



MARIANOPOLIS STUDENT UNION

**MARIANOPOLIS STUDENT UNION
CONGRESS CONSTITUTION**

Last review: April 27, 2023

*Recognizing the traditional unceded Indigenous lands of the
Kanien'kehá:ka/Mohawk Nation on which the Marianopolis Student Union presides;*

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Article 1: Definitions

- 1.1. **Director:** Executive voting members of MSU Congress when pertaining to the Company's Act chapter C-38 and A-3.01.
- 1.2. **Congress:** The accredited student government of the Marianopolis Student Union. Student Government; therefore, also refers to Congress.
- 1.3. **MSU:** The acronym for the Marianopolis Student Union, which is the association of all registered students at Marianopolis College.
- 1.4. **Academic Standing:** A student's academic performance at the College, i.e. the student's grades. A student is considered to be in Poor Academic Standing (PAS) when the student is on academic probation, as determined by the office of the Associate Academic Dean.
- 1.5. **Active Member:** A member of a Club is considered to be "active" if they participate in a majority of meetings, and if they contribute positively in the Club's activities, as determined by the Club's executives. Each Club must determine the amount of active members that they have. Clubs can provide a reasonable alternative definition of active membership, as some clubs don't have a constitution.
- 1.6. **Congress Office:** The Congress Office is located in room A-159.
- 1.7. **MSU Platforms:** All media outlets controlled by Congress.
 - 1.7.1. **Congress Website:** The Congress Website is found at msucongress.com and is a source of pertinent MSU information.
 - 1.7.2. **MSU Facebook Group:** The official Facebook Group of the MSU.
 - 1.7.3. **MSU Facebook Page:** The official Facebook page of the MSU where other pertinent information, such as events, will be posted.

- 1.7.4. *MSU Instagram Page*: The official Instagram page of the MSU where pertinent information, such as events, as well as enjoyable content is posted.
- 1.7.5. *MSU Teams*: The official platform for Congress office hours under circumstances in which members are unable to be physically present in the Congress office.
- 1.8. *Endorsement*: Written form of support from a member of the MSU, a club, or a Demons sports team posted on social media.
- 1.9. *Exceptional Circumstances*: Circumstances that drastically differ from the status quo and may jeopardize the best interests of the MSU, as determined by Congress.
- 1.10. *First-Year Students*: Students who are enrolled in the Fall semester as their first semester of CEGEP.
- 1.11. *Second-Year Students*: Students who have completed one year of studies at Marianopolis College.
- 1.12. *Upper-Year Students*: Students who are currently enrolled in the Winter semester and intend to be enrolled at the college for the following Fall and Winter semesters.
- 1.13. *Congress Term*: The term for elected and appointed members of Congress.
- 1.14. *Upper-Year Winter Positions (elected or appointed)*: Positions on Congress that are filled (through electoral or application processes) during the Winter semester and held throughout the Winter term. Only Upper-Years are eligible for these positions.
- 1.15. *First-Year Fall Positions (elected or appointed)*: Positions on Congress that are filled (through electoral or application processes) during the Fall semester and held throughout the Fall term. Only First-Year students are eligible for these

positions.

- 1.16. **Campaign Week:** A week during which election candidates promote their platforms and reach out to voters.
- 1.17. **Winter Elections:** Electoral procedures for Upper-Year elected positions that occur towards the end of the Winter semester.
- 1.18. **Fall Elections:** Electoral procedures for First-Year elected positions that occur towards the beginning of the Fall semester.
- 1.19. **Congress Budget:** A portion of each student's tuition that is allocated to the Marianopolis Student Union. The total amount transferred to Congress by the College will, in turn, fund Congress initiatives, as well as contribute to the financial support of the various clubs in the school.
- 1.20. **Quorum:** The minimum number of MSU and/or Congress members required to vote on a given topic.
- 1.21. **College Committees or Councils:** Bodies directed by the college made up of representatives of the administration and student body.
- 1.22. **Congress Committees:** Bodies chaired by a Congress member made up of members of the MSU.
- 1.23. **Amendments:** Suggested, proposed or official changes to the MSU Constitution, Club Bylaws, and/or Congress Bylaws.
 - 1.23.1. **Suggested Amendments:** Amendments that have been suggested by the MSU and Congress members. They are reviewed by the Constitutional Review Committee.
 - 1.23.2. **Proposed Amendments:** Suggested Amendments that have been approved by the Constitutional Review Committee and are ready to be proposed at the

next GA.

