

Education Students' Association of the University of British Columbia

Constitution

**created by Natalie Liu, President of ESA 2013/2014, last updated July 2014*

We, the students of the Faculty of Education at the University of British Columbia in Vancouver, in order to promote the academic, physical, and social well being of all the students enrolled in our Faculty, to promote a measure of pride and spirit for our Faculty, to provide services for our constituents, to create a community of friendship and goodwill amongst our students, to promote good relations with other communities on campus, and to represent our interest as students to the administration, do hereby ordain and establish this Constitution for this, the Education Students' Association of the University of British Columbia at Vancouver.

Article I: Name

Section 1. The organization shall be called the "Education Students' Association of the University of British Columbia - Vancouver", hereafter referred to as the ESA.

Article II: Objectives

Section 1. To provide a permanent organization of the Bachelor of Education students of the Faculty of Education, and to promote and direct undergraduate activities in the Faculty of Education.

Section 2. To promote common purposes and interests towards improved programs and opportunities for students.

Section 3. To provide a voice for undergraduate students within the Faculty by providing representation on decision-making bodies within the Faculty of Education.

Section 4. To represent Bachelor of Education and Diploma in Education students through participation in appropriate organizations on campus including, but not limited to, the AMS, the Senate, and any additional bodies whose activities have an impact on the academic, social, and financial affairs of undergraduate students in the Faculty of Education.

Section 5. To promote communication and understanding between the members of the Association and educators, education associations, and the community.

Section 6. To represent the Association at functions of the University of British Columbia and other universities as well as with other organizations from which the members of the association may benefit.

BYLAWS

Bylaw 1: Interpretations and Definitions

1. Nothing in these bylaws shall be interpreted in a manner contradictory to the AMS Constitution, Code, rules, regulations or policies enacted from time to time by the Alma Mater Association
2. In these Bylaws and the Code of Procedures, unless the context otherwise requires:
 - **AGM** – shall refer to the Annual General Meeting
 - **AMS** – shall refer to the Alma Mater Association of UBC Vancouver
 - **Association** – shall refer to the Education Students' Association of the University of British Columbia – Vancouver
 - **Ballot** – shall refer to either a paper or electronic ballot
 - **BEd** - shall refer to the Bachelor of Education Program
 - **Council** – shall refer to the governing body of the Education Students' Association of the University of British Columbia – Vancouver, comprised of executive officers and other voting officers designated as delegates by the active members
 - **ESA** – shall refer to the Education Students' Association of the University of British Columbia - Vancouver
 - **Executive** – shall refer to the fifteen voting members of the Executive Committee
 - **Faculty** – shall refer to the Faculty of Education at UBC Vancouver
 - **General Election** – shall refer to the election held during September of the Winter session.
 - **Members** – shall refer to the active members and honorary members of the Education Students' Association of the University of British Columbia – Vancouver
 - **Senate** – shall refer to the Senate of the University of British Columbia – Vancouver
 - **Two-Thirds (2/3) Resolution** – shall refer to a resolution passed by a 2/3 majority of the votes cast in Council, exclusive of abstentions and blanks
3. In this document, the hierarchy of items shall be:
 - Bylaw – Titled Arabic Numerals
 - Paragraph – Arabic Numerals
 - Section – Roman Numerals
 - Clause – Letters
 - Item – Arabic Numerals

Bylaws 2: Membership

1. Membership shall consist of all students currently registered in the Faculty of Education at the University of British Columbia who have paid their ESA membership fee and whose programs lead towards either a Bachelor of Education degree or Diploma in Education.

2. Every member shall uphold the Constitution of the Association
3. Membership fees shall be set and/or changed at a general meeting or by referendum of the Association and shall be collected in accordance with the UBC Board of Governors resolution concerning student societies
 - i. The membership fee shall be the fee as approved by the Association and by the AMS and published in the Calendar
4. A Member shall cease to be a member of the Association upon losing student status in the Faculty of Education.
5. A Member may be expelled by a Two-Thirds Resolution of the Council. Upon expulsion the former Member shall not have their fees refunded.

