Corporation;
    - the provision of goods, services or facilities to:
        - employees of the Corporation;
        - the public;

    - third parties by, or on behalf of, the Corporation; and
    - Members of the Corporation (as defined in the Corporation by-laws); and
- all Corporation policies, by-laws and guidelines.

4) The Corporation is committed to training staff on Ontario's accessibility laws and on accessibility aspects of the *Ontario Human Rights Code* that apply to persons with disabilities. Training will be provided in a way that best suits the duties of employees, volunteers and other staff members. Similarly, the Corporation is committed to promoting its compliance with the AODA to its Members.

The legislation

5) The AODA is a provincial act with the purpose of developing, implementing and mandating accessibility standards in order to achieve accessibility for persons with disabilities, with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises. The AODA requires organizations to establish policies, practices and procedures governing how the organization will achieve accessibility through meeting its requirements and compliance dates under the Regulation.

6) The requirements set out in the AODA Regulations are not a replacement or a substitution for those established under the *Ontario Human Rights Code*.

Responsibilities

7) The Corporation Board of Directors are responsible for:
    - The governance of this policy;
    - Corporate liability for compliance with legislative requirements;
    - Supporting and promoting this policy throughout the organization; and
    - Leading and promoting a culture of high-level understanding regarding disability and corresponding accommodation.

8) The Corporation commissioners are generally responsible for:
    - Raising awareness relative to disability and the obligations of this policy;
    - Facilitating accommodation in the Corporation's facilities;
    - Encouraging open and constructive communication; and
    - Recognizing the importance and respect confidentiality of information.

9) The Outreach Services Manager for:
    - Demonstrating cooperation towards all parties;

- Acting as a resource for directors, chairpersons, other commissioners, employees, Members or the public as applicable; and
- Facilitating the understanding of managers of this policy and of the Corporation's obligations.

10) The Corporation's employees are responsible for:
    - Cooperating with chairpersons, directors, commissioners and other employees in facilitating accommodation for persons with disabilities.

Requirements under the legislation

11) The Corporation is committed to complying with the requirements for an organization of less than twenty (20) employees, as provided in the Regulation. The Corporation will meet these requirements in the following manner:

Establishing Accessibility Policies

12) Develop, implement and maintain policies, including this Policy, governing how the organization achieves or will achieve accessibility through meeting its requirements referred to in the Regulation.

Procurement

13) Incorporate accessibility criteria and features as much as possible, and in particular, when designing, procuring or acquiring self-service kiosks (interactive electronic terminals, including point-of-sale devices), intended for public or member use that allow users to access services and/or products. In the event that it is not practical to incorporate accessibility criteria and features, the Corporation shall upon request provide an explanation.

Training

14) Provide training on the requirements of the AODA and the Regulation and on the *Ontario Human Rights Code* as it pertains to persons with disabilities.

Information and Communications Standards

15) a) Accessible Information. upon request, the Corporation shall provide information and communications materials in accessible formats or with communication

supports, including publicly available information about the Corporation's goods, services and facilities, as well as publicly available emergency information.

b) Consultation. The Corporation shall consult with people with disabilities to determine their information and communication needs.

Employment Standards

16) Volunteers. the provisions in this section 3 do not apply to volunteers and other unpaid individuals.
   a) Recruitment Process. the Corporation shall notify the public and staff that, upon request, it shall accommodate disabilities during the recruitment, assessment and hiring processes. Similarly, the Corporation shall notify successful applicants of Corporation policies and any other additional supports pertaining to the accommodation of employees with disabilities.

   b) Changes to Accessibility Policies. inform its employees of all its accessibility policies as soon as possible and inform them of any changes to the policies.

   c) Emergency Information: the Corporation shall provide customized workplace emergency information to employees who have a disability.

   d) Career Development and Advancement: if using performance management, career development and redeployment processes, the Corporation will take into account the accessibility needs of employees with disabilities.

   e) Performance Management: the Corporation shall take into account the accessibility needs of employees with disabilities, as well as documented individual accommodation plans.

Design of Public Spaces Standards.

17) Application to Corporation Owned Buildings and Features. this Policy applies to new construction and major changes to existing features, modified after January 1, 2018 and owned by the Corporation.

Commitment

18) . the Corporation shall meet the accessibility standards required in the AODA and the Regulation for the design of public spaces when building or making major modifications to public spaces.

Public Spaces

19) "public spaces" shall include service-related elements like service counters, fixed queuing lines and waiting areas.