- 1.23.3. **Passed Amendments:** Suggested Amendments that have been passed at the GA and that have become official changes to the MSU Constitution, Club Bylaws, and/or Congress Bylaws.
- 1.24. **Hate Speech:** The expression of derogatory or abusive language targeting any particular sex, gender, sexuality, race, socio-economic class, political beliefs, disability, religion, as well as any singular group or affiliated association.
- 1.25. **Club:** A Club shall be defined as any organization or assembly of students uniting under a common goal, potentially categorized as, but not limited to: philanthropic, cultural, religious, creative or academic. To be considered a Club, the executive council must follow proper procedure and complete appropriate documentation requested by Student Services. Clubs are, by default, supported by Congress and are entitled to rights and privileges as outlined in the following Club Bylaws.
- 1.26. **Standing:** Clubs are categorized as being in either good or poor standing, contingent on their successful attainment of Club responsibilities and duties, as defined by the Executive Advisor.
- 1.27. **Possessions:** Clubs have the right to acquire items that are relevant to their mandate and that can be used by Club members. If these items have been purchased with Congress funds, then these possessions belong exclusively to Congress.
- 1.28. **Active Member:** A member of a Club is considered to be “active” if they participate in a majority of meetings, and if they contribute positively in the Club’s activities, as determined by the Club’s executives. Each Club must determine the amount of active members that they have. Clubs can provide a reasonable alternative definition of active membership, as some clubs don’t have a constitution.

- 1.29. ***Inappropriate Conduct:*** Clubs' conduct is deemed to be inappropriate if their public actions are in disagreement with federal and provincial Criminal and Civil Law, infringe on others' rights and freedoms or blatantly compromise Marianopolis College's regulatory codes and bylaws, or violate rules and procedure outlined in the MSU Constitution, Congress Bylaws, or Club Bylaws.
- 1.30. ***Faculty Advisors:*** Members of College Faculty who assists a Club with its endeavors and ensures respect of College rules and regulations.
- 1.31. ***Club Assembly:*** An official and advertised meeting consisting of all active club members, with the purpose of making decisions regarding various club affairs, such as Constitutional review.
- 1.32. ***Club Budget:*** The MSU funds allocated to a Club for their activities, necessary purchases, initiatives, necessary expenses, travels, or events.

Article 2: Congress Mission Statement

- 2.1. The mission of Congress is to serve the students' interests by maintaining a peaceful, enriching and enjoyable environment, by fostering education and social growth, by celebrating our cultural diversity, by encouraging charitable endeavors, by promoting environmental awareness and sustainability, by providing available assistance to persons in need, and by representing students within the College and the greater community.
- 2.2. Congress carries out its mission through its mechanisms including, but not limited to:
 - 2.2.1. Promoting and protecting the needs and interests of students through representation on College administrative bodies;
 - 2.2.2. Providing social, cultural, athletic and academic activities that enrich student

life;

2.2.3. Acting as an advocate and/or representative of its members in the College;

2.2.4. Representing MSU as a whole;

2.2.5. Representing its members' interests outside the College through participation in various College Committees and Councils;

2.2.6. Equitably distributing a significant portion of the MSU Budget to funding club activities and purchases, as seen fit by the Congress;

2.2.7. Listening to student concerns and taking action when possible and necessary.

2.3. Congress' responsibilities include:

2.3.1. Informing its members, the MSU, of relevant Congress policies and programs;

2.3.2. Promoting and maintaining a responsible and democratic student government;

2.3.3. Communicating pertinent information that is relevant to the student body;

2.3.4. Dedicating time, effort, and resources towards its mission;

2.3.5. Ensuring that the MSU acts within the confines of Quebec and Canadian law, respecting and fulfilling the legal responsibilities of a non-profit accredited Student Union.