Bylaw 3: Annual General Meetings and Special General Meetings

1. General meetings shall be held once a year.
 - i. The Annual General Meeting of the Association (AGM) shall be held in January as determined by Council when all or most executives are on campus and are not required off-campus for their practicum
 - ii. All members of the Association shall have the right to attend, speak, and vote at general meetings.
 - iii. Any non member of the Association may attend but will not be able to speak without the permission of the chair and will not be able to vote.
 - iv. Quorum for a general meeting shall be one-tenth of the Members of the Association
 - v. If quorum is not reached within 30 minutes of the call to order then the only business possible is discussion or adjournment.
 - vi. The time of the meeting must provide for participation by any group of members who are required to be off-campus for a practicum.
 - vii. A notice of the meeting shall be given at least 14 days prior to the event.
 - viii. Notice of the general meeting shall be posted by email to all members as per their Email address on the UBC registration system.
2. Special general meetings shall be called at any date during the School year by the Chairperson upon:
 - i. A Resolution of the Executives; or
 - ii. A written petition stating the purpose of a meeting containing the names, student numbers, and signatures of at least 5% of active members of the Association is received by the Secretary

Bylaw 4 - Referendum

1. A referendum or referenda for the Association may be called by the Chairperson upon:
 - i. a Resolution of Council; or
 - ii. a written petition signed by 10% of the active members of the ESA containing student numbers and signatures, and received by the Secretary
2. The text of the referendum or referenda shall be written in such a way that it must be unbiased and answerable unequivocally as “yes” or “no”.
3. A referendum shall be acted upon by the ESA executive council where:

- i. A majority of the votes cast support the referendum or referenda; and
 - ii. A minimum number of votes is equal to 10 % of the active members of the Association.
4. A referendum or referenda shall only be held during the School Year excluding holidays, practicum, and professional development days.

Bylaw 5: Council

1. The management, administration, and control of the affairs of the Association are vested in Council and its substituent Committees, and are subject to the Constitution, Bylaws, and Code.
2. The voting members of the Council shall be:
 - i. The Executives of the Association as outlined in Bylaw 6
 - ii. The NITEP representative – to be selected by students in the NITEP option.
 - iii. The WKTEP representative – to be selected by students in the WKTEP option.
3. If any member of the executive council is unable to attend regularly scheduled meetings (which may be the case for the WKTEP and NITEP representatives), the executive council can vote whether or not to change their seat to a non-voting seat.

Bylaw 6: Executive

1. The Executive of the Association shall contain the following positions:
 - i. The President;
 - ii. The Director of Internal Affairs;
 - iii. The Director of External Affairs;
 - iv. The Director of Administration;
 - v. The Director of Finance;
 - vi. The Communications Coordinator;
 - vii. The Academic Coordinator;
 - viii. The ESA Ombudsperson;
 - ix. The ESA AMS representative;
 - x. The Grad Coordinator;
 - xi. The Social Coordinator; and
 - xii. The Sales Coordinator.
 - xiii. The Athletics Coordinator
 - xiv. The NITEP Representative
 - xv. The WKTEP Representative
2. Due to the fluid nature of the program and the various program schedules within the BEd program, it is expected that executives will take on more than one position during their term as an executive. Other than the President, Vice-President, AMS representative, and Director of Finance, more than one executive may (and are encouraged to) carry multiple titles, up to the discretion of the executive council.
3. Election of Executive:
 - i. The Executive shall be elected by and from the active members of the

Association in a general election, which shall be held in September. This date will be set and approved by the previous years' council (we suggest the third Tuesday of September).

- ii. The elections and nomination period (we suggest the 1st and 2nd week of school) shall be set by council, but conducted by the Teacher Education Office (TEO) in accordance with the provisions outlined in the Constitution.
- iii. The term of office of Executive positions is from the announcement of the election results until the end of the Summer Session in the following year.
- iv. Should a person continue in the Bachelor of Education program, they will have to run again in the general election in September if they would like to be re-elected to council.
- v. Vacancies in any positions arising after elections shall be advertised to the active membership of the Association and filled at a meeting of Council, said meeting to occur no less than two (2) weeks after first advertisement of the vacancy.
 - i. The vacancy may be left empty by the council under majority vote for this option, except for any position that has financial signing authority (President, Director of Finance) for which an interim must be appointed as soon as possible.
 - vi. The duties of the Executive shall be outlined in the Constitution.

