



CESAR

Continuing Education Students'
Association of Ryerson —

Local 105 of the Canadian Federation of Students

CESAR

BY-LAWS

Revised:

March 16, 2006; March 27, 2007; April 17, 2008; October 13, 2009; February 5, 2010; March 26, 2010; February 24, 2011; March 24, 2011; November 15, 2011; June 5, 2012; November 20, 2012; February 28, 2013; March 27, 2013; July 16, 2013; February 3, 2015; March 31, 2015; November 9, 2015; March 10, 2016; February 1, 2017; July 24, 2019; November 14, 2019; March 11, 2021; November 18, 2021

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: November 2021

TABLE OF CONTENTS

Constitution	1
By-law I: Interpretation	2
By-law II: Membership	4
By-law III: Class Representatives	8
By-law IV: General Meetings	9
By-law V: Board of Directors	11
By-law VI: Committees	17
By-law VII: Executive Committee	18
By-law VIII: Finances	23
By-law IX: Elections	24
By-law X: Referenda	26
By-law XI: Policy of CESAR	34
By-law XII: By-laws of CESAR	3

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

Constitution

1. Name

The name of the corporation is the Continuing Education Students' Association of Ryerson; and herein after this Constitution and By-laws shall be referred to as CESAR.

2. Purpose of CESAR

The purpose of CESAR is stated in the Letter's Patent and shall include the following:

- a) To organize students on a democratic, co-operative basis for advancing students' interest, and advancing the interests of the student community;
- b) To represent, promote, and defend the common interests of CESAR membership;
- c) To fight for a just, equitable, affordable post-secondary education experience;
- d) To safeguard the individual rights of the students, regardless of, but not limited to, race, color, creed, ancestry, nationality, place of origin, sex, sexual orientation, gender, gender identity, marital status, citizenship, class, mental or physical disabilities, and personal, religious, and political beliefs;
- e) To foster intellectual growth and moral awareness of the student in order to benefit him or her, the university community, and society;
- f) To achieve and advocate for a system of post-secondary education which is accessible to all, which is of high quality, which is nationally planned, which recognizes the legitimacy of student representation and validity of student rights, and whose role in society is clearly recognized and appreciated;
- g) To engage in research and discussion of the broad education philosophy and principles affecting the Ryerson University community;
- h) To act all other matters that is incidental or conducive to these purposes.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law I: Interpretation

Definitions

The following definitions shall apply to the Continuing Education Students' Association of Ryerson By-laws, Policy, and other governing documents of CESAR.

1. **“Academic Session”** refers to a specified session being either Fall, Winter and/or Spring/Summer semester as defined by the Ryerson University Board of Governors.
2. **“Act”** means the Ontario Corporations Act or other relevant Act of the Province of Ontario or Government of Canada.
3. **“Ad-hoc Committee”** means an ad-hoc body struck by the Board of Directors.
4. **“Board”** means the Board of Directors of CESAR; those who are an elected member holding the position of President, a Vice-President position, or a Board Director position and are voting members on the Board.
5. **“Certificate Director”** refers to two (2) elected positions of the CESAR Board, who are elected at either an Annual General Meeting or in the case of a By-election at a Semi-Annual General Meeting to sit as a voting member of the Board of Directors.
6. **“Committee”** refers to permanent bodies struck by the Board of Directors of CESAR, such as the By-laws and Policy Committee, Events Committee or Campaigns and Equity Committee.
7. **“Course”** refers to any an academic course through the G. Raymond Chang School of Continuing Education at Ryerson.
8. **“Director”** means a member of the corporation, known as CESAR, who is an elected member of Board of Directors and holds the position of President, or one of the two (2) Vice-President positions, one of the two (2) Part-time Director positions, one of the two (2) Certificate Director positions, or one of the two (2) Member-at-Large positions.
9. **“Executive”** refers to those elected members of the corporation, known as CESAR, who currently hold the position of President or one of the four (4) Vice-President positions.
10. **“Full Members”** shall mean all persons admitted as “Full Members” pursuant to Bylaw II and who have not ceased to be “Full Members”
11. **“General Meeting”** refers to the Semi-Annual and Annual General Meetings of the membership, as well as any Special General Meeting.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

12. **“Members”** shall mean all members of the corporation, regardless of class of membership, who satisfies the requirement in By-law II.
13. **“Member-At-Large”** refers to two (2) elected positions of the CESAR Board, who are elected at either an Annual General Meeting or in the case of a By-election at a Membership Meeting, to sit as a voting Member of the Board of Directors.
14. **“Non-Voting Members”** shall mean those persons admitted as “Non-Voting Members” pursuant to Bylaw II.
15. **“Part-time Director”** refers to two (2) elected positions of the CESAR Board, who are elected at either an Annual General Meeting or in the case of a By-election at a Semi-Annual General Meeting to sit as a voting Member of the Board of Directors.
16. **“Roberts’ Rules of Order”** refers to the rules contained in the current edition of Roberts’ Rules of Order Newly Revised edition.
17. **“Ryerson”** and/or “University” shall refer to Ryerson University.
18. **“Ryerson Graduate Students’ Union”** or “RGSU” shall refer to the sister students’ union representing all graduate students enrolled at Ryerson University.
19. **“Ryerson Students’ Union”** or “RSU” shall refer to the sister students’ union representing all full-time degree students enrolled at Ryerson University.

Any legal terms not defined above will be defined according to applicable legislation or municipal bylaw or Black’s Legal Dictionary. Other terms, as appropriate will be defined according to the Oxford Dictionary.

Rules of Order

The rules of procedure at meetings of CESAR will be those described in the most recent edition of Robert’s Rules of Order, supplemented or modified by rules of procedure of CESAR which may from time to time be established by standing resolutions by the Board of Directors or General Meetings.

Membership

The Head Office of CESAR shall be at the Student Centre located at 55 Gould Street, SCC301, Toronto, Ontario, Canada, M5B 1E9 at Ryerson University.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law II: Membership

2.1 Membership

- a. A member of CESAR is a student registered in a part-time degree, continuing education, and online education program, or a CESAR-fee assessed course at Ryerson University;
- b. Membership is only valid for the session paid, unless elected as an Executive of CESAR, where membership will stand for the full-term elected in office;
- c. Full Members are members who have paid the full CESAR fee, both compulsory and optional, for the session.
- d. Non-Voting Members are members who have only paid the compulsory CESAR fee for the session.
- e. Conditional Members are members who manually paid both compulsory and optional fees for an academic session that they are not enrolled in a CESAR-fee assessed course. Conditional Members shall be able to reasonably access rights and responsibilities of Full Members. Conditional Members must have been enrolled in a CESAR-fees assessed course within the past two (2) academic sessions to be eligible to apply to be a Conditional Member. CESAR shall maintain an Operational Policy to manage the collection of fees, maintenance of membership lists and conditional requirements and responsibilities.
- f. Members of the Ryerson Students' Union (RSU) or the Ryerson Graduate Students' Union (RGSU) who are enrolled in a CESAR-Fee-Assessed Course and pay CESAR compulsory and optional fees will be considered Members, and are entitled to all the services except rights and privileges, section 2.2 a, 2.2 g, 2.2 i;
- g. Members of the Ryerson Students' Union (RSU) or the Ryerson Graduate Students' Union (RGSU) who are enrolled in a CESAR-Fee-Assessed Course and only pay CESAR compulsory fees will be considered Non-Voting Members, and are entitled to all the services in 2.3;
- h. No person shall be excluded from CESAR for reasons related to age, gender identity, gender expression, sex, race, nationality, ancestry, citizenship, marital status, illness or results from medical tests, sexual orientation or preference, place of residence, school of thought, beliefs, religious affiliations or activities, criminal record, any disability, or participation or non-participation within CESAR.