Customer Service Standards

20) The Corporation is committed to providing customer service standards that meet the requirements in the AODA and the Regulation.

Assistive Devices

21) Persons with disabilities may use their own assistive device as necessary when accessing Corporation facilities. If such an assistive device poses a security concern, other reasonable measures will be used to ensure accessibility as required by the AODA.

Definition

a) "assistive devices" means cane, wheelchair, lift assistants, hearing and visual aids and other devices as reasonably contemplated in the Regulation.

Usage

b) Unless excluded by law, people with disabilities must be permitted to use assistive devices in order to access or use the Corporation's facilities and obtain the organization's products and services.

Alternative Measures if Excluded by Law

c) Where excluded by law, staff must provide an explanation and other arrangements must be explored in order to provide service.

Maintenance

22) If at any time, the Corporation (through the Centre for Student with Disabilities or otherwise) owns assistive devices that are available to its Members, for access to specific services and programs, these must be kept in good working order and appropriate staff must know how to use the equipment or device.

Service Animals

23) People with disabilities who are accompanied by a service animal are welcome on all parts of the Corporation's facilities that are open to the Members and\or the public.

Usage

a) Unless excluded by law, people with disabilities must be permitted to use service animals in order to access or use the Corporation's facilities and obtain the organization's products and services.

Excluded by Law

b) Animals are not allowed in places where food is manufactured, prepared or processed.

Alternative Measures if Excluded by Law.

c) Where excluded by law, or where the Service Animal may affect the health and safety of other customers, the Corporation shall consider alternative measures for the person to access its products, facilities, and services.

Recognition of service animal.

d) If not easily apparent that the service animal is being used for reasons related to disability, the Corporation reserves the right to request verification from the customer. Such verification includes:
   i) a certificate of training from a recognized service animal training school; and

   ii) a letter from a physician or nurse confirming the person has a disability requiring the use of a service animal.

Care and Control

e) The person using accompanied by a service animal shall be responsible for maintaining the care and control of such animal.
   i) Allergies. If safety and/or health concerns occur, for example in the form of allergic reactions to a service animal, the Corporation will act reasonably to meet needs of all parties.

   ii) Conflict of law. If there is a conflict between the Dog Owners' Liability Act, or any related regulation, and a municipal by-law relating to banned breeds, then the most restrictive provision shall prevail.

Support Persons

24) The Corporation is committed to welcoming its Members or people from the public using support persons.
   a) Access to Support Persons: a member or person from the public with a disability who is accompanied by a support person must not be prevented from having said support person while on the Corporation's premises.

   b) Fees: If a participant fee is charged (e.g. admission or registration fee) at a Corporation event, either inside or outside the Corporation's premises, said fee must be waived for the accompanying Support Person.

Notice of Temporary Disruptions

25) The Corporation is committed to notifying people with disabilities of temporary disruptions.
   a) Notice of the disruption shall be provided to the public in a timely manner.

   b) Notice shall include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

   c) Notice shall be given by posting the information at a conspicuous place on the premises (including on doors, at service counters, on bulletin boards), by posting it on the Corporation's website or by such other method as is reasonable in the circumstances.

Notice of Availability of Documents

26) The Corporation is committed to providing information related to accessibility in the appropriate format to the public, its Members and its staff.
   a) To the Public and its Members: when requested or necessary, the Corporation shall provide publicly available emergency information, like evacuation plans or brochures, in an accessible format.

   b) To Employees: when requested or necessary, provide accessible and customized emergency information to employees. Provide this information as soon as an employee asks for it or when the Corporation becomes aware an employee may need accommodation in an emergency.

Feedback Forms

27) The Corporation is committed to establishing a process for receiving and responding to feedback about the manner in which it provides services to persons with disabilities.
   a) Availability. the Corporation shall make the information about the feedback process readily available to Members and the public.

   b) Methods. the Corporation shall permit its Members or the public to provide their feedback in person, by telephone, in writing, or by delivering an electronic text by email or on diskette or otherwise.

   c) Response. the Corporation shall specify the actions it will to take if a complaint is received.

   d) Format. The Corporation shall make the feedback material in accessible formats.

