



# **Constitution**

**of the York  
Federation of Students**



**Constitution**  
**York Federation of Students**  
**Local 68 Canadian Federation of Students**

**Revision History**

This constitution was adopted in totality on Friday December 9<sup>th</sup>, 2005.

**Preamble**

We, the undergraduate students of York University, recognising the need to speak with one voice in asserting our legitimate needs and concerns, wish to express our support for one university-wide undergraduate student union whose basic aims will be as follows:

1. To organise students on a democratic, cooperative basis for advancing students' interests, and advancing the interests of the students' community;
2. To provide a common framework within which students can communicate, exchange information, and share expertise, skills and ideas;
3. To ensure the effective use and distribution of the resources of the student movement;
4. To bring students together to discuss and co-operatively achieve necessary educational, administrative, and legislative change wherever decision-making affects students;
5. To facilitate co-operation among students in organising services which supplement the learning experience, provide for human needs, and which develop a sense of community with our peers and with other members of society;
6. To articulate the desires of students to fulfill the duties and be accorded the rights of citizens in Ontario, in Canada, and in the international community; and
7. To achieve the goal of a system of public post-secondary education which is accessible to all, which is of high quality, and which is rationally planned; which recognises the legitimacy of student representation and the validity of students' rights; and whose role in society is clearly recognised and appreciated.

**Article 1: Name, Head Office, and Status**

1. Name

The official name of this organisation is "The York Federation of Students", hereinafter referred to as the "Federation".

2. Head Office

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

3. Incorporation

The Federation is an incorporated association. As of September 15<sup>th</sup>, 1979, the Federation was assigned to "York Federation of Students" a non-profit organisation incorporated under the Ontario Business Corporations Act:

- a. All its assets;
- b. All its contracts; and
- c. All property of whatever name, owned or held by the Federation.

In accordance with the instrument of assignment mentioned above, the York Federation of Students shall assume all liabilities, obligations, and undertakings of whatever nature held by the Federation.

**Article 2: Statement of Purposes**

The Federation exists to perform the following functions:

1. To further the goals of the York Federation of Students, as outlined in the Preamble; and
2. To represent, promote and defend the common interests of undergraduate students at York University; and
3. To promote and support the interest and activities of undergraduate student associations in all departments, faculties and colleges at York University; and

4. To bring together undergraduate students from across the campus to discuss and take common, democratic positions on questions affecting students; and
5. To represent York University undergraduate students at the administrative level of decision-making and to do so by speaking on their behalf with one united voice; and
6. To formulate a collective programme that will serve as a framework for coordinating the efforts of student associations throughout York University. This programme will:
  - a. Summarise a long-term strategy for achieving the objectives of undergraduate students at York University;
  - b. Describe general ways of reaching those objectives;
  - c. Be revised periodically as new objectives and approaches become appropriate; and
7. To do all other things that are incidental or conducive to these purposes.

### **Article 3: Definitions**

In this Constitution, it's Bylaws, and any other official document of the Federation:

“Act” shall mean the Ontario Business Corporations Act; and

“Business day” shall mean any day which is not a Saturday, Sunday, or statutory or civic holiday in Toronto, Ontario; and

“By-Law” shall mean any By-Law of the Federation; and

“CFS” shall mean the Canadian Federation of Students; and

“Club” shall mean any student organization or association recognised by the University, or otherwise recognised by the Federation; and

“Commissioner” shall mean any person appointed recognized by the Council as a Commissioner of the Federation, as set out in By-Law 5; and

“Community Service Groups Council” or “CSG Council” shall mean the standing committee of the Council comprised of the Coordinators of each Community Service Group, as set out in By-Law 6; and

“Constituency” shall mean any one of the undergraduate constituencies recognised by the Federation, as set out in By-Law 5; and

“Constituency Committee” shall mean the standing committee of the Council comprised of the democratically elected Presidents of each undergraduate constituency, as set out in By-Law 6; and

“Council” shall mean the Council of the Federation, as set out in By-Law 3; and

“Councillor” shall mean a member of the Council of the Federation, as set out in By-Law 3; and

“CRO” shall mean the Chief Returning Officer of the Federation, as set out in By-Law 10; and

“Executive” shall mean the Executive Committee of the Federation, as set out in By-Law 4; and

“Executive Officer” shall mean a member of the Executive Committee of the Federation, as set out in By-Law 4; and

“Ex-Officio Councillor” shall mean a non-voting member of Council; and

“Federation” shall mean the York Federation of Students, the central university-wide undergraduate student union at the University and an Ontario non-share capital corporation incorporated under the Act; and

“Full time undergraduate student” shall mean any undergraduate student whose registration is considered to be full-time by the University; and

“General Manager” shall mean the General Manager of the Federation as set out in By-Law 5; and

“Honorary Member” shall mean any individual upon whom Honorary Membership status in the Federation has been conferred, as set out in By-Law 1; and

“Letters Patent” shall mean the Letters Patent incorporating the Federation as from time to time amended and supplemented by supplementary Letters Patent; and

“Member” shall mean a member of the Federation, as set out in By-Law 1; and

“Ministry” shall mean the Ontario Ministry of Consumer and Commercial Relations; and

“Non-Executive Officer” shall mean an Officer of the Federation who is not a member of the Executive Committee including, but not limited to, the Speaker, the CRO, Councillors, and Commissioners; and

“Part-time undergraduate student” shall mean any undergraduate student whose registration is considered to be part-time by the University; and

“Properties” shall mean all properties and businesses of the Federation; and

“Speaker” shall mean the person appointed to Speaker as set out in By-Law 3; and

“Standing Resolution” shall mean all decisions of Council or General Meeting intended to stand as opinion of the Federation and/or to stand as policy of the Federation, as set out in By-Law 16; and

“Student” shall mean those who are registered as either a full or part-time undergraduate students at the University; and

“Term” shall mean the period of time that an Officer of the Federation is elected or appointed to their position; and

“University” shall mean York University, unless otherwise specified.

#### **Article 4: Interpretation**

##### 1. Number and Gender of Words

Unless the context requires otherwise, all pronouns and possessive adjectives used in this Constitution, its By-Laws, or any other official documents of the Federation, shall refer to persons of either gender, and all singular or plural meanings.

##### 2. Language

In this Constitution, By-Laws, or any other documents of the Federation, the French and English versions shall have equal value; should any substantive conflict exist between these two versions, determining the official interpretation shall be the responsibility of the Federation.

#### **Article 5: Official Languages**

1. The terms “bilingual” and “bilingualism” refer to the official languages of York University, that is French and English.

2. The Federation shall be a bilingual association, recognising both French and English as official working languages.

### **Article 6: Powers and Authorities**

#### 1. Authority

The jurisdiction and powers assumed by the Federation in this Constitution and any amendments thereto arise from autonomous self-governing authority and do not require the approval of any authority other than that of the Federation itself.

#### 2. Government

- a. The governing body and legislative authority of the Federation is the Council, which shall be responsible for all matters of policy and for government and regulation of the Federation.
- b. The financial authority of the Federation and its properties is the Council, which shall be responsible for rights and obligations granted under Article 1, Section 3.
- c. The administrative authority of the Federation is the Executive, which shall be responsible for implementing any and all decisions of both the Council and the Council.

#### 3. By-Laws

- a. By-Laws attached to this Constitution arise from the self-governing authority within the Constitution.
- b. All decisions of Council, General Meeting, or referenda intended to stand as having the force of law within the Federation, rather than merely having the force of a resolution expressing an opinion of the Federation, shall be enacted and recorded as By-Laws.
- c. Council shall enact a By-Law which shall define the procedure for the enacting, repealing, or amending of all By-Laws including this first By-Law.
- d. Council shall strike a By-Law and Constitution Committee to review all Constitutional and By-Law changes and make recommendations to Council.

### **Article 7: Seal, Documents and Records**

#### 1. Custodian of the Seal and Records

The Executive of the Federation will appoint one member of the staff of the Federation to be the custodian of the seal of the Federation and for its properties, and of all books, papers, records, correspondence, contracts, and other documents belonging to the Federation. The Executive will at all times be able to have access to the seal, properties, books, papers, records, correspondence, contracts and other documents belonging to the Federation upon request.

#### 2. Execution of Documents

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

#### 3. Books and Records

The Executive is responsible for ensuring that all books and records required by law, or by this Constitution and its By-Laws, are regularly kept and properly kept.

## **Article 8: Amendments of Constitution and By-Laws**

1. Amendments to the Constitution
  - a. Proposals for amendments of this Constitution shall be received by the Speaker and shall be referred to the By-Laws and Constitution Committee. The By-Laws and Constitution Committee shall present the proposals for the amendment, with the By-Law and Constitutional recommendations, to Council within eight weeks of the Chairperson's receipt of the proposals.
  - b. The By-Laws and Constitutional Committee shall publish its recommendations in the Council mail-out prior to the Council meeting at which they will be discussed.
  - c. Discussion of the proposals shall take place at the next meeting of Council. Council shall vote to accept or reject the proposals, such a motion requiring two-thirds majority for approval. Only amendments which do not materially change the intent of the proposal shall be acceptable; other amendments to the proposal shall require a new submission to the Chair.
  - d. Following the passage through Council, a motion to amend the Constitution shall be put before the next General Meeting of the Federation.
  - e. Notwithstanding the above, constitutional amendments may be put on the agenda for a General Meeting by petition (presented to the Chair) of ten percent (10%) of the members of the Federation. Such a petition must contain the exact wording of each proposed amendment.
  - f. A constitutional amendment passed under Article 8, Section 1, and a repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a General Meeting, duly called for that purpose, is effective only until the next Annual General Meeting unless confirmed thereat and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new By-Law of the same or like substance has any effect until confirmed at a General Meeting.
  - g. The constitutional amendment is not effective until it has been confirmed by at least two-thirds (2/3) of the votes cast at a General Meeting duly called for that purpose.

### 2. Amendments to the By-Laws

The By-Laws are complementary to, and not a part of, this Constitution. Amendments to the By-Laws shall be dealt with in the same manner as amendments to the Constitution.

### 3. Amendments to the Preamble

It is understood that the Preamble is a fundamental document and should not be amended except after extensive consultation with Council, the Constituency Committee, and any other broader consultation deemed necessary by the Constitutional Committee and Council.

### 4. Implementation of Constitution and By-Laws Amendments

The repeal or amendment of this Constitution and its By-Laws will not be enforced or acted upon until the approval of the Ministry has been obtained.

## **Article 9: Former By-Laws Revoked**

This Constitution and its By-Laws, once in force, precede all previous Constitutions and By-Laws, written or implied.

## **Article 10: Winding Up**

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