2.2 Full Members Rights & Privileges

Full members of CESAR shall have the following rights and privileges:

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- a. To act as the sole authority of CESAR to make decisions through referenda or General Membership Meetings on all questions of membership in CESAR, subject to the other provisions of CESAR's Constitution and By-laws;
- b. To have their interests represented collectively in CESAR through their elected representatives, but will not themselves have voting rights at Board of Director Meetings;
- c. To be represented collectively as CESAR and through membership in a national and provincial student association, to the federal and provincial governments;
- d. To attend meetings of all decision-making bodies of CESAR, with the exception of in camera sessions and other situations in which confidentiality is required;
- e. To speak and vote at Committees of the Whole and General Meetings;
- f. To speak, at the discretion of the Chair, at Board Meetings
- g. To run for Board of Director's Office;
- h. Nominate, Elect, and Impeach CESAR Directors and to vote in Union elections and by-elections;
- i. To vote in CESAR referenda related to membership status or fees;
- j. To access minutes of CESAR's Board of Directors, and Committees, excluding in-camera minutes and those subject to restrictions in these By-laws;
- k. To access the services, research, information, campaigns, materials, and other resources of CESAR.

2.3 Non-Voting Membership Rights & Privileges

- a. To receive notice of and attend all General Membership Meetings;
- b. To speak and debate, but not vote, on motions under consideration in accordance with such rules of orders specified in Bylaw I; and
- c. To have access to all essential services, as defined by the Ryerson Board of Governors and CESAR Board of Directors, provided by CESAR.

2.4 Full Members Responsibilities

Full Members of CESAR shall have the following responsibilities:

- a. Payment of all compulsory and optional CESAR fees per session;
- b. To respect the goals and objectives as they are specified in the Preamble of the Constitution, the rules of the present Constitution and By-laws, as well as any legal agreements adopted by CESAR in their name;

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- c. To act in a manner that is respectful, inclusive and seeks to foster community but is not harassing, abusive or discriminatory to other members or staff of CESAR.

2.5 Non-Voting Members Responsibilities

Non-Voting Members of CESAR shall have the following responsibilities:

- a. Payment of the compulsory CESAR fee per session;
- b. To respect the goals and objectives as they are specified in the Preamble of the Constitution, the rules of the present Constitution and By-laws, as well as any legal agreements adopted by CESAR in their name;
- c. To act in a manner that is respectful, inclusive and seeks to foster community but is not harassing, abusive or discriminatory to other members or staff of CESAR.

2.6 Cessation of Membership

Individuals shall cease to be members of CESAR when they cease to meet the requirements of By-law 2.1 Membership.

2.7 Member in Good Standing

Members are in good standing until they violate CESAR By-laws or if determined at a General Meeting.

In the event that a member is observed to have jeopardized their good standing, their case will be adjudicated at a General Meeting.

Grounds for loss of good standing include, but not limited, to the following:

- a. Threats, harassment or intimidation of CESAR Staff, Directors, Officers, Volunteers, or Members;
- b. Belligerent or disruptive behaviour at meetings.

2.8 Membership Fees

Setting of Membership Fees:

- a. CESAR membership fees may be set by the members, excluding those who jointly hold membership in the RSU or RGSU, of CESAR voting in a referendum provided that sufficient notice has been served as per these By-laws.
- b. Canadian Federation of Students provincial and national fees shall be set as per the relevant provisions in the Canadian Federation of Students' Constitution and By-Laws.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

2.9 Amount of CESAR Membership Fees

- a. The membership fee shall consist of an amount set by referendum and charged per each enrolled course through the Chang School and charged in each academic session.
- b. The membership fee shall be adjusted annually by the Consumer Price Index (CPI). Membership fees may also be set by CESAR members, excluding members who are also RSU or RGSU members, voting in a referendum (see By-law X on Referenda).

2.10 Verification of CESAR Membership Fees

The President and Vice-President Services and Finance shall be jointly responsible for verifying the correct rates of CESAR and Canadian Federation of Students membership fees in each academic year, and those rates shall be reflected in CESAR's budget.

By-law III: Class Representatives

3.1 Class Representatives

Each CESAR-Fee-Assessed Course shall be entitled to select up to two (2) Class Representatives. Class Representatives must be approved through general consensus each academic session by class announcement for the class that they represent. The duties and responsibilities of Class Representatives start from the date of appointment to the conclusion of the academic session appointed.

In the case where more than two (2) candidates are interested in being a Class Representatives, preference shall be given to Full Members as outlined in the Class Representative Policy.

3.2 Duties and Responsibilities of Class Representatives

Class Representatives are responsible for:

- a. Attending and participating in General Meetings;
- b. Promoting CESAR campaigns, services, events and programming to members in their class;
- c. Collaborating to resolve concerns of the class or individual members of CESAR with to the Board of Directors;
- d. Facilitating surveys and/or feedback for CESAR from students in their class; and
- e. Volunteering and assisting with the CESAR outreach program or campus events.

3.3 Communication

The Union will communicate with Class Representatives through correspondence via electronic mail (email) or where possible telephone, and it will be considered official notice. E-mail communications via the CESAR account will be the preferred method of communication.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law IV: General Meetings

CESAR will hold an Annual General Meeting once a year and a Semi-Annual General Meeting, where all members, regardless if the person is a Class Representative, are entitled to speaking and voting rights. If an urgent issue arises, a Special General Meeting may be called by the Board of Directors. The date of the meetings shall be set by the Executive of CESAR and shall be open to all members of CESAR.

4.1 Duties & Responsibilities of General Meetings

The General Meetings shall have authority and responsibility to:

- a. Elect, Oversee, and Impeach the CESAR Board of Directors and any member found in violation of these By-laws;
- b. Propose and vote on motions to direct CESAR to take action, a position or initiate a campaign;
- c. Approve any policies or expenditures over \$10,000;
- d. Approve any amendments to the By-laws;
- e. Receive a written and verbal report from each Board of Director;
- f. Receive and approve the audited financial statements for the organization;
- g. Appoint auditors for the next fiscal year.

4.2 Notice

Notice of the General Meeting will be posted on the CESAR website and communicated to members via email no less than ten (10) business days prior to the meeting.

4.3 Quorum

Quorum for General Meeting is twenty-five (25) Full Members, who shall be comprised of all members and Directors of CESAR.