Training

28) The Corporation shall provide training on customer service tailored to persons with disabilities and about the provision of the Corporation's services to persons with

disabilities to all staff, commissioners, members of the Board of Directors and volunteers.

a) Timing: this training will be provided shortly after staff or volunteers commence their duties and/or upon changes to this Policy, practices and procedures.

b) Content of Training: the training must include a review of the purposes of the AODA and the requirements of the Regulation. Also the training must instruct the trainees about the following:
   i) how to interact and communicate with persons with various types of disability;

   ii) how to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person;

   iii) how to use equipment or devices available on the Corporation's premises or otherwise provided by the Corporation that may help with the provision of goods or services to a person with a disability;

   iv) what to do if a person with a particular type of disability is having difficulty accessing the Corporation's goods or services; and

   v) the *Human Rights Code* as it pertains to persons with disabilities.

Framework for legislative compliance

29) The Corporation is committed to removing and preventing barriers for persons with disabilities. The Corporation meets the requirements of the Regulations through the methods, processes and actions above.

Accessibility and the Corporation.

30) the Corporation incorporates accessibility into its governing and administrative documents in the following manner:

Training

31) The following persons shall receive training on the requirements of the AODA, the Regulation and on the *Ontario Human Rights Code* as it pertains to persons with disabilities:
   a) all employees;

   b) all volunteers;

   c) all members of the Board of Directors and Executive Officers;

d) all Members or staff of the Corporation who participate in developing the organization's policies; and

e) Training must be provided as soon as practical and on an ongoing basis in connection with changes to the policies, practices and procedures governing the AODA and the Regulation.

Corporation Facility Accessibility Design Standards.

32) The Corporation has been committed and shall continue to be committed to creating, building and modifying existing or new structures and facilities that are accessible for its Members and for the public.

DURHAM COLLEGE STUDENT ASSOCIATION

REVISED POLICIES OF DURHAM COLLEGE STUDENT ASSOCIATION, 2022
CHAPTER D-1

POLICES OF DURHAM COLLEGE STUDENT ASSOCIATION POLICY

OFFICIAL CONSOLIDATION

Current as of

May 1, 2022

Durham College Student Association *(hereinafter the "Corporation")*

Polices of Durham College Student Association Policy *(hereinafter the "Policy")*

Publication of Policies

1. The Secretary of the Board, in accordance with resolution of the Annual General Meeting held on January 19, 2022, shall publish on or before February 20, 2022 the current consolidation of the policies under the title *Policies of the Durham College Student Association, 2022*.

Number of Policies

2. The Secretary of the Board shall number the policies in a form as follows "[letter of block]-[number of policy] [name of policy], [year of enactment]".

Letters of Blocks of Policies

3. The following letters shall be used as blocks of policies with the general description thereof:

    A – The Board and Officers of the Durham College Student Association
    B – The Corporate Affairs and Finances of Durham College Student Association
    C – The Services of Durham College Student Association
    D- The Human Resources of Durham College Student Association
    E – The Policies of Durham College Student Association

Numbering of Current Policies

4. The numbering of current polices shall be set forth in Schedule I to this Policy. The year of enactment for the policies before the passage of this policy shall be deemed to be 2022, regardless of when the policy was passed.

Marginal Notes

5. The Secretary of the Board shall add editorial marginal notes and other summary information regarding the date of enactment and amendments which form no part of the enactment, but are inserted for convenience of reference only.

Editorial Changes by the Secretary of the Board

6. The Secretary of the Board may make the following changes to the Policies of the Corporation:
    a. Correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.
    b. Alter the style or presentation of text or graphics to be consistent with the editorial or drafting practices of this policy, or to improve electronic or print presentation.
    c. Make such minor changes as may be required to ensure a consistent form of expression.
    d. Replace a description of a date or time with the actual date or time.
    e. If a provision provides that it is contingent on the occurrence of a future event and the event occurs, remove text referring to the contingency and make any other changes that are required as a result.
    f. If a policy provides that references to a body, office, person, place or thing are deemed or considered to be references to another body, office, person, place or thing, replace a reference to the original body, office, person, place or thing with a reference to the other.
    g. When the name, title, location or address of a body, office, person, place or thing has been altered, change references to the name, title, location or address to reflect the alteration, if the body, office, person, place or thing continues under the new name or title or at the new location or address.
    h. Correct errors in the numbering of provisions or other portions of a policy and make any changes in cross-references that are required as a result.
    i. Make a correction, if it is patent both that an error has been made and what the correction should be.

Publication of Policies

7. The Secretary of the Board shall ensure that the Policies of the Durham College Student Association is published*:*
    a. in electronic form on the Website of Durham College Student Association using the Adobe PDF format, on the condition that:

i. the policy contains a date which the Secretary of the Board last certified it to be up to date, and
ii. the file cannot be edited ; and

b. in print in a booklet to be published by the Secretary of the Board Annually.