Bylaw 7: Records

1. The minutes of the Council and Committees shall be distributed by email or uploaded to a joint database to all councilors, and posted on the UBC ESA website.

Bylaw 8: Amendments

1. The Constitution, Bylaws, and Code of Procedures of the Association may be amended by a Two-Thirds (2/3) Resolution of Council at an AGM, providing that the following conditions have been met:
 - i. Written notification of the amendment shall be given to the Secretary/Director of Administration at least two (2) weeks in advance of the Council meeting at which the amendment is to be voted upon.
 - ii. Said amendments have been posted (on the ESA website or by email) for member information and response for a minimum of two (2) weeks prior to the vote on the amendment. The notice of amendment must include a process for responding to members of the Executive Council prior to the date of the vote.
 - iii. The amendment shall be distributed to the Council by the Director of Administration at least two weeks in advance of the Council meeting at which the amendment will be voted upon.
2. An amendment may be proposed at a general meeting if:
 - i. It has been passed by the Executive Committee and presented with a

- signed copy of minutes documenting the approval by the Executive Committee, or
- ii. It is presented by a signed petition representing twenty (20%) of the current membership.

Code of Procedures

Article 1: Executive Duties and Powers

1. The Executive Council members of the Association shall:
 - i. Be composed of the twelve members of the Executive, with the President as Chair.
 - ii. Know and uphold the Constitution, Bylaws, and Code of Procedures of the Association
 - iii. Keep accurate written records of their activities during their term of office and prepare a detailed year-end report at the end of their term. This report should be presented to Council and passed on to the subsequent executive council with the aid of the TEO. Each report should also be filed by the Director of Administration.
 - iv. Keep and maintain office hours as prescribed by the Director of Administration during the school year except during practicum.
 - v. Be responsible for the promotion of all ESA events through such avenues as word of mouth, class announcements, posters, and social media as requested by Council.
 - vi. Be responsible for the internal and external communications of the Association
 - vii. Present options and make recommendations on matters of concern to the Association and its Members;
 - viii. Prepare and submit minutes to be posted online on the ESA website and other archival databases;
 - ix. Have other duties as are outlined in the Bylaws or Code or assigned by Council from time to time.
2. Specific Duties of the Executive
 - i. The President Shall:
 - a. Be the main spokesperson for the Association;
 - b. Preside over general meetings of the Association and meetings of Council;
 - c. Vote only in the case where they can make or break a tie in a simple majority or two-thirds majority vote (except in the case of secret ballot, in which the President votes);
 - d. Supervise and coordinate the Executive of the Association
 - e. Be a non-voting, ex-officio member of all committees of Council, unless otherwise stated;
 - f. Be responsible for the organization of the Annual General Meeting;

- g. Be a signing officer of the Association together with the Director of Finance;
 - h. Manage, update, and revise the Constitution to ensure that it is up to date and reflects best and current practices;
 - i. Have the authority to renumber, reformat, and grammatically correct the Code of Procedures to ensure uniformity and consistency throughout the aforementioned document.
 - 1. Changes of this nature may only be made provided the implications of Code are not altered.
 - 2. He/she must also inform council that they have corrected the code at the subsequent Council meeting.
 - g. Maintain communication with the former Executives of the Association; and
 - j. Act as liaison to the Faculty of Education and the Dean's Office.
- ii. The Director of Internal Affairs shall:
- a. Organize an end-of-year recognition reception;
 - b. Organize a Council Retreat/Social once members have been inaugurated;
 - c. Oversee and manage council engagement;
 - d. Manage the ESA elections by reviewing the Elections Guidelines and working with the TEO to ensure clear and easy facilitation;
 - e. Manage Graduation Photos (reviewing contract with Artona);
 - f. Manage Locker rentals within the Neville Scarfe building.
 - 1. Establish/manage the locker rental database for current year
 - 2. Post warnings regarding non-payment
 - 3. Remove illegal locks
 - 4. Invoice departments for lockers rented
- iii. The Director of External Affairs shall:
- a. Inform students of post-graduate opportunities;
 - b. Manage the application selection process for the WestCast Conference;
 - c. Oversee Alumni Engagement and work in the Education Alumni Office to maintain good relations with BEd Graduates;
 - d. Manage corporate relations and sponsorships;
 - e. Inform education students of employment opportunities by acting as a liaison between the Association and UBC Student Career Services, and/or any other student employment office(s);
 - f. Assume the duties of the President in his/her absence;
 - g. Act as a proxy and represent the President in meetings in which he/she cannot attend;
 - h. Assume other duties as requested by the President
 - i. Be a signing officer of the association together with the Treasurer
- iv. The Director of Finance shall:
- a. Complete AMS Treasurer workshop as soon as possible after appointment;