4.3 Posting of Agenda

The agenda for the General Meeting should be posted on the CESAR website and made available in print in the office no less than ten (10) business days prior to the meeting.

4.4 Meeting Chair

Meetings are chaired by the President or the President may choose to appoint an independent Chair or another Director of the Board.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

4.5 Proxies

Proxies shall be allowed to count towards quorum, however no member can hold more than one (1) proxy. The proxy must be provided in writing to the designated staff member before the start of the meeting using an official CESAR proxy form. For a proxy to be valid, all sections of the proxy form must be filled out correctly, and be signed and dated.

4.6 Meeting Accommodations

- a. Members, upon request and demonstrated need, can be reimbursed for two (2) adult fares per General Members' Meeting, including the Annual General Meeting or Semi-Annual General Meeting, or Special General Meeting if they are in attendance. Those members who already have a TTC monthly or weekly pass for the month during which the meeting occurs or week of the meeting are not eligible for reimbursement. Distribution of TTC fare reimbursement will be processed as per the TTC Reimbursement Policy.
- b. Accessibility requests must be sent via email to the designated CESAR staff member no less than five (5) business days.

By-law V: Board of Directors

5.1 Membership of the Board

The Board is comprised of eleven (11) members duly elected from the membership at the Annual General Meeting or at a Membership Meeting should a by-election be required. Board position terms shall be held from May 1 to April 30. If Board members satisfy the duties and responsibilities listed below, they will be eligible for an honorarium of \$50 per month which shall be paid out three times during the fiscal year (see Policy Manual on Board of Directors' Honoraria).

The Board shall be comprised of the following positions:

- a. President who shall be the chief spokesperson, staff relations officer, and responsible for the membership and all communication, university or government relations strategies;
- b. Vice-President Services & Finance who shall be the Treasurer and responsible for finances and services and in the absence of the President shall fulfill that role;
- c. Vice-President Equity & Campaigns who shall be responsible for campaigns and equity
- d. Vice-President Events & Outreach who shall be responsible for events, workshops and programming, and building a campus community for part-time and continuing education students;
- e. Vice-President Internal who shall be responsible for record keeping, good governance, policy and academic relations, and act as Secretary;
- f. Two (2) Members-At-Large who shall be responsible for designated projects as determined by the Executive, to engage in outreach to the membership and generally promote the work of CESAR.
- g. Two (2) Certificate Directors who shall be responsible for representing Certificate members and engaging in outreach to the membership, as well as generally promoting the work of CESAR.
- h. Two (2) Part-time Directors who shall be responsible for representing Part-time Degree members and engaging in outreach to the membership, as well as generally promoting the work of CESAR.

5.2 Director Qualifications

- a. Be at least 18 years of age;
- b. Be a Full Member and a Member in Good Standing.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

5.3 Duties and Responsibilities of Directors

CESAR Directors shall:

- a. Carry out decisions of the General Meetings;
- b. Serve as Directors of CESAR under the Ontario Not-For-Profit Corporations Act;
- c. Comply with the Ontario Corporations Act, the Ontario Not For Profit Corporations Act, CESAR By-laws and Policies, all other Ontario, Canadian and International laws;
- d. Not miss more than two (2) Board of Directors meetings or General Membership Meetings without valid reason presented to the Board of Directors;
- e. Enroll in and attend a minimum of one (1) course during each fiscal year of the Director's term of office;
- f. Pay all compulsory and optional fees for CESAR-fee-assessed courses;
- g. Not be a CESAR staff member at any point during their term of office;
- h. Not be eligible for a CESAR bursary or emergency grant during their term of office;
- i. Receive petitions from the membership, act on petitions with due diligence in a reasonable time, report on the petition and any actions to General Membership Meetings;
- j. Report on work done, and important information, at meetings;
- k. Be responsible to ensure adherence to any labour laws, regulations and the Collective Agreement that governs working conditions of CESAR's staff;
- l. Suspend or Impeach any Director found not to be a CESAR member, or in violation of the By-laws;
- m. Participate and chair CESAR committees, and establish ad-hoc committees when necessary;
- n. Attend all board training, AODA training, anti-oppression training, and the Canadian Federation of Students' Skills Symposium; and
- o. Approve the annual budget during the Spring/Summer term.

5.4 Violations by Directors

Grounds for discipline include, but are not limited to, the following:

- a. Poor attendance at Board or General Membership Meetings, including missing meetings without notice;

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- b. Failure to pay all compulsory and optional fees for CESAR-fee-assessed courses;
- c. Just cause, theft, fraud, or embezzlement of funds;
- d. Failure to disclose a significant or obvious conflict of interest;
- e. Breach of confidentiality or privacy data collected from members;
- f. Misuse of CESAR property, information or contracts/agreements;
- g. Failure to perform duties as specified by the By-Laws or Policy of CESAR;
- h. Not completing and submitting reports to Membership Meetings;
- i. Any Violation of the Board of Directors Code of Ethics.

5.5 Disciplining Board Members

The procedures outlined below should be followed if a notice of violation is submitted:

- a. Notice of violation should be submitted in writing to either the President, or to the Vice-President Internal. If the type of violation alleged is not overly severe in nature, and it is the first notice of its kind, the matter should be discussed privately with Director in question and treated as a warning.
- b. If the notice of violation is deemed to be serious, has put the organization at risk, is the result of fraud, theft, criminal activity, or is a repeat violation, it shall be brought before the Board either at the next meeting or a Board meeting that has provided no less than 48 hours' notice. In the event the violation was committed by the President whom is the Chair of the Board, the meeting shall be chaired by another Director. The Director accused of the violation should be given at least twenty four (24) hours' notice in advance of the Board meeting to discuss the matter.
- c. The member/s will be cautioned by the Chair that an alleged violation of the By-Laws or CESAR policy has occurred.
- d. The Chair will seek the Board's opinion by allowing both the accused Director and their accuser to present evidence of such claim. Each Director should be given the right to speak. The Board Meeting will ensure that Directors while addressing their points do so without violating this policy. In emergency circumstances the Chair is empowered to act immediately to remove a member who poses an immediate threat either to him/herself, a Ryerson community member, or to the Board.
- e. The Board will decide if a violation has indeed occurred. Should a significant majority of members present two-thirds (2/3) feel that a violation has occurred the member will be automatically censured for inappropriate conduct for a first offence. The Director may either accept that a violation has occurred, and withdraw, amend, adjust or apologize for their actions or deny the charge.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- f. The Board may impose whatever reasonable penalty it feels is appropriate given the nature and degree of offence. Penalties may include suspension or impeachment. In the case of a second violation, a motion to impeach the member will be made at the next meeting.
- g. Any director removed from office by the CESAR Board of Directors will be ineligible to hold any elected position within CESAR. The Board Meeting may decide at any time by a significant (2/3rd) majority of the members present to reverse this decision.

5.6 Board Meetings

The Board of Directors must meet no less than three (3) times per academic session. Advance notice of at least forty-eight (48) hours must be provided to members. Proxies shall not be allowed.

5.7 Quorum for Board Meetings

Quorum for meetings is a majority of the Board of Directors present either in person, via telephone, or video conferencing.