Article 3: Congress Members and Terms

3.1. Congress must be composed of the following positions:

- 3.1.1. Five (5) Upper-Year elected members of the Marianopolis Student Union: President, Vice-President, Coordinator of Social Activities, Coordinator of Social Justice, and Coordinator of Student Advocacy;
- 3.1.2. Two (2) Upper-Year appointed members of the MSU: Vice-President of Finance and Coordinator of Communications;
- 3.1.3. Three (3) First-Year elected members of the MSU: the Coordinator of Charities and Volunteering, the Coordinator of Cultural Affairs, and Coordinator of External Affairs;
- 3.1.4. Three (3) First-Year appointed members of the MSU: Financial Assistant, Coordinator of Internal Affairs, and Administrative Assistant.
- 3.2. The Executive Advisor will be the Student Life Animator of Marianopolis College, and shall not have the right to vote.
- 3.3. The Congress Term for members of Congress appointed or elected in the Winter will begin one month after the end of the Winter exam period and end after the exam period of the following academic year. The only exception is for the Vice-President of Finance's term which will end on August 1st.
- 3.4. The Congress Term for members of Congress appointed or elected in the Fall will be from the time of their election or appointment until the end of the winter semester exam period.

Article 4: Congress Elections and Appointment Procedures

- 4.1. **Elected and Appointed Positions:**
 - 4.1.1. Upper-Year Winter elected positions will be filled, through electoral processes, after the Winter Elections:

- 4.1.1.1. These positions are the President, the Vice-President, the Coordinator of Social Activities, the Coordinator of Social Justice and the Coordinator of Student Advocacy.
- 4.1.2. Upper-year Winter appointed positions will be filled, through application processes before and during the Campaign Weeks, after the Winter elections:
 - 4.1.2.1. These positions are the Vice-President of Finance and the Coordinator of Communications.
- 4.1.3. First-Year Fall elected positions, through electoral processes, will be filled after the Fall Elections:
 - 4.1.3.1. These positions are the Coordinator of Charities and Volunteering, the Coordinator of Cultural Affairs and the Coordinator of External Affairs.
- 4.1.4. First-Year Fall appointed positions will be filled, through application processes before or during the Campaign Week, after the Fall Elections:
 - 4.1.4.1. These positions are the Coordinator of Internal Affairs, the Administrative Assistant and the Financial Assistant.
- 4.1.5. If Congress does not receive any applicants for a Winter appointed position, after having extended the application period, the position will be converted into an upcoming Fall appointed position. This position will, however, be made available to all students who can complete the required Congress Term, including Upper-Year students. The President will temporarily assume responsibility for the mandate of the missing member or choose to delegate it to another member of Congress until a new member is appointed in the next Winter appointments.
- 4.1.6. If Congress does not receive any applicants for a Fall appointed position,

after having extended the application period, the position will be made available to all students who can complete the Congress Term, including Upper-Year students. If there are still no applicants, the President will assume responsibility for the mandate of the missing member or choose to delegate it to another member of Congress until a new member is appointed in the next Fall appointments.

- 4.1.7. If there are no candidates running for a Winter elected position, after having extended the application period, the position will be converted into an upcoming Fall elected position. This position will, however, be made available to all students who can complete the required Congress Term, including Upper-Year students. The President will temporarily assume responsibility for the mandate of the missing member or choose to delegate it to another member of Congress until a new member is elected in the next Winter elections.
- 4.1.8. If there are no candidates running for a Fall elected position, after having extended the application period, the position will be made available to all students who can complete the Congress Term. If there are still no candidates, the President will temporarily assume responsibility for the mandate of the missing member or choose to delegate it to another member of Congress until a new member is elected in the next Fall elections.
- 4.1.9. If Congress decides to not fill an appointed or elected position in Exceptional Circumstances, Congress would follow the same procedure outlined in Articles 4.1.5, 4.16, 4.17, or 4.1.8. Such a decision would require a $\frac{2}{3}$ supermajority vote of Congress members.
- 4.1.10. All students appointed to Congress positions or elected to Congress positions must be in good in Academic Standing (i.e. not a PAS student) at the time of their appointment or election, and must maintain good Academic

Standing to remain on Congress, or otherwise risk removal from Congress.