Model Policy

8. The numbering of sections in all policies shall be modeled on the numbering of this policy as much as possible.

Schedule I

A – The Board and Officers of the Durham College Student Association

A-1 Board Procedural Policy, 2022
A-2 Elected Officers Seating, Resignation and Vacancy Policy, 2022
A-3 Executive Renumeration Policy, 2022
A-4 Elections Policy, 2022
A-5 Referendum Policy, 2022

B – The Corporate Affairs and Finances of Durham College Student Association

B-1 Financial Administration Policy, 2022
B-2 Privacy Policy, 2022

C – The Services of Durham College Student Association

C-1 Sponsorship and Adverting Policy, 2022
C-2 Clubs, Societies, and Indigenous Student Circles Policy, 2022

D- The Human Resources of Durham College Student Association

D-1 Senior Manager Policy, 2022
D-2 Accommodations Policy, 2022
D-3 Selection and Recruitment Policy, 2022
D-4 Workplace Harassment and Discrimination Policy, 2022
D-5 Interim COVID Policy, 2022

E – The Policies of Durham College Student Association

E-1 Polices of Durham College Student Association Policy, 2022

APPENDIX

THE ARTICLES OF INCORPORATION AND ARTICLE OF AMENDMENT

Innovation, Science and Economic Development Canada
Corporations Canada

Innovation, Sciences et Développement économique Canada
Corporations Canada

Certificate of Incorporation

Canada Not-for-profit Corporations Act

Certificat de constitution

Loi canadienne sur les organisations à but non lucratif

Durham College Students Inc.

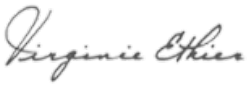
Corporate name / Dénomination de l'organisation

1031538-9

Corporation number / Numéro de l'organisation

I HEREBY CERTIFY that the above-named corporation, the articles of incorporation of which are attached, is incorporated under the *Canada Not-for-profit Corporations Act*.

JE CERTIFIE que l'organisation susmentionnée, dont les statuts constitutifs sont joints, est constituée en vertu de la *Loi canadienne sur les organisations à but non lucratif*.



Virginie Ethier

Director / Directeur

2017-07-10

Date of Incorporation (YYYY-MM-DD)
Date de constitution (AAAA-MM-JJ)

Canada

Innovation, Science and Economic Development Canada
Corporations Canada

Innovation, Sciences et Développement économique Canada
Corporations Canada

Form 4001
Articles of Incorporation
Canada Not-for-profit Corporations Act (NFP Act)

Formulaire 4001
Statuts constitutifs
Loi canadienne sur les organisations à but non lucratif (Loi BNL)

1 Corporate name
Dénomination de l'organisation

Durham College Students Inc.

2 The province or territory in Canada where the registered office is situated
La province ou le territoire au Canada où est maintenu le siège

ON

3 Minimum and maximum number of directors
Nombres minimal et maximal d'administrateurs

Min. 3 Max. 15

4 Statement of the purpose of the corporation
Déclaration d'intention de l'organisation

See attached schedule / Voir l'annexe ci-jointe

5 Restrictions on the activities that the corporation may carry on, if any
Limites imposées aux activités de l'organisation, le cas échéant

None

6 The classes, or regional or other groups, of members that the corporation is authorized to establish
Les catégories, groupes régionaux ou autres groupes de membres que l'organisation est autorisée à établir

See attached schedule / Voir l'annexe ci-jointe

7 Statement regarding the distribution of property remaining on liquidation
Déclaration relative à la répartition du reliquat des biens lors de la liquidation

See attached schedule / Voir l'annexe ci-jointe

8 Additional provisions, if any
Dispositions supplémentaires, le cas échéant

See attached schedule / Voir l'annexe ci-jointe

9 **Declaration:** I hereby certify that I am an incorporator of the corporation.
Déclaration : J'atteste que je suis un fondateur de l'organisation.

Name(s) - Nom(s)	Original Signed by - Original signé par
Peter Garrett	Peter Garrett Peter Garrett
Syed Hyder	Syed Hyder Syed Hyder
Matthew Joseph	Matthew Joseph Matthew Joseph

A person who makes, or assists in making, a false or misleading statement is guilty of an offence and liable on summary conviction to a fine of not more than $5,000 or to imprisonment for a term of not more than six months or to both (subsection 262(2) of the NFP Act).