5.8 Motions over Electronic-Mail

In the event that the Board of Directors is unable to meet in person, any Director may issue a Motion using electronic mail (email) using the email address of the Board of Directors for their consideration. A Mover and Secunder of the Motion must be included as part of the Motion. After two business days of the motion being sent, the Chair will call for a final vote via email if Directors have not yet responded. If the vote cannot be emailed back, a fax will suffice. Directors will have twenty-four hours to respond. No response by a Director will be deemed to be an abstention from the vote. Motions and votes will be ratified into the minutes of the next scheduled meeting of the Board of Directors.

5.9 Board of Directors Code of Ethics

All Directors must sign the Board of Directors Code of Ethics Declaration as a condition of ratification of their position on the Board. Any Director refusing to sign the Declaration shall not assume their position and shall be reported to the membership at the earliest General Membership Meeting or Emergency Meeting called for this purpose. In cases where the Code of Ethics has not been signed, no applicable honoraria shall be paid to this position for any period unless otherwise directed by the membership at the General Members Meeting.

It is CESAR's desire that Directors of the Board reflect honesty and integrity that is beyond doubt and that is done in a manner that:

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- a. Avoids conflict of interest;
- b. Protects confidential information, in accordance with the Freedom of Information and Protection of Privacy Act;
- c. Complies with all applicable governmental laws, regulations, the Collective Agreement and rules;
- d. Adheres to good disclosure practices, in accordance with all applicable legal and regulatory requirements.

5.10 Conflicts of Interest

A conflict of interest arises when a member of the Board or any Committee of CESAR has or could be seen to have an opportunity to use the authority, knowledge, or influence derived from her or his position to financially benefit the member or another person. Such situations include, but are not limited to, the following:

- a. Participating as a Director, or in any other capacity as a manager in the management of a firm which is a supplier of materials or services to CESAR;
- b. Having personal financial dealings with an individual or company whose business with CESAR involves the member's sphere or responsibility;
- c. Participating in the hiring or contract review process affecting an immediate relative (i.e. a spouse, parent, in-law, sibling, child, or step-child).

Any member of the Board having an interest in any matter other than the interest of CESAR whether or not it is in conflict, whether a pecuniary interest or otherwise, whether directly or indirectly, shall, if present at the meeting at which the matter is considered, declare such an interest. The Vice-President Internal (Secretary) shall record all such declarations.

Possible courses of action to be taken in the event that the presiding officer declares there is a conflict of interest include, but are not limited to:

- d. Requiring the individual to abstain from discussion on the issue;
- e. Requiring the individual to abstain from voting on the issue and requesting that that abstention be noted in the minutes;
- f. Asking that individual to excuse themselves from any meeting during which the conflict arises;
- g. Requiring the individual to withdraw from the activity or situation in which the conflict arises.

Board members who do not declare their interests and who are subsequently found to be in a conflict of interest situation, will have breached this Code of Ethics.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

5.11 Confidentiality

In order to adhere to principles of integrity and privacy, to avoid breach of confidentiality, Board members shall:

- a. Not disclose to any member of the public, either orally or in writing, any confidential information acquired by virtue of their position in CESAR;
- b. Not use any confidential information acquired by virtue of their position at CESAR for their personal and private financial benefit or for that of their friends or relatives;
- c. Not permit any unauthorized person to inspect or have access to any confidential documents or other information.

5.12 Compliance with Laws

Members, in the course of their position with CESAR, shall comply with all applicable government laws, rules and regulations, including without limitation:

- a. CESAR by-laws and policies;
- b. Ontario Corporations Act and Ontario Not For Profit Corporations Act;
- c. Freedom of Information and Protection of Privacy Act;
- d. Ontario Human Rights Code;
- e. Accessibility for Ontarians With Disabilities Act;
- f. Ontario Occupational Health and Safety Act;
- g. Collective Agreements and all employment related laws and policies.

5.13 Director Conduct and Discipline

In addition to abiding by CESAR's 'Workplace Violence and Harassment' policy, directors will under no circumstances:

- a. Use hateful language to express themselves at Board meetings;
- b. Harass, bully, extort, coerce or threaten any member of the Ryerson community including but not limited to the Board and Staff of CESAR;
- c. Make threatening gestures or overtures;
- d. Make transphobic, homophobic, sexist, racist, ableist or any other discriminatory comments; slander, libel, malign or accuse another member of misconduct without presenting evidence of such allegations having occurred.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law VI: Committees

6.1 Committees

Committees shall report to the Board of Directors any progress or issues that the Committee has undertaken.

6.2 Committees of the Whole:

All CESAR Directors and Members are entitled to full participation and voting rights in Committees of the Whole.

- a. By-laws and Policy Committee
- b. Campaigns and Equity Committee
- c. Events Committee

Committees of the whole may serve only as a reporting function and their decisions, actions, or recommendations may not legally or financially bind or commit CESAR to any decisions unless empowered to do so by the Board of Directors and/or by a General Membership Meeting.

6.3 Committees of the Board of Directors:

Only CESAR Directors and Staff Members (Non-Voting) may participate in Committees of the Board.

- a. Finance Committee
- b. Bursary Committee
- c. Joint Health and Safety Committee

Committees serve to execute the operations of the Board in a fashion that emphasizes collaboration and member-input. Committees are permitted relative autonomy from the Board of Directors following the approval of their independent budget and strategy each year.

6.4 Ad-hoc Committees

Ad hoc committees may be established by the Board of Directors or the General Membership Meetings and must report at Board of Directors and General Membership meetings.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law VII: Executive Committee

7.1 Composition of Executive Committee

There will be a President, Vice-President Equity & Campaigns, Vice-President Events & Outreach, Vice-President Internal, and Vice-President Services & Finance, who shall be the officers of CESAR and make up the Executive Committee.

7.2 Responsibilities of the Executive Committee

- a. The President, Vice-President Equity & Campaigns, Vice-President Events & Outreach, Vice-President Internal and Vice-President Services & Finance must work a minimum of fifteen (15) to twenty-five (25) hours per week either in the office, undertaking outreach, at sanctioned meetings, or at events of the union. The five (5) Executive positions receive honoraria of \$19 per hour (tied to the Consumer Price Index as of May 1, 2019), plus benefits, to fulfill their respective position requirements as long as the minimum hours have been met (see Policy Manual on Executive Honoraria). Each Executive Officer may be entitled to up to forty (40) hours per week on which Orientation activities or Canadian Federation of Students meetings fall. Such entitlement may not exceed six (6) weeks for any Executive Member per fiscal year.
- b. Serve as Directors and Officers of CESAR under the Ontario Not-for-Profit Corporations Act;
- c. Carry out all responsibilities and duties of the Board of Directors, in addition to:
- d. Supervise the hiring and dismissal of full-time and part-time staff, and negotiate the Collective Agreements;
- e. Negotiate, review and execute contracts related to management and operations of CESAR;
- f. Be responsible for all matters relating to labour relations, staffing, and any other legal obligations required as the Employer or Officers of the Corporations in the Province of Ontario or Municipality of Toronto.

