

## **NOTICE TO THE MEMBERSHIP**

### **Students' Association of Red Deer College – Proposed Bylaw Amendments**

As per Article 13 of the Association Bylaws, notice of Bylaw changes must be submitted to the Membership 21 days prior to Council's final vote. The Association's Bylaw Amendment Review Committee submitted the following proposed changes to Council on December 7, 2020, for review and consideration. Council will be discussing these changes on January 11, 2021; conducting a final vote on January 25, 2021.

If you have any questions about the proposed changes, please contact Brittany Lausen, SARDC President at [saprez@rdc.ab.ca](mailto:saprez@rdc.ab.ca)

If you would like to attend our Council meetings on January 11<sup>th</sup> and/or January 25<sup>th</sup>, please email Brittany to make arrangements.

### **Article 2: Definitions**

- 2.1 Association means the Students' Association of Red Deer College.
- 2.2 Board of Directors means the Students' Association Council that is comprised of Councillors and Executive Council.
- 2.3 Board of Governors (BOG) means the Board of Governors of Red Deer College.
- 2.4 BOG Members means the student member on the Board of Governors of Red Deer College: Association President and student member at large.
- 2.5 Bylaws mean the bylaws of the Association that govern the affairs of the Association.
- 2.6 Chairperson (Chair) means the Chairperson of Students' Association Council.
- 2.7 Collaborative Student means any credit student enrolled in a partnership program endorsed by Red Deer College and another post-secondary institution.
- 2.8 College means Red Deer College (RDC).
- 2.9 Council is the governing body of the Association.
- 2.10 Councillor means a voting member on Council who is not a member of Executive Council.
- 2.11 Executive Council means the Officers of the Association.

- 2.12 Ex-Officio means non-voting member, by virtue of their position.
- 2.13 Good Academic Standing means having received a GPA of at least 2.0 at Red Deer College or a Collaborative Institution.
- 2.14 Member means a **currently registered credit or apprenticeship student at Red Deer College, or a currently registered collaborative student studying at Red Deer College** ~~who has paid to be a member of the Association.~~
- 2.15 Minister means the Minister responsible for Post-Secondary Learning in the Province of Alberta.
- 2.16 Officers mean the President, Vice President Academic, Vice President External, Vice President Community & Wellness, and the Executive Director.
- 2.17 Policies mean the Policies of the Association which provide guidelines in the administration of the Association's Bylaws.
- 2.18 PSLA means Post-Secondary Learning Act in the province of Alberta.
- 2.19 Referendum means submission of a question for decision by the Membership.
- 2.20 School means an academic faculty of Red Deer College.
- 2.21 Student Groups means all student clubs and societies recognized and ratified by the Association.

### **Article 3: Membership**

#### **3.1 Terms of Membership**

Membership of the Association shall include:

1. All **current** credit students registered at Red Deer College ~~who have paid membership fees to the Association.~~
2. All current Apprenticeship students **registered** at Red Deer College ~~who have paid membership fees to the Association.~~
3. All **current** Collaborative students **registered to study** at Red Deer College ~~who have paid membership fees to the Association.~~

#### **3.2 Rights and Privileges of Members**

Every Member of the Association:

1. Shall have the right to participate in the activities of the Association.
2. Shall have the right to use Association facilities within the limits set out by policy.
3. Shall have the right to access programs and services provided by the Association within the limits set out by policy.
4. Shall have the right to be elected to Council, Academic Council or Executive Council having met eligibility requirements.
5. Shall have the right to serve as a Member of an Association or College committee when designated by the Association.
6. Shall have the right to exercise any other rights inherent in the Association Bylaws and Policies.

3.3 Voting Rights:

3.3.1 A Member may vote:

1. At all Association Elections according to Association Bylaws and Policies.
2. At all Association Referenda according to Association Bylaws and Policies.
3. At all General and Special General Meetings according to Association Bylaws and Policies.

3.3.2 A Member may not vote by proxy.

3.4 Resignation or Expulsion of Members:

3.4.1 A Member shall be deemed to have resigned from the Association upon withdrawal or expulsion from the College or a Collaborative Institution.

3.4.2 A Member may resign from the Association upon written notice to the President.

3.4.3 A Member who resigns from the Association shall not be entitled to receive a refund of any Association membership fees previously advanced to the Association by or on behalf of that Member; nor shall they be exempt from paying membership fees when enrolled in studies at the College in the future.

## **Article 11: Finances and other Management Matters**

11.1 The fiscal year of the Association ends on April 30 of each year.

11.2 Association Fees:

11.2.1 Membership Fees:

1. All Members will be levied a membership fee, the amount to be determined by Council each year for the upcoming academic year.
2. In the event that a Member withdraws from the College, the Member shall receive a membership fee refund as per the College's Refund Policy.
3. In the event that a Member resigns from the Association, their membership fees are forfeited to the Association.
4. Membership fees from Collaborative Members shall be collected in accordance with agreements between the Association and the respective student organizations.