La personne qui fait une déclaration fausse ou trompeuse, ou qui aide une personne à faire une telle déclaration, commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, une amende maximale de 5 000 $ et un emprisonnement maximal de six mois ou l'une de ces peines (paragraphe 262(2) de la Loi BNL).

You are providing information required by the NFP Act. Note that both the NFP Act and the *Privacy Act* allow this information to be disclosed to the public. It will be stored in personal information bank number IC/PPU-049.

Vous fournissez des renseignements exigés par la Loi BNL. Il est à noter que la Loi BNL et la *Loi sur les renseignements personnels* permettent que de tels renseignements soient divulgués au public. Ils seront stockés dans la banque de renseignements personnels numéro IC/PPU-049.

Canada

Schedule / Annexe

Purpose Of Corporation / Déclaration d'intention de l'organisation

The establishment and operation of a student association for the Full-Time Post-Secondary students at Durham College for the purposes of: (a) Determining concerns of Full-Time Post-Secondary students at Durham College and providing assistance in resolving them; (b) Representing the interests of Full-Time Post-Secondary students at Durham College within the College community and with any other organization or individual whose mandate or actions may affect Full-Time Post-Secondary students at Durham College; (c) Providing a forum to discuss issues for Full-Time Post-Secondary students at Durham College; (d) Sharing information for the mutual benefit of College students; (e) Encouraging the interaction of Durham College from different departments and/or programs within the Durham College community; (f) Providing services to the Full-Time Post-Secondary students at Durham College; (g) Otherwise promoting the interest of Full-Time Post-Secondary students at Durham College.

Schedule / Annexe
Classes of Members / Catégories de membres

The Members, from any class, hereinafter defined, shall be the Full-Time Post-Secondary Students at Durham College.

The Corporation is authorized to establish Class A members, Class B members, Class C members, Class D members, Class E members, Class F members, Class G members and Class H members as follows:

Class A:

The Class A members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class A member shall have one (1) vote at each such meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class A member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class A members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class A member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class B:

The Class B members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class B member shall have one (1) vote at each such meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class B member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class B members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class B member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class C:

The Class C members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class C member shall have one (1) vote at each such

meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class C member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class C members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class C member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class D:

The Class D members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class D member shall have one (1) vote at each such meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class D member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class D members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class D member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class E:

The Class E members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class E member shall have one (1) vote at each such meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class E member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class E members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class E member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class F:

The Class F members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class F member shall have one (1) vote at each such

meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class F member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class F members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class F member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class G:

The Class G members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class G member shall have one (1) vote at each such meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class G member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class G members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class G member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Class H:

The Class H members shall be entitled to receive notice of and to attend all meetings of the members of the Corporation. Each Class H member shall have one (1) vote at each such meeting, except for meetings at which only members of another class are entitled to vote separately as a class.

Each Class H member shall be entitled to cast one (1) vote to elect one (1) Director, representing the Class H members on the board of directors of the Corporation, as defined in the By-laws, at any general election and any by-election, as defined in the Corporation's By-laws.

Each Class H member shall be entitled to cast one (1) vote for each executive officer position defined in the Corporation's By-laws at any general election and any by-election, as defined in the Corporation's By-laws.

Schedule / Annexe

Distribution of Property on Liquidation / Répartition du reliquat des biens lors de la liquidation

Any property remaining on liquidation of the Corporation, after discharge of liabilities, shall be distributed to one or more qualified donees within the meaning of subsection 248(1) of the Income Tax Act.

Schedule / Annexe
Additional Provisions / Dispositions supplémentaires

1. The members of the Corporation are not entitled to vote separately as a class upon a proposal to amend the articles to:

a. effect an exchange, reclassificaiton or cancellation of all or part of the memberships of the class; or
b. create a new class of members having rights equal or superior to those of the class.

Certificate of Amendment

Canada Not-for-profit Corporations Act

Certificat de modification

Loi canadienne sur les organisations à but non lucratif

Durham College Students Inc.

Corporate name / Dénomination de l'organisation

1031538-9

Corporation number / Numéro de l'organisation

I HEREBY CERTIFY that the articles of the above-named corporation are amended under section 201 of the *Canada Not-for-profit Corporations Act*, as set out in the attached articles of amendment.

JE CERTIFIE que les statuts de l'organisation susmentionnée sont modifiés aux termes de l'article 201 de la *Loi canadienne sur les organisations à but non lucratif*, tel qu'il est indiqué dans les clauses modificatrices ci-jointes.