7.3 Executive Portfolios

a. President

- i. Shall be the Chief Executive Officer of CESAR and its corporation, and the official spokesperson of CESAR to the general public, Ryerson University, campus groups, and at University functions;
- ii. Shall be a signing officer of the corporation;

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- iii. Shall be responsible, along with the Vice-President Services & Finance, for ensuring that all contracts entered into by CESAR are with due authority and in the best interests of CESAR;
- iv. Chair meetings of the Board of Directors and sit on the Finance Committee;
- v. Chair all Board meetings and membership meetings or select an appropriate external Chair;
- vi. Ensure that membership meetings are organized;
- vii. Oversee all communications and engage in appropriate outreach and any government relations strategies;
- viii. Recommend a communications budget and strategy;
- ix. Shall oversee the coordination of the CESAR Members' Handbook and Day planner and bulk purchasing program through the Canadian Federation of Students;
- x. Shall work with the Vice-President Equity & Campaigns to develop education, political and equity based campaigns on issues that affect Ryerson students;
- xi. Act as CESAR's representative and meet with members of the administration, university departments or government officials as required and as necessary;
- xii. Recruit and outreach to Members;
- xiii. Coordinate with all other Directors in their work, ensuring that each Director carries out their assigned duties in accordance with these By-Laws and as directed by the Board;
- xiv. Shall attend all meetings of The Board and Executive Committee;
- xv. Shall create a transition binder for the incoming President;
- xvi. Shall train and advise the incoming President.

b. Vice-President Services & Finance

- i. Shall be a signing officer of the corporation;
- ii. Shall be treasurer of the corporation;
- iii. Chair meetings of the Finance Committee and Bursary Committee;
- iv. Responsible to receive, review and administer the Emergency Grant program;
- v. Shall be responsible, along with the President, for ensuring that all contracts

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- entered into by CESAR are with due authority and in the best interests of CESAR;
- vi. Shall liaise regularly with the appropriate staff member(s) and the auditor during the yearly audit of CESAR and the preparation of CESAR's audited financial statements;
 - vii. Shall develop, recommend and present the annual budget to the General Members after consultation with the Board;
 - viii. Shall monitor the financial status of CESAR including budget variances and makes recommendations to the Board regarding major expenditures and investments;
 - ix. Shall prepare and present monthly financial reports to the Board;
 - x. Shall present financial reports and audited statements to the membership at a duly called membership meeting;
 - xi. Shall assist with the co-ordination of fundraising endeavors;
 - xii. Responsible for overseeing the services of CESAR and developing new services for members;
 - xiii. Approve spending and ensure financial records are properly kept;
 - xiv. Coordinate with all other Directors in their work to ensure their assigned duties in accordance with these By-Laws and as directed by the Board are fulfilled;
 - xv. Assist with the coordination of events and campaigns at CESAR.
 - xvi. Conduct outreach regularly to foster and build an inclusive community at Ryerson.
 - xvii. Shall attend all meetings of the Board;
 - xviii. Shall create a transition binder for the incoming Vice-President Services & Finance;
 - xix. Shall train and advise the incoming Vice-President Services & Finance.

c. Vice-President Internal

- i. Regularly review CESAR By-laws and Policies to ensure they are up to date and relevant;
- ii. Shall be responsible for sending notice for meetings of the Board, coordinating the creation of Board meeting agendas, keeping a record of attendance at Board meetings, arranging proxies for meetings when

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- necessary, and in all other ways acting as the Secretary of CESAR;
- iii. Ensure CESAR records are accurately kept and filed;
 - iv. Shall be responsible for updating CESAR's Policy Manual and By-laws in accordance with the motions passed, amended, or repealed by the Board or the General Membership;
 - v. Shall be an alternate signing officer of the corporation in the event of emergency or vacancy of either the President or Vice-President Services & Finance;
 - vi. Seek to improve and expand CESAR's advocacy service and the advancement of student rights;
 - vii. Regularly review Ryerson University academic policies and inform the membership about policies, or amendments to current policies;
 - viii. Provide updates regarding university affairs to Class Representatives and at General Members Meetings;
 - ix. In collaboration with the other Directors and in conjunction with the President, shall lobby the University Administration on academic issues;
 - x. Attend Senate and Chang School Council meetings and advocate for CESAR members and public, accessible, quality post-secondary education;
 - xi. Shall represent CESAR on relevant Ryerson University committees and taskforces as determined by the Board concerning but not limited to academics, tuition, ancillary and other university fees;
 - xii. Coordinate with all other Directors in their work to ensure their duties in accordance with these By-Laws and as directed by the Board are fulfilled;
 - xiii. Chair meetings of the Bylaws Committee
 - xiv. Conduct outreach regularly to foster and build an inclusive community at Ryerson;
 - xv. Assist with the coordination of campaigns and events at CESAR;
 - xvi. Shall attend all meetings of the Board;
 - xvii. Shall create a transition binder for the incoming Vice-President Internal;
 - xviii. Shall train and advise the incoming Vice-President Internal.

d. Vice-President Equity & Campaigns

- i. Ensure equity considerations are taken in all aspects of CESAR's work and Policies;

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- ii. Chair meeting of the Campaigns and Equity Committee;
- iii. Coordinate with the Equity Service Centres in the Student Centre;
- iv. Recommend a campaigns budget and strategy in collaboration with the VP Services & Finance;
- v. Direct and engage in appropriate outreach to foster and build an inclusive community and address oppression and discrimination on campus;
- vi. Shall promote the Board's initiatives and activities that aim to raise awareness of discrimination on campus and in the community;
- vii. Shall be responsible for ensuring that all activities and endorsements of the Board reflect the anti-oppressive mandate of CESAR;
- viii. Shall be responsible for ensuring that all Directors and Staff receive anti-oppression training within five months of the elected term;
- ix. Shall act as CESAR's chief delegate to all provincial or national meetings of the Canadian Federation of Students;
- x. Shall represent CESAR when issues regarding discrimination and equity are raised in the Ryerson University community and need to be addressed;
- xi. Shall work with the President to develop education, political and equity-based campaigns on issues that affect Ryerson students, public services or equity and human rights internationally;
- xii. Coordinate with all other Directors in their work to ensure their assigned duties in accordance with these By-Laws and as directed by the Board are fulfilled;
- xiii. Assist with the coordination of events at CESAR;
- xiv. Shall attend all meetings of the Board;
- xv. Shall create a transition binder for the incoming Vice-President Equity & Campaigns;
- xvi. Shall train and advise the incoming Vice-President Equity & Campaigns.

e. Vice-President Events & Outreach

- i. Assist with the coordination of events at CESAR in collaboration with the Events & Outreach Coordinator;
- ii. Shall assist with the coordination of fundraising endeavors and sit on the Finance Committee;
- iii. Shall ensure that CESAR promotional material is up-to-date on all CESAR

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- social media outlets and on campus;
- iv. Shall be responsible for ensuring that all activities and endorsements reflect the mandate and values of CESAR;
- v. Gather feedback on events and workshops to report on student engagement;
- vi. Shall oversee the coordination of the bulk purchasing program through the Canadian Federation of Students;
- vii. Chair the Events Committee;
- viii. Plan and oversee CESAR events and workshops;
- ix. Recommend an events budget and strategy;
- x. Develop and manage an outreach strategy and volunteers/members recruitment strategy;
- xi. Assist in volunteer recruitment and training (volunteer program) in collaboration with the Events & Outreach Coordinator;
- xii. Direct and engage in appropriate outreach and campus events;
- xiii. Coordinate with all other Directors in their work to ensure their assigned duties in accordance with these By-Laws and as directed by the Board are fulfilled;
- xiv. Assist with the coordination of campaigns at CESAR;
- xv. Shall attend all meetings of the Board;
- xvi. Shall create a transition binder for the incoming Vice President Events & Outreach;
- xvii. Shall train and advise the incoming Vice-President Events & Outreach.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law VIII: Finances

8.1 Fiscal Year

The fiscal year of CESAR is from May 01 to April 30 of the following year.