4.1.11. Should a Congress member resign or be removed from Congress in accordance with the Congress bylaws before two (2) months of the Congress Term have elapsed, then the position must be filled as soon as possible by either election or appointment depending on the nature of the position. If a member resigns or is removed after two months of the Congress Term have elapsed, then Congress can choose to either appoint a new member according to the appointment procedures, or can keep the position vacant while collectively assuming the responsibilities of the position for the remainder of its Congress Term.

4.2. **General Elections Rights and Responsibilities:**

4.2.1. All members of the MSU have the right to vote in all Congress elections, and seek election to Congress, as long as all other requirements are met.

4.2.2. The Chief Electoral Officer is responsible for ensuring that all the membership requirements, electoral and appointment requirements, and specific Congress rules are upheld throughout the electoral and appointments processes. When rules are broken, the Chief Electoral Officer must report these violations to the Elections and Referenda Committee.

4.2.3. Congress will be responsible for creating a written document with the rules and regulations to be followed, which must be made available five school days before any campaigns officially begin. All electoral rules and regulations provided to the candidates before these five days are to be upheld and enforced by Congress, the Chief Electoral Officer, and the Elections and Referenda Committee (ERC).

4.2.4. Students may run for an elected position as well as apply for an appointed position. However, once a candidate is elected, their name will

automatically be removed from consideration for any appointed positions.

4.3. General Appointments Rights and Responsibilities

- 4.3.1. All members of the MSU have the right to apply for an appointed position, as long as all other requirements are met.
- 4.3.2. The selection committee for Upper-Year Winter Position appointments will consist of the following: the President, the Vice-President, the outgoing holder of the position in question, the President elect and the Vice-President elect.
- 4.3.3. The selection committee for First-Year Fall Position appointments will consist of the following: the President, the Vice-President, and three (3) rotating Congress members of those either elected during the Winter Elections or appointed during the Winter Appointments.
- 4.3.4. The selection committee reserves the right not to interview all applicants.
- 4.3.5. If students deem a candidate unqualified for the position they have been appointed to, they may follow referendum procedure to address their concerns.
- 4.3.6. The confirmed nominees for appointments must be decided upon prior to the release of election results. Since applicants that have been nominated could be running for an elected position that would remove them from consideration for the appointed position, decisions regarding nominees must be confidential between the members of Congress and only released once the election results are to be released as well.

Article 5: Student Petitions and Referenda

5.1. Petition and Referenda Rights and Responsibilities:

- 5.1.1. All students have the right to have their petitions recognized by Congress, provided the petition adheres to the regulations outlined in the MSU Congress Bylaws and follows the MSU Petition template, available on the MSU Congress website.
- 5.1.2. In the event of a petition or referenda, the Coordinator of Student Advocacy must be notified immediately of its conception, and be updated upon request as to the number of signatures on the petition.
- 5.1.3. If two (2) hundred members of the MSU sign a petition regarding a Congress or Administrative action, then the President of Congress must call for a General Assembly no later than two (2) weeks after the receipt of the signed petition. The GA must address the issue relating to the petition.
- 5.1.4. All members of the MSU have a right to follow the referendum procedure outlined in the Congress Bylaws.
- 5.1.5. When a student referendum passes, Congress will endorse and publicly support the decision and present the result of the referendum as well as all other pertinent information to the College. In the event that the referendum is regarding the College, Congress will strongly encourage the College Administration to act in accordance with the referendum results.