11.2.2 Health and Dental Plan Fees:

1. All Members enrolled in at least nine (9) College credits will be levied a health and dental plan fee, as per Policy.

- 11.2.3 The College will collect all Association Fees on the Association's behalf according to the terms of the *Fee Collection Agreement*.
- 11.3 Signing Authority:
- 11.3.1 The designated Officers shall sign all cheques drawn on the monies of the Association. Two signatures are required on all cheques.
- 11.3.2 The designated Officers must sign all contracts of the Association or other persons authorized.
- 11.4 Council shall have the power to borrow any amount of money up to and including the sum of ~~twenty thousand (20,000)~~ **fifty thousand (50,000)** dollars and shall have the power to pledge or encumber any of the assets of the Association for this purpose. The authorized signing officers of the Association shall negotiate any documents relating to the loan or any security, and such signatures will be binding on the Association. Council shall not have the power to borrow any sum in excess of ~~twenty thousand (20,000)~~ **fifty thousand (50,000)** dollars unless approved by a majority of both Council and the Members of the Association in attendance at the General or Special General Meeting of the Association.
- 11.5 Council shall have the authority to expend monies up to and including the sum of ~~fifty thousand (50,000)~~ **one hundred and fifty thousand (150,000)** dollars for the administration or advancement of any single Association enterprise or objective that is, in the opinion of Council to be of benefit to the Association. For any expenditure over that amount Council must seek and receive the approval of the Members of the Association at either a General Meeting or a Special General Meeting.
- 11.6 For expenditures not approved in the annual budget, the Executive Council shall have the power and authority to expend monies up to the sum of two thousand five hundred (2500) dollars per motion for the needs and purposes of the Association between October 1 and April 30.
- 11.7 For expenditures not approved in the annual budget, the Executive Council shall have the power and authority to expend monies up to the sum of ten thousand (10 000) dollars per motion for the needs and purposes of the Association between May 1 and September 30.
- 11.8 Protection and Indemnity of Directors and Officers:
- 11.8.1 Each Director or Officer holds office with protection from the Association. The Association indemnifies each Director or Officer against all costs or charges that result from any act done in their role for the Association. The Association does not protect any Director or Officer for acts of fraud, dishonesty or bad faith.
- 11.8.2 No Director or Officer is liable for the acts of any other Director or Officer or employee. No Director or Officer is responsible for any loss or damage due to the bankruptcy, insolvency, or wrongful act of any person, firm or corporation dealing with the Association. No Director or Officer is liable for any loss due to an oversight or error in judgment, or by an act in their role for the Association, unless the act is fraud, dishonesty or bad faith.

- 11.8.3 Directors and Officers can rely on the accuracy of any statement or report prepared by the Association's auditor. Directors or Officers are not held liable for any loss or damages as a result of acting on that statement or report.
- 11.9 Inspecting Books and Records. Members of the Association have the right to inspect the minutes and Audited Financial Statements of the Association upon giving reasonable notice to the President or Executive Director that they wish to do so. Such inspection shall take place at the Association office during normal business hours.

## **Article 13: Amending the Bylaws & Policies**

- 13.1 Notification to the Membership of Objective and Bylaw changes must be published at least 21 days prior to Council's decision.
- 13.2 Objective and Bylaw changes shall take the form of:
1. A special resolution presented at Council, as a recommendation made by BARC between October 1 and April 30, or
  2. A special resolution presented to Council, as a result of a petition by at least 10% of the Membership during the Fall/Winter Academic Term, or
  3. A special resolution presented at a Council meeting, as a result of a successful referendum.
- 13.3 Notification of Policy changes to Council must be submitted at least 14 days prior to presentation.
- 13.4 Policy changes shall take the form of a motion passed during a Council meeting.
- 13.5 Special Resolutions require 75% support of Council in order to pass. Policy adoptions and/or amendments require majority (50%+1) support of Council in order to pass.
- 13.6 In the event of circumstances outside the control of the Association that frustrates compliance with procedural bylaws or policies, Council shall, under advisement of Executive Council, and if deemed in the best interests of the Membership, temporarily amend or suspend the observance of specific bylaws and/or policies of the Association to ensure the continuing and efficient operation of the Association. All such amendments and/or suspensions shall be recorded within Council meeting minutes, and shall be in effect for a period of no more than 6 months, at which time Council must review and re-evaluate the circumstances which prompted these amendments and/or suspensions.

## **Article 14: Implementation & Dissolution**

- 14.1 These Bylaws shall be made available to the Membership. Any amendments to these Bylaws will be recorded with a motion number and the date adopted.
- 14.2 These Bylaws and duly made amendments to them, shall remain in effect until such time as:
1. Council takes action to replace them, or
  2. The Lieutenant Governor in Council, by order, disestablished a post-secondary institution and dissolves its board, effective on the date named in the order according to the Post-Secondary Learning Act Section 102(1). An order under Section 102(1) dissolves the student organization of the public post-secondary institution on the date specified in the order, or
  3. The assets and liabilities and the rights and obligations of the dissolved Association are transferred to and assumed by the Government or of a public post-secondary institution named in the order or both.
- 14.3 The bylaws of the Association shall supersede the bylaws of any other organization which the Association becomes involved with through membership, partnership, or collaboration. Any agreements that the Association enters into, or organizations that the Association seeks to join, shall comply with, or be subrogated to, the bylaws of the Association.