8.2 Bank

The Union must maintain its financial accounts, as decided by the Vice-President Services and Finance with the advice and consent of the Board of Directors, at a credit union or chartered bank.

8.3 Signing Officers

The President and Vice-President Services and Finance shall be designated as the signing officers for the Board of Directors of CESAR. In the event that either one of the signing officers are absent or the position is vacant, the Vice-President Internal shall be deemed to be a second signing officer or alternate.

8.4 Financial Transactions

The Vice-President Services and Finance must approve all cheque requisitions and financial transactions. Two signatures shall be required on all cheques. Before the Vice-President Services approves any cheque requisition, or electronic fund transfer for an amount over \$500, that was not explicitly budgeted for or directed by the Board of Directors to spend, the details of the expense must be circulated to all signing officers, and approved by a majority.

8.5 Audit

The Vice-President Services and Finance shall see that annual audited financial statements of CESAR are prepared and presented to the Board of Directors and the General Membership Meeting within no more than eight (8) months of the end of the fiscal year. The annual audited financial statements of CESAR will be published on CESAR's website.

8.6 Reserve Fund

CESAR must maintain a reserve fund equal to the basic minimum operating expenses of the organization for eighteen (18) months to ensure the continuation of CESAR in the event that it is prevented from obtaining or utilizing member fees for any reason.

8.7 Bursaries and Awards

CESAR shall establish a number of bursaries and/or awards as decided by the Board of

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

Directors.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law IX: Elections

Elections to the Board of Directors occur during the Annual General Meeting of CESAR, and a by-election may occur at a Special General Members' Meeting. Notice must be provided to members no less than fifteen (15) business days in advance of the meeting. Elections will be governed by the By-laws and the Elections policy of CESAR.

9.1 Chief Returning Officer

The Board of Directors will appoint a Chief Returning Officer to coordinate and preside over the elections of the Board of Directors by the Membership. The Chief Returning Officer must defer to the CESAR membership lists in all aspects of membership eligibility.

The Chief Returning Officer must:

- a. Not be a former or current Director of the Board;
- b. Declare no conflict of interest in overseeing the election process;
- c. Not be a CESAR staff member;
- d. Establish rules and guidelines to administer the election in a manner that is fair and democratic.

9.2 Election of the Board of Directors

Board of Directors positions are filled by annual election, or by-election. Elected candidates may hold that position for the duration of that position's normal term ending May 1, and thereafter must transfer all rights to that position to the Director-elect except in the case the Director is re-elected to that position.

9.3 Board of Directors Candidates

To be an eligible candidate, one must:

- a. Be a Full Member and a Member in Good Standing; or
- b. Be an Executive member who has paid the full CESAR fee during the fiscal year for at least one session, with the intention to enroll in the following fiscal year

9.4 Board of Directors Electors

To be eligible to vote for, or nominate a candidate, one must:

- a. Be a Full Member and a member in Good Standing;
- b. Be an Executive member who has paid the full CESAR fee during the fiscal year for at least one session, with the intention to enroll in the following fiscal year;

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- c. Be currently registered in a CESAR-fee accessed course for the current term.

9.5 Nominations for Board of Director Candidates

Nominations must be submitted in writing to the Chief Returning Officer before the cut-off date, which must be no later than five (5) business days before the start of the election campaign period. Nominations require the signature of five (5) nominators who are Full members and Members in Good Standing and the signature of the candidate.

9.6 By-election

In the event that a position on the Board of Directors becomes vacant, a by-election can be held at the discretion of the Board of Directors following the conditions for the position stated in this by-law. In deciding whether or not to hold a by-election, the Board of Directors should consider timeframe concerns and the appropriate use of CESAR resources.

Vacancies can be filled through an interim appointment by the Board of Directors. The interim appointee will hold office until the next General Meeting where the by-election process can occur if the Board deems it necessary considering the amount of time left in the term of office.

9.7 Voting Procedures

All candidates must be given a chance to make a statement for up to a maximum of seven (7) minutes at the Annual General Meeting or at the membership meeting where voting is to take place. Voting must be conducted by secret ballot, and each candidate is allowed one (1) scrutineer. In the case of a tie the CRO will administer a coin toss to determine the outcome of the election.

In the case of only one candidate running for a position, there will be a yes/no vote for this candidate.

9.8 Advanced Polls

There shall be advance voting for three (3) business days for at least four consecutive hours on each day, prior to the election at the Annual General Meeting. Advanced polling stations will be set up in at least three (3) designated building on the Ryerson campus one of which must be the Student Centre where the CESAR Office is located.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

By-law X: Referenda

From time to time the Continuing Education Students' Association of Ryerson (CESAR) may wish to determine the opinion of its membership with respect to specific issues. Recognizing that the Board of Governors of Ryerson University has ultimate authority over student fees at the University, this by-law is designed to govern the way in which CESAR conducts referenda, whether concerning fees or otherwise, on the understanding that the University will recognize the validity of any CESAR referenda conducted in accordance herewith and in particular will implement the results of any such referenda that concern CESAR fees.

10.1 Proclamation of Referenda

- a. One or more members of CESAR may require the Board of Directors to issue a proclamation of referendum, by submitting to the Board of Directors a completed petition in the form prescribed by CESAR, containing the following:
 - i. A referendum question that complies with clause 10.2.c.;
 - ii. At least ten per cent of all current members of CESAR, excluding those members who hold joint membership in the Ryerson Students' Union (RSU) or the Ryerson Graduate Students' Union (RGSU);
 - iii. The tentative location of the polling booths for the referendum.
- b. At the first meeting of the Board of Directors after receipt of a petition pursuant to clause 10.1.a the Board shall appoint members to a Referendum Committee consisting of three members of the Board who have had no previous involvement with the petition in question and no greater interest in the substantive issues to which it relates than does CESAR's membership in general.
- c. The Board of Directors may issue a proclamation of referendum, consistent with the by-law herein, at any time following a two-thirds majority vote cast at a regular meeting of the Board.
- d. Sufficient notice of referenda shall be deemed to have been given by the posting of not less than 30 proclamations on or about Ryerson University not less than 8.5"x11" in size, which shall include the following:
 - i. Notice of intent to conduct a referendum;
 - ii. The tentative date(s) and time(s) of voting for the referendum.