- b. Supervise the finances and expenditures of the Association;
 - c. Be the signing officer of the Association's main account along with the President or Vice-President;
 - d. Prepare an annual budget for the Association for approval by the ESA Council and for the information of members upon election and at the January general meeting;
 - e. Submit all budgets as required by the AMS Finance Committee;
 - f. Keep accurate financial records;
 - g. Report on the current financial status to each meeting of the ESA Council;
 - h. Be responsible for the reimbursement of the Association's general account:
 - 1. Reimbursements should be processed in a timely manner (15 to 20 business days); and
 - 2. If extenuating circumstances prevent timely processing of the aforementioned reimbursements, said circumstances shall be presented to Council at the earliest notification;
 - i. Obtain estimates of all proposed expenditures;
 - j. Establish financial float for sales and procedures for use;
 - k. Sign all requisitions of approved expenditures;
- v. The Director of Administration shall:
- a. Carry out all regular correspondence of the Association;
 - b. Compile and manage contact information lists of:
 - 1. The ESA executives and council
 - 2. ESA Committee members
 - 3. Faculty members
 - 4. Scarfe building administrators
 - 5. Other bodies with whom the ESA work with
 - c. Record the minutes of the ESA Executive Council meetings and publish/archive as mandated;
 - d. Ensure end of term reports are submitted by the Executive members, and compile the files;
 - e. Be responsible for the purchase of supplies and organization/maintenance of the ESA office;
 - f. Take attendance of members at Council;
 - g. Prepare and circulate the agenda of Council;
 - h. Organize the cleaning of the microwaves and fridge in the ESA Lounge
 - i. Organize office hours of the Executives;
 - j. Manage ESA branding.
- vi. The Communications Coordinator shall:
- a. Review and update the ESA website
 - b. Coordinate with UBC IT to ensure turnover the executive email accounts (position.esa@ubc.ca);
 - c. Coordinate any publications of the Association;
 - d. Approve any press releases to the media;

- e. Actively promote, through ESA's media outlets, ESA affairs and vacant positions on ESA Council and its committees to the Members of the Association.
- vii. The Academic Coordinator shall:
 - a. Coordinate all academic affairs of the Association (including but not limited to coordinating feedback mechanisms between students, the ESA, and the TEO and managing student shared lesson plan databases);
 - b. Manage and promote the Lesson Plan Database;
 - c. Report to Council of the proceedings of UBC Senate;
 - d. Represent the interests and concerns of Education students and the Association to UBC Senate;
 - e. Contact Senate administrator to establish self as representative;
 - f. Contact Human Kinetics Students Association to determine representation options
 - g. Obtain Senate meeting schedule and procedures;
 - h. Act as the voice of Education & Kinesiology undergraduate students as needed.
- viii. The Social Coordinator shall:
 - a. Organize, coordinate, and promote all social functions and spirit events of the Association;
 - b. Develop a financial plan for planned events for approval by Council;
 - c. Coordinate the sale and distribution of tickets for the Association's functions;
 - d. Coordinate advertising and promotional planning for the Association's social events;
 - e. Research permits/permission/room bookings for events as required;
 - f. Promote community spirit within the faculty and student engagement.
 - g. Chair the Social Committee
- ix. The Graduation Coordinator shall:
 - a. Organize the year end graduation banquet to celebrate the graduation success of all BEd and Diploma students;
 - b. Research options and costs to present to Council;
 - c. Plan marketing scheme for events;
 - d. Collaborate with the Director of External Affairs to obtain sponsorship for the grad event;
 - e. Work closely with the social coordinator in terms of marketing, socials, and fundraising;
 - f. Chair the Grad Committee and oversee the development of a budget and financial plan for the grad event.
- x. The Sales Coordinator shall:
 - a. Establish inventory of ESA items – number and dollar value;
 - b. Develop a marketing schedule & plan to provide/promote sales;