Article 6: The General Assemblies of the members of the MSU

6.1. General Assemblies Rights and Responsibilities

- 6.2. All registered students of Marianopolis College are sitting members of its General Assemblies with the right to attend, speak, and vote, with the exceptions outlined

below.

- 6.3. A General Assembly (GA) must be publicized at least five school days prior to it taking place.
- 6.4. The Chair of the GA will be the Coordinator of Student Advocacy, as outlined in the MSU Congress Bylaw:
 - 6.4.1.1. Presenting the Proposed Amendments to the MSU Constitution, Congress Bylaws, or Club Bylaws;
 - 6.4.1.2. The Chair does not vote on matters at the GA.
- 6.5. The President of the Assembly will be the President of Congress. Their responsibilities include those of the Chair, as well as leading voting procedure:
 - 6.5.1. Excluding tie-vote procedure, the President of the Assembly does not vote on matters at the GA.
- 6.6. In an exceptional circumstance that results in the President being unable to or being prohibited from attending the GA, the Coordinator of Student Advocacy will assume the role of President of the Assembly.
- 6.7. In an exceptional circumstance that results in the Coordinator of Student Advocacy being unable to or prohibited from attending the GA, or in the aforementioned case that they are required to be President of the Assembly, the Vice-President will assume their responsibilities.
- 6.8. The agenda for the Assembly will be set by the President of Congress strongly based on the recommendations of Congress and the MSU.
- 6.9. Members must be present in order to exercise their right to vote.
- 6.10. The required quorum is sixty members of the MSU.
- 6.11. No Club meetings and activities are permitted during a Bi-Annual General

Assembly.

6.12. Congress must hold Bi-Annual General Assemblies (BAGA):

6.12.1. The first BAGA is held after Fall Elections and no later than six weeks after them.

6.12.2. The second BAGA is held after the Winter Elections and no later than three (3) weeks after them.

6.12.3. BAGAs must include a constitutional review, approving changes to the Constitution, Congress Bylaws and/or Club Bylaws with a two-thirds ($\frac{2}{3}$) majority.

6.13. A decision made that changes the MSU's legal standing as an accredited student union must be approved at a General Assembly that meets the following requirements:

6.13.1. Quorum will be set at $\frac{1}{4}$ of MSU members.

6.13.2. A $\frac{2}{3}$ supermajority is required for the decision to be adopted.

Article 7: College Committees

7.1. Any MSU (or Congress) member that is in Good Academic Standing can potentially be appointed by Congress through a majority vote of Congress members to represent the MSU on a College Committee:

7.1.1. The appointment process of all College Committee members from the MSU is at the discretion of Congress members and must be voted upon.

7.2. Specific Congress members are required to be an MSU representative on certain College committees:

- 7.3. The MSU's one representative on the College's Financial Committee will be the Vice-President of Finance, the Financial Assistant, or their delegate.
- 7.4. Of the MSU's two (2) representatives on the Board of Governors, one will be the President of Congress and one will be the Vice-President.
- 7.5. In accordance with provisions made in the Quebec provincial law, under the *General and Vocational Colleges Act* and the *Act respecting the accreditation and financing of students' associations*, the MSU Congress may alone decide on the student representatives to be appointed on the Board of Governors
- 7.6. The MSU's three (3) representatives on the Academic Council will be the Coordinator of Student Advocacy, and two (2) other members of the MSU. It is highly encouraged for MSU members on the Academic Council to be enrolled in different programs.
- 7.7. Of the MSU's two representatives to the Sexual Violence Policy Committee, one will be the Coordinator of Student Advocacy and one will be the Coordinator of Social Justice.
- 7.8. Representatives of a College Committee are allowed to delegate their position on a College Committee to a member of Congress to assume their role.

Article 8: Congress Committees

- 8.1. Any MSU (or Congress) member that is in Good Academic Standing can potentially be appointed by the chair of a Congress Committee after they submit an application created under the discretion of the Congress Committee chair.
 - 8.1.1. The appointment process of a Congress Committee member is at the discretion of the Chair of the committee.
- 8.2. The Chairs and the required Congress member representatives of Congress

committees are specified in the Congress Bylaws.