10.2 Referenda Question

- a. Before issuing the proclamation, the Board of Directors must approve the

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

referendum question in accordance with clause 10.2.c

- b. The Board of Directors may approve the question in the form submitted, amend the question and approve it as amended, or reject the question.
- c. A referendum question shall be positively worded, so that a vote of “yes” signifies agreement with the initiative proposed, and a vote of “no” signifies disagreement with it.

10.3 Referendum Committee

- a. Membership of the Referendum Committee shall be three members of the Board who have had no previous involvement with the petition in question and no greater interest in the substantive issues to which it relates than does CESAR's membership in general.
- b. The Board or its designate shall appoint a Chief Returning Officer and a Referendum Committee, who shall exercise and perform the duties specified herein and in CESAR's By-laws.
- c. The term of office of the Chief Returning Officer and Referendum Committee shall expire upon the completion of such duties.
- d. As soon as possible after the issuance of a proclamation, the Referendum Committee shall:
 - i. Inform the membership, by such means as the Referendum Committee;
 - ii. Determine the date(s) and time(s) of voting for the referendum, the location(s) of the polling booths and the general manner in which the referendum will be conducted;
 - iii. Appoint one deputy returning officer and one poll clerk for each poll declared.
- e. If a member of the Referendum Committee dies, resigns in writing, or is removed by the Board or individual authorised to make appointments to that officer's position, the Board or individual, as the case may be, shall appoint another individual to that position.
- f. The Chief Returning Officer and the Referendum Committee shall:
 - i. Exercise general direction and supervision over the administrative conduct of the referendum and enforce compliance with this policy and the pertinent provisions of CESAR's by-laws;
 - ii. Issue such instructions as may be necessary to ensure effective execution of the provisions of this policy and the pertinent provisions of CESAR's by-laws;
 - iii. Exercise all other powers and perform all other duties assigned to their

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

respective offices by this policy and CESAR's by-laws.

- g. The Chief Returning Officer may authorise any member of the Referendum Committee to exercise any of the powers and perform any of the duties assigned to the Chief Returning Officer by this policy or CESAR's by-laws.

10.4 Advocating Committees

- a. If requested, the Referendum Committee shall register one committee authorised to promote the "yes" answer to a referendum question, and one committee authorised to promote the "no" answer, provided that the members of each committee shall be members of CESAR unless otherwise agreed by the Referendum Committee.
- b. In order to participate in the referendum campaign, individuals must familiarise themselves with the referendum rules as outlined in this and any other relevant policies. Any person who wishes to campaign in the referendum may request and shall receive an orientation to the referendum by-law by the members of the Referendum Committee.
- c. An advocating committee may apply for registration by filing with the Referendum Committee, at any time during the referendum period, an application signed by the chief agent of the advocating committee setting out:
 - i. The full name of the committee;
 - ii. The name, address, email address and telephone number of the chief agent of the committee;
 - iii. The name, address, telephone number and title of each member of the committee.
- d. Each advocating committee shall:
 - i. Ensure that all campaigners are aware of and understand all relevant By-laws, referendum policies and rulings of the Referendum Committee;
 - ii. Ensure that all campaigners comply with all relevant By-laws, referendum policies and rulings of the Referendum Committee.
- e. The Referendum Committee shall determine the resources to be made available to each advocating committee in a particular referendum, and the Referendum Committee shall administer those resources in a fair and reasonable manner at the request of each such committee. No advocating committee shall invest resources in any aspect of a particular referendum other than those allocated to it by the Referendum Committee.
- f. The Referendum Committee shall maintain a registry of registered advocating committees.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- g. Where the position of chief agent of a registered advocating committee or of an advocating committee that has applied for registration becomes vacant or the chief agent is unable to perform the duties of the position, the committee shall forthwith appoint a new chief agent and inform the Referendum Committee in writing of the name, address and telephone number of the new chief agent.
- h. No one other than a registered advocating committee shall advertise through any medium, or post or distribute any material, for the purpose of supporting or opposing a referendum question.
- i. No registered advocating committee shall advertise in any medium, or post or distribute any material, unless the advertisement or other material:
 - i. Identifies that committee and indicates that the advertisement is authorized by it;
 - ii. Has the documented, prior authorisation of the Referendum Committee.
- j. Advocating committees shall provide the Referendum Committee with a written description of the proposed campaign material. The Referendum Committee shall provide in confidence a written approval or refusal of campaign materials, and shall respond within either 12 hours or 4 working hours of receiving a completed request, whichever is greater.
- k. The Referendum Committee will not approve materials that are defamatory, potentially libelous or factually incorrect. No one, whether a member of a registered campaign committee or otherwise, shall disseminate information verbally, electronically or otherwise that is defamatory, potentially libelous or factually incorrect. Campaigners shall act reasonably, responsibly and in good faith.
- l. Further, no one, whether a member of a registered advocating committee or otherwise, shall:
 - i. Make any statement of fact either in support of or opposition to a referendum question, without evidence substantiating that statement of fact to the satisfaction of the Referendum Committee;
 - ii. Discuss any aspect of the referendum in a manner that the Referendum Committee considers to constitute harassment.
- m. Materials that have not received Committee approval cannot be distributed.
- n. Where the Referendum Committee determines that campaign materials which have not been approved by the Referendum Committee are being distributed, displayed or used by a campaign, then the Committee shall order the materials immediately withdrawn or removed and shall confiscate the materials from the campaign for a period of not less than 24 hours.

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- o. The Referendum Committee may assign an additional penalty, which may include destruction of the material or a restriction on campaigning provided that the penalty is balanced against the volume of the materials distributed or its effect and that no destruction shall take place until the appeal period is expired.
- p. The Referendum Committee will not approve materials that: cannot be removed at the conclusion of the campaign; materials that are likely to damage property including stickers and paint applied to building surfaces; or cannot be monitored for compliance with all relevant By-laws and referendum policies.
- q. During the referendum period, the Referendum Committee may, at its discretion, arrange public forums for the advocating committees to make oral presentations to the membership.
- r. No person shall, for the purpose of supporting or opposing a referendum question, violate any pertinent regulations contained in CESAR's by-laws or this or any other policy issued pursuant thereto.

10.5 Polling Procedure

- a. Quorum is only required for a referendum concerning an external organization where quorum shall be no less than ten percent (10%) of eligible voter membership.
- b. Each member of CESAR, except those members who also hold membership in the Ryerson Students' Union or the Ryerson Graduate Students' Union (RGSU), shall be allowed to cast one (1) secret, non-transferable ballot.
- c. The Referendum Committee shall establish and maintain a register of members of CESAR, excluding those members who also hold membership in the Ryerson Students' Union or the Ryerson Graduate Students' Union (RGSU), to be known as the register of electors.
- d. Each polling station shall contain either one or two voting compartments so arranged that each elector may be screened from observation and may mark a ballot without interference or interruption.
- e. In each voting compartment, there shall be a table or desk, and a suitable writing instrument.
- f. At the time set for opening a poll, one agent for each registered advocating committee may inspect each ballot box to ensure that it has not been tampered with.
- g. The deputy returning officer shall ensure that no elector is impeded or molested at or about the polling station.
- h. The deputy returning officer and poll clerk at each poll shall initial the back of each

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

ballot before it is given to an elector.