- c. Monitor supply of stock;
 - d. Obtain quotes for renewal of stock/additional stock for approval by Council;
 - e. Manage ordering, payment, and delivery of new merchandize.
- xi. The AMS Representative shall:
- a. Obtain AMS meeting schedule and procedures;
 - b. Maintain a dialogue with colleagues about AMS issues;
 - c. Advocate for Bachelor of Education students.
 - d. Inform Council of any AMS rights or privileges to which the Association is entitled;
 - e. Inform Council of any AMS policies or procedures of which the Association should be aware of;
 - f. Keep current copies of the AMS Constitution, Bylaws, and Code available on file in the Association's office;
 - g. Ensure that a proxy is sent to AMS Council on behalf of the representative in the event that the representative is unable to attend a meeting of AMS Council;
 - h. Report to Council on the proceedings of the AMS.
- xii. The Ombudsperson shall:
- a. Establish a presence on the ESA website – services & contact info; office hours;
 - b. Review processes with the AMS ombudsperson and the UBC ombudsperson;
 - c. Review AMS ombudsperson contact process.
- xiii. The Athletics Coordinator shall:
- a. Promote the participation of all Education students in UBC's Intramural sports programs and events,
 - b. Provide rebates for Education teams/individuals who meet the criteria as wet out by the council;
 - c. Promote council team building through participation in athletic activities;
 - d. Promote mental health and well being by collaborating with UBC clubs (yoga and meditation) and the UBC wellness centre.

Article 2: Non-Voting Members of Council

1. Council may, from time to time, appoint Members to non-voting positions by Resolution. These non-voting members shall, under the direction of the Executive, maintain a portfolio and assist Council in the execution of the Association's affairs
2. Non-voting members are not required to attend council meeting but must report to at least one executive member.
3. The non-voting members can include (up to the discretion of the executive):
 - i. Elections Administrators. The Elections Administrators shall administer the Association's Elections and Referenda
 - ii. The Building Supervisor. The Building Supervisor shall, under the direction of the Director of Administration, ensure that the Association's offices and lounge are maintained and supplies necessary for the operation

- of the office are obtained.
- iii. The IT Manager. The IT Manager shall coordinate and maintain the Association's informational and technological assets.
 - iv. Sales Managers. The Sales Managers shall, under the direction of the Sales Coordinator, facilitate the design, purchase, and sale of various merchandise bearing "Education" and UBC, as well as the Association's name and/or logo.
 - v. The Publications Manager. The Publications Manager shall, under the direction of the Director of Communications, be responsible for the publications of the Association.
 - vi. The Graphic Designer. The Graphic Designer shall, under the direction of the Director of Communications, be responsible for the artistic direction and graphic design of the Association.
4. All non-voting members shall present a detailed report of activities at the Annual General Meeting to be filed in the portfolio of the Executive member directing the non-voting member.

Article 3: Council Meetings

1. Regular Council meetings shall be held once per week during a time in which the majority of council members are free during the School Year unless impractical.
 - i. Quorum is one half plus one of the voting members of Council
 - ii. Each voting member of council shall have only one vote.
 - iii. Any member who is unable to attend may send a proxy in their place. The proxy shall be entitled to speak and vote in the missing member's place.
2. Meetings of Council shall be open to all Members of the Association and members of the general public. In the event that Council is required to hold an *in camera* meeting to prevent the disclosure of confidential information, Council may, by Two-Thirds (2/3) Resolution, hold an *in camera* session, during which only voting members and non-voting members may be present. The above provision notwithstanding, Council may, by Two-Thirds (2/3) Resolution, invite guests to attend an *in camera* session.
3. Rules of order at all meetings of the Association shall be as in Robert's' Rules of Order, Newly Revised.

Article 4: Committees of Council

1. General
 - i. Council may, by Two-Thirds (2/3) Resolution, establish a standing or *ad hoc* Committee, provided that no powers of Council are delegated to a committee.
 - ii. Quorum for committees of Council shall be a majority of the voting membership of the Committee. If quorum is not present, the lack of quorum shall be noted in the minutes.
 - iii. The meetings of all committees shall be open to any member of Council and to the general public, unless otherwise specified in the Code, or by Resolution of the Committee.
 - iv. Any *ad hoc* Committee may dissolve itself by a Two-Thirds (2/3) Resolution of its members.