Raymond Edwards

Director / Directeur

2019-09-06

Date of amendment (YYYY-MM-DD)
Date de modification (AAAA-MM-JJ)

Form 4004
Articles of Amendment
Canada Not-for-profit Corporations Act

Formulaire 4004
Clauses modificatrices
Loi canadienne sur les organisations à but non lucratif

1 Current corporate name
Dénomination actuelle de l'organisation
Durham College Students Inc.

2 Corporation number
Numéro d'organisation
1031538-9

3 The articles are amended as follows:
Les statuts sont modifiés comme suit :

The corporation amends the additional provisions as follows:
Les dispositions supplémentaires sont modifiées comme suit :
See attached schedule / Voir l'annexe ci-jointe

4 Declaration: I hereby certify that I am a director or an authorized officer of the corporation.
Déclaration : J'atteste que je suis un administrateur ou un dirigeant autorisé de l'organisation.

Original signed by / Original signé par
Matthew Joseph

Matthew Joseph
6133661935

A person who makes, or assists in making, a false or misleading statement is guilty of an offence and liable on summary conviction to a fine of not more than $5,000 or to imprisonment for a term of not more than six months or to both (subsection 262(2) of the Canada Not-for-profit Corporations Act (NFP Act)).

La personne qui fait une déclaration fausse ou trompeuse, ou qui aide une personne à faire une telle déclaration, commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, une amende maximale de 5 000 $ et un emprisonnement maximal de six mois ou l'une de ces peines (paragraphe 262(2) de la Loi canadienne sur les organisations à but non lucratif (Loi BNL)).

You are providing information required by the NFP Act. Note that both the NFP Act and the Privacy Act allow this information to be disclosed to the public. It will be stored in personal information bank number IC/PPU-049

Vous fournissez des renseignements exigés par la Loi BNL. Il est à noter que la Loi BNL et la Loi sur les renseignements personnels permettent que de tels renseignements soient divulgués au public. Ils seront stockés dans la banque de renseignements personnels numéro IC/PPU-049.

Schedule / Annexe
Additional Provisions / Dispositions supplémentaires

Addition:

Schedule/Annexe
Appointment of an External Director

The Directors may appoint one director from outside the membership of the Corporation (the "External Director") between annual general elections to hold office for a term that must expire on or before the next annual general elections.

Innovation, Science and Economic Development Canada
Corporations Canada

Innovation, Sciences et Développement économique Canada
Corporations Canada

Certificate of Amendment

Canada Not-for-profit Corporations Act

Certificat de modification

Loi canadienne sur les organisations à but non lucratif

Durham College Student Association

Corporate name / Dénomination de l'organisation

1031538-9

Corporation number / Numéro de l'organisation

I HEREBY CERTIFY that the articles of the above-named corporation are amended under section 201 of the *Canada Not-for-profit Corporations Act*, as set out in the attached articles of amendment.

JE CERTIFIE que les statuts de l'organisation susmentionnée sont modifiés aux termes de l'article 201 de la *Loi canadienne sur les organisations à but non lucratif*, tel qu'il est indiqué dans les clauses modificatrices ci-jointes.

Isabelle Foley

Deputy Director / Directeur adjoint

2022-03-15

Date of amendment (YYYY-MM-DD)
Date de modification (AAAA-MM-JJ)

Canada

Innovation, Science and Economic Development Canada
Corporations Canada

Innovation, Sciences et Développement économique Canada
Corporations Canada

Form 4004
Articles of Amendment
Canada Not-for-profit Corporations Act

Formulaire 4004
Clauses modificatrices
Loi canadienne sur les organisations à but non lucratif

1 Current corporate name
Dénomination actuelle de l'organisation
Durham College Students Inc.

2 Corporation number
Numéro d'organisation
1031538-9

3 The articles are amended as follows:
Les statuts sont modifiés comme suit :

The corporation changes its name to:
La dénomination de l'organisation est modifiée pour :
Durham College Student Association

4 Declaration: I hereby certify that I am a director or an authorized officer of the corporation.
Déclaration : J'atteste que je suis un administrateur ou un dirigeant autorisé de l'organisation.

Original signed by / Original signé par
Faris Lehn

Faris Lehn
647-994-1630

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La personne qui fait une déclaration fausse ou trompeuse, ou qui aide une personne à faire une telle déclaration, commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, une amende maximale de 5 000 $ et un emprisonnement maximal de six mois ou l'une de ces peines (paragraphe 262(2) de la Loi canadienne sur les organisations à but non lucratif (Loi BNL)).

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