

YUMSO Constitution <v.5 >

(Your University Mature Students Organization) at York (aka YUMSO@YorkU)

2008 02 29

Mature students are officially defined as those who are aged 25 or over when they start at York University. Students younger than 25 must be starting university after a minimum three (3) year absence from secondary education (high school) and demonstrate a mature attitude towards their education.

YUMSO's mission is to enable and encourage mature students to participate in university life and offerings and to help other mature students with the back-to-school experience. It is a not-for-profit social organization.

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1. Membership of YUMSO

1.1 The affairs of Your University Mature Students Organization (YUMSO) shall be under the management and superintendence of the YUMSO Executive Committee ("executive") which shall have the following members:

1.1.1 a president, elected as prescribed by and from registered and active mature age students at York University from any college or program – day, night, or otherwise participant. The president will also be the custodian of this Constitution and keep an accurate copy available at the YUMSO office, at the SC&LD, and posted on the YUMSO website;

1.1.2 two or three vice-presidents for Keele Campus and one for Glendon Campus, elected as prescribed by and from registered and active mature age

students at York University from any college or program – day, night, or otherwise participant;

1.1.3 a role and responsibility of Treasurer will be part of the function of either the president or one of the vice-presidents by volunteer or if no-one volunteers, by appointment of the president and ratified by the executive;

1.1.4 a social secretary, communications officer, and other such roles will be filled by volunteers or appointments by the executive; these roles will be filled by registered and active mature age students at York University from any college or program – day, night, or otherwise participant – or alumni;

~~1.1.5 a communications officer, elected as prescribed by and from registered and active mature age students at York University from any college or program – day, night, or otherwise participant;~~

1.2 Members shall only hold office from the commencement of the annual general meeting in one year until the commencement of the annual general meeting in the subsequent year, notwithstanding their subsequent nomination and election to office in any other year UNLESS the SC&LD deems terms to last two years.

1.3 Members shall only be elected to one of the categories or offices referred to in section 1.1 unless no-one else is willing to take the position. Limit of two major offices per person.

1.4 Members of any committee, board, council or similar body of the university who are such members because they have been appointed or nominated by or to represent YUMSO shall in such capacity, so far as they may lawfully do so, give effect to and seek to further the policies and decisions made or adopted by YUMSO and shall report to YUMSO on the proceedings and outcome of any meeting of such a body which they attend as soon as practicable thereafter.

1.5. Membership is open to all current York University students, staff, faculty, and alumni and is on a voluntary, opt-in basis.

1.6. Voting members are restricted to any of the aforesaid who are currently taking at least one course at York during the calendar year or who are alumni.

2. Objectives

YUMSO shall pursue its objects and purposes and exercise its powers in relation to mature age. The objects of YUMSO are to:

2.1 assist the social integration of mature age students into university life;

- 2.2 promote and actively advance the particular needs and interests of mature age students within YUMSO and to the university administration, and the university in general;
- 2.3 afford a recognised means of communication between mature age students and the academic and administrative authorities of the university;
- 2.4 keep mature age students informed of issues relevant to their welfare;
- 2.5 provide a forum for open discussion on matters of general concern to mature age students at York University from any college or program – day, night, or otherwise participants;
- 2.6 create opportunities for participation in non-academic activities by and between mature age students;
- 2.7 cooperate where possible with any bodies or organisations in the pursuit of its objects;
- 2.8 publish such materials as it may from time to time determine; and
- 2.9 administer such funds as may be made available to YUMSO;
- 2.10 make representations on matters YUMSO considers relevant to mature age students to private organisations, to government departments, to parliamentary representatives, and to the community at large; and
- 2.11 consider, develop and implement policies and proposals to promote the interests of mature age students at York University from any college or program – day, night, or otherwise participant.

3. Elections

3.1.1 YUMSO shall, at least three weeks prior to the last teaching day of first semester, and after advertising and inviting nominations, appoint a returning officer to conduct an election for the positions referred to in section 1.1. No nominations shall be considered later than the closing date, not later three weeks prior to the last teaching day of winter semester.

3.1.2 A returning officer so appointed will be a member of YUMSO or staff member of YUMSO, and shall not be eligible to nominate for a position referred to in section 1.1 whilst holding the position of returning officer, but otherwise shall have the absolute control of the election. The returning officer

must be distant from the YUMSO executive and must make a statement of secrecy and impartiality.

3.1.3 The appointment of the returning officer shall cease immediately after the declaration of the poll in respect of which he or she has been appointed.

3.1.4 In the event of the returning officer being unable or unwilling to act as and when required, whether during the conduct of any election or not, YUMSO shall appoint another person to act as returning officer. Those unwilling or refusing to carry out their sworn assignment must resign in writing.

3.2 Nominations

3.2.1 Nominations for all positions on YUMSO shall be called for by the duly appointed returning officer.

3.2.2 Notification of the opening and closing of nominations shall be the responsibility of the returning officer. The president may initiate the proceedings until a returning officer can take over.

3.2.3 The nomination period shall be no less than fourteen (14) days, and its opening and closing dates, method of nomination, and notification of vacancies shall be notified on the YUMSO notice board and such other notice boards as it is the practice to use for the display of YUMSO news and also in various York University media.