- v. All standing Committees shall be dissolved upon Executive Turnover.
2. Social Committee
 - i. The social Committee shall be composed of:
 - a. The social Coordinator, who shall be Chair;
 - b. members of Council, up to the discretion of council
 - c. members at-large, who are BEd students who express interest in being a part of the committee and have been selected by the chair
3. Grad Committee
 - i. The Grad Committee shall be composed of:
 - a. The Grad Coordinator, who shall be Chair;
 - b. members of Council, up to the discretion of Council
 - c. members at-large, who are BEd students that have expressed interest in being a part of the committee and have been selected by the chair

Article 5: Financial Accountability

1. All expenditures of the Association's finances in excess of \$250 not allocated by the Budget shall be submitted to the Finance Committee for preliminary review and presented to Council for Approval.
2. All expenditures of the Association's finances less than \$250 can be allocated by Two Thirds (2/3) Resolution for the Executive Committee.

Article 6: Elections

1. The Executives of the Association shall be elected in the Fall Election, which shall occur during September.
2. The Executive of the Association shall be elected by and from the active members of the Association.
3. In the event that an elected Executive resigns their position after being elected, a new appointment of the position will be at the discretion of the Executive Committee.
4. Elections of the Association shall be conducted by secret ballot, either by paper or electronic means, at the discretion of the previous year's Director of Internal Affairs.
5. Violations and Penalties
 - i. The TEO shall determine penalties for violations of the Elections Policy in accordance with the regulations and procedures outlined in this document.
 - ii. Penalties shall be in proportion to the seriousness of the offence.
 - iii. Penalties shall be applied consistently to all similar offences.
 - iv. The deduction and/or reallocation of votes shall not be allowed as a penalty.
 - v. Candidates must not be penalized for failure to campaign.
 - vi. In situations where offences or irregularities may have seriously skewed the election results, the TEO may declare the election invalid and call for a re-election.
 - vii. New rules written during an election will not be valid for that election.
 - viii. In accordance with the AMS Code of Procedures, all penalties must be written and approved prior to an election. All rules and penalties shall be

outlined in a written document to be presented at the All Candidates Meeting.

6. Release of Results
 - i. As soon as the votes are tallied, the TEO shall release the “unofficial results” to all of the candidates by email.
 - ii. The TEO shall give an explicit report to the newly elected Director of Internal Affairs including numbers and other points of interest at the first Council meeting/Orientations hosted by the TEO.
 - iii. In the event of a tie, the winner shall be determined according to the AMS Code of Procedures.
7. Interpretations, rulings, complaints, and appeals
 - i. Protests or complaints of irregularities regarding candidates, or election officials may be submitted to the TEO, provided that the protest or complaint is submitted in writing no more than 48 hours after the occurrence to which it relates. The TEO shall make a ruling within 24 hours of receiving the protest or complaint.
 - ii. The person lodging the complaint may appeal the ruling made by the TEO by appealing to the AMS Elections Committee provided that the protest or complaint is submitted in writing no more than 48 hours after the TEO has released their ruling.
8. Vacancies in any positions arising after elections shall be advertised to the active membership of the Association and filled (by either appointment or by-election) should Council decide to fill the spot.

Article 7: Attendance and Recall

1. Members of Council are expected to attend all meetings of Council as well as all relevant committee meetings as defined by Code
2. In the event that an Executive misses more than three (3) Executive Council meetings during their term of office, the Director of Administration shall inform Council of the matter.
3. Any member of Council may be removed from office for any of the following reasons:
 - i. Resignation;
 - ii. Poor attendance
 - a. Councilors must inform the Director of Administration of their anticipated absence and their proxy’s name prior to the Council meeting in question.
 - b. Councillors or their proxies must be present for the majority (50% + 1 minute) of the total length of the meeting to be considered present.
 - iii. Unsatisfactory performance according to a petition signed by a minimum of one-tenth (1/10) of the active membership.
 - iv. Failure to carry out their duties as outlined in the ESA Constitution, Bylaws, or Code of Procedures.
4. Recall of a Member requires a Two-Thirds (2/3) Resolution of Council, including abstentions and blanks.
5. Any removed officer may run for their position again.