Article 9: Amendments to the MSU Constitution, Congress Club Bylaws and/or Congress Bylaws

9.1. Any changes to the MSU Constitution, Congress Bylaws, and Club Bylaws must follow amendment procedure, with the exception of changes of formatting, of syntax, of grammar, or that do not modify any original explicit or implicit meaning.

9.2. Suggested Amendments

9.2.1. All members of MSU, including all Congress members, have the right to submit Suggested Amendments to the MSU Constitution, Congress Bylaws, and/or Congress Club Bylaws by submitting them to the Coordinator of Student Advocacy.

9.2.1.1. The Coordinator of Student Advocacy is responsible for advertising this right five days prior to a General Assembly.

9.2.2. All Suggested Amendments must be introduced to the Constitutional Review Committee.

9.3. Proposed Amendments:

9.3.1. The Constitutional Review Committee, following the procedure outlined in the Congress Bylaws, is responsible for deciding which Suggested Amendments should be brought to the next GA as Proposed Amendments.

9.3.2. If an MSU student disagrees with a Proposed Amendment, they can voice their opinion to the Constitutional Review Committee, as well as vote at the Constitutional Review in the GA.

- 9.3.3. If a Congress member has a personal opinion that contradicts a Proposed Amendment presented at a GA, it must be clearly expressed in a way that is not affiliated to Congress as a whole.
- 9.4. **Passed Amendments:**
- 9.4.1. Proposed Amendments to the MSU Constitution can be passed at a General Assembly with a $\frac{2}{3}$ majority vote of attending MSU members.
- 9.4.2. If a Proposed Amendment is passed, it is converted into a Passed Amendment.
- 9.4.3. Congress must integrate Passed Amendments into the Constitution, Congress Bylaws, and/or Club Bylaws no later than 6 weeks after they have been voted on.
- 9.5. If a Passed Amendment is immediately necessary to the well-being and functioning of the MSU and/or Congress, they must be enforced no later than 24 hours after they have been passed.
- 9.6. Amendments proposed by Directors of the Marianopolis Student Union follow the procedures outlined in article 185.3 of the Corporations Act (C-38).

Article 10: Access to Information

- 10.1. MSU students have the right to seek information about Congress and its activities by directly contacting a member of Congress, provided that the motivation behind the request is clearly outlined.
- 10.2. Congress is responsible for providing access to the requested information no later than ten days after the request has been delivered, unless it is rejected for a reasonable motive by a unanimous vote by Congress.

- 10.2.1. If the request is rejected, the Coordinator of Student Advocacy is responsible for notifying the MSU member immediately and informing them of the reasonable motive through which Congress rejected the request.
- 10.3. Any member of the MSU has the right to attend the weekly Congress meeting if a formal request is submitted at least twenty-four hours before the meeting is scheduled to occur.

Article 11: The MSU Facebook Group

- 11.1. The administrators of the MSU Facebook Group consist of the President, Vice-President, and the Coordinator of Communications.
 - 11.1.1. The administrators of the MSU Facebook Group are tasked with the approval and enforcement of appropriate conduct on the MSU Facebook Group.
- 11.2. All members of the MSU have the unique right to be a part of the official MSU Facebook Group, provided they respect a set of rules and regulations of which they must abide by in practicing appropriate conduct:
 - 11.2.1. All members must refrain from the expression of comments of a crude, disrespectful, or unfair nature.
 - 11.2.1.1. The statement of commentary deemed as Hate Speech (as defined in Article 1) is not tolerated in keeping with the values and mission of the student union.
 - 11.2.2. Posts or comments published on the MSU Facebook Group must be true and genuine in nature, without the intent to falsify or mislead members of the MSU.
- 11.3. The Facebook group is made by students and for students and should therefore

not consist of any faculty at the College unless they are a faculty advisor of an MSU recognized Club, as outlined in the MSU Club Bylaws. Student services, given their close relationship with Congress, are permitted in the group.