- i. Each elector shall produce the elector's student card or other conclusive identification, whereupon the poll clerk shall strike the elector's name off the register of electors and give the elector a ballot paper bearing the deputy returning officer and poll clerk's initials on the back in accordance with clause 5-g.
- j. After receiving a ballot, an elector shall proceed directly to the voting compartment, mark the ballot to clearly indicate the elector's choice opposite the word "yes" or "no", fold the ballot so that the initials on the back are visible without unfolding it, and place it in the ballot box.
- k. Poll clerks shall under no circumstances instruct an elector how to vote or provide information about the referendum other than the referendum question.

10.6 Security of Ballot Boxes

- a. All ballot boxes and ballots shall be secured in a location approved by the Referendum Committee.
- b. The ballot boxes shall be sealed and not opened until counting.

10.7 Counting of Votes

- a. Immediately after the close of a poll, in the presence and full view such of the agents of registered advocating committees or witnesses who are present, the deputy returning officer and poll clerk shall cause all ballot boxes to be transported to the location prescribed by the Referendum Committee for the counting of ballots.
- b. Advocating committees shall be permitted to each appoint two scrutineers to observe the counting procedure, provided that once the scrutineers have entered the count room, they may not leave the facility until completion of counting or with the consent of the Referendum Committee.
- c. As soon as reasonably possible after all ballot boxes have been transported to the location prescribed for the counting of ballots, in the presence and full view of all Referendum Committee members and the scrutineers, the Referendum Committee shall, with respect to each polling station and in the following order:
 - i. Count the number of names stricken from the register of electors, and make an entry on the line immediately below the name of the last elector on the list that states, "The number of electors who voted at this referendum in this polling station is (stating the number)", and sign the list;
 - ii. Open the ballot box and empty its contents on a table;
 - iii. Count the number of votes cast for the "yes" answer and those cast for the "no" answer to the referendum question, as well as the number of spoiled

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

ballots, on one of the tally sheets supplied, giving full opportunity to those present to examine each ballot paper.

- d. In counting the votes, the Referendum Committee shall declare spoiled all ballot papers:
 - i. That have not been supplied by the Referendum Committee;
 - ii. That have not been marked with any answer to the referendum question;
 - iii. On which more than one answer to a referendum question has been marked;
 - iv. On which there is any writing or mark by which the elector could be identified.
- e. Spoiled ballots shall count towards the establishment of total voter participation but will not be considered in the calculation of a majority.
- f. Forthwith after the official addition of the votes, the Referendum Committee shall prepare a written statement showing the total number of votes cast for each of the “yes” answer and the “no” answer to each referendum question and the number of spoiled ballots. The Referendum Committee shall, at least two (2) business days but not more than five (5) business days after all polls have closed, submit that statement to the board.
- g. Upon receiving the Referendum Committee’s statement showing the votes cast in a referendum, the Board shall by resolution ratify the result of the referendum.
- h. Before the close of polling on the last day of voting, the chief agent of each registered advocating committee shall file with the Referendum Committee a true return, signed by the chief agent, showing all referendum expenses incurred by the committee for which the committee wishes to be reimbursed.
- i. The Referendum Committee shall retain all documents submitted in connection with a referendum for at least two (2) months after submitting the statement provided for in clause 10.7.f.

10.8 Grievance Procedure

- a. All alleged violations of the By-laws, policy or referendum rules shall be investigated and ruled upon by the Referendum Committee.
- b. The complaint must include the following:
 - i. The specific By-law or referendum policy that is alleged to have been violated;
 - ii. The specific campaign or individual that is alleged to be in violation;

Continuing Education Students' Association of Ryerson

Local 105 Canadian Federation of Students

By-laws – Amended: March 2021

- iii. The specific facts which constitute the alleged violation;
 - iv. The evidence of these facts;
 - v. The name and contact information including email address and telephone number for the complainant.
- c. No complaint will be considered by the Referendum Committee unless it is in writing, and is received within 24-hours of the alleged violation.
- d. Where a complaint is received and found to be complete, the Referendum Committee shall investigate the facts, and shall rule on the complaint within 24-hours thereof.
- e. Where a violation has occurred, regardless of cause or intent of the parties involved, and that violation has provided an unfair advantage to a campaign, the Referendum Committee shall assign a penalty that:
- i. Fully counterbalances any unfair advantage gained;
 - ii. Penalises the campaign for committing a violation;
 - iii. Is of the same type or character as the advantage which was gained.
- f. Penalties available to the Referendum Committee include but are not limited to:
- i. The confiscation or destruction of campaign materials;
 - ii. Limits, restrictions and prohibitions on any type of campaigning, for any period of time;
 - iii. Disqualification.

By-law XI: Policy of the Union

11.1 Establishment of Policy

Policy for CESAR may be established from time to time by the Board in accordance to the following guidelines:

a. Operational Policy

Consists of policy that outlines the framework of managing the operations of CESAR.

To adopt, amend, or rescind Operational Policy, two-thirds (2/3) of the Board must vote in favour.

b. Issues Policy

Opposes, supports and/or condones actions that a third-party carries out. An example of such policy is taking a stance on international, national and domestic issues, such as tuition fees.

To adopt, amend, or rescind Issues Policy, a majority of the Board must vote in favour.

11.2 Duration of Policy

All policy remains the policy of CESAR until it changes, or is retracted by a vote of the same or higher authority as that which established the policy.

11.3 Policy Booklet

All policy of CESAR shall be maintained in the Policy Booklet of CESAR and made available on the CESAR website.

By-law XII: Bylaws of the Union

12.1 By-law Changes

To adopt, amend, or rescind a By-law, the following must occur:

- a. The proposed change must be recommended by the Board of Directors to the Annual General Meeting, or a Special General Meeting called with that purpose stated. At the Board of Directors' meeting, two-thirds (2/3) of the votes cast must be in favour;
- b. A Full Member and member in good standing may submit By-law amendments with due notice to the Board of Directors at least fifteen (15) business days prior to the Annual General Meeting for consideration and approval at the upcoming Annual General Meeting or Semi-Annual General Meeting;
- c. At the Annual General Meeting two-thirds (2/3) of members present must vote in favour to ratify any by-law amendment which will come in to effect upon adjournment of the meeting, unless a timeline for implementation is otherwise specified and approved by members.

12.2 Disclosure

The Union will publish and maintain an up to date version of the By-laws on CESAR's website.

12.3 Force Majeure

In the event of force majeure, sections of the Bylaws and Operations Policy related to the structure and logistics of general meetings and elections covered in Bylaw IV: General Meetings and Bylaw IX: Elections may be temporarily suspended by the Board of Directors.