3.2.4 Nominations shall be self-declared or by another YUMSO member and must be seconded by another YUMSO member.

3.2.5 Should the number of nominations for an office referred to in section 1 exceed the number of vacancies to be filled, a poll shall be conducted by the returning officer.

3.3 Polls

3.3.1 A poll, if required under section 3.2.5, shall be held in the second semester, at a date determined by YUMSO in consultation with the returning officer, being a date which will allow the result of the poll to be declared prior to the end of the winter academic session.

3.3.2 Voting shall be by plurality vote conducted secret ballot (preferred method), by email ballot, or by oral or visual support at a special meeting of the membership for voting purposes.

3.4 Casual vacancies

3.4.1 The office of any member of YUMSO, other than a member ex officio, shall become vacant and a casual vacancy shall be deemed to have arisen if the member is absent without special leave from three consecutive ordinary meetings of YUMSO or is absent, whether with or without special leave, from all ordinary meetings of YUMSO for a period of six (6) months. Special leave may be granted at the discretion of YUMSO upon application by a member either verbally or in writing.

3.4.2 The YUMSO executive shall fill casual vacancies on YUMSO by co-opting any person it thinks fit whom they would be qualified to be otherwise be capable of being elected to the vacant position. The appointee may stay in the position for a short term and only to a maximum time as the next election. The appointee may stand either stand for election or retire from the position.

3.5 Election Dates and Terms

3.5.1 Elections will begin in February or March each year. Elections will be held at the expiry of the term of office (one or two year cycles as determined by York University's entity that administers student clubs and organizations, currently SC&LD).

3.5.2 Elections ballots may be cast in multiple fair and preferably secret methods. Only the returning officer and a witness will count the ballots (secret or non-secret). The returning officer and witness will not disclose the results of any or all non-secret emailed ballots.

3.5.3 The first post-election terms of office will begin on May 1 of each year and continue through April 30 the following year or two – whichever is deemed the appropriate cycle as noted in 3.5.1.

3.5.4 By-elections may be held at any time to fill vacancies as they arise and as need may require. Persons winning office will have a term that expires per the normal cycle.

3.5.5. Officers may be acclaimed if nomination periods close without a competitor candidate coming forward.

4. Meetings of YUMSO

4.1 YUMSO shall meet frequently in the period between September to April inclusive, in each year, and any other such times as it sees fit - in person and/or by virtual means (such as a Google Group site or via e-mail to conduct affairs or take votes, develop minutes, etc.).

4.2 A record of the proceedings of these meetings shall be kept, and posted on the YUMSO office notice board.

4.3 Meetings shall be chaired by the president of YUMSO, or, in the absence of the president, by a vice-president, or, in the absence of a member of the executive, by any other member of YUMSO elected by the meeting.

4.4 Decisions shall be made by simple majority of members present and voting. Voting shall be by show of hands (or e-mail responses), or by secret ballot if so desired by two or more YUMSO members. One member is entitled to one vote only whether a lay member or an executive.

4.5 The president shall, in the event of a tie, call for an immediate and short debate and order a new vote, but withholding his/her own vote until the ballots are cast. He/she will then, as senior executive, cast the deciding vote. If a vote cannot be taken at the immediate time, a new schedule and place of vote will be determined instead.

5. General Meetings of Mature Age Students

5.1 Annual general meetings

5.1.1 YUMSO shall facilitate the holding of a general meeting of mature age students in February of each year, not later than the last teaching day of the second semester, at a date and time to be determined by YUMSO.

5.1.2 YUMSO shall also facilitate the holding of a general meeting of mature age students within the first four (4) weeks of the first semester.

5.2 Extraordinary general meetings

5.2.1 YUMSO may facilitate the holding of an extraordinary general meeting of mature age students on any day from Monday to Sunday, during the university first and second semesters except for official university holidays. Such a meeting may be facilitated at the discretion of the majority of YUMSO.

5.2.2 An extraordinary general meeting of mature age students shall be facilitated by YUMSO within one month of the receipt of a petition requesting an extraordinary meeting signed by no fewer than 25, or ten percent, (whichever is less) of mature age students.

5.3 Chairing of general meetings

Any general meeting of mature age students facilitated by YUMSO shall be chaired by the president YUMSO, or, in the absence of the president, by the vice-president, or, in the absence of the president and the vice-president, by a member of YUMSO nominated by the president.

5.4 Voting

At any general meeting of mature age students facilitated by YUMSO:

5.4.1 all mature age students shall be eligible to vote;

5.4.2 all voting, except at elections, will be by the show of hands or by secret ballot if requested by five or more mature age students;

5.4.3 decisions, other than those recommending changes to this division, shall be made by simple majority vote of the mature age students present and voting;

5.4.4 decisions recommending changes to this division shall be made by the affirmative votes of two-thirds of the mature age member students present and voting.

5.5 Quorum

Where circumstances permit, the quorum for a general meeting of mature age students (enrolled at York University) facilitated by YUMSO shall be not less than three mature age students who are members of YUMSO. The quorum for an extraordinary meeting shall be five mature age students or ten percent of mature age member students, whichever is less. In unusual circumstances, should numbers not permit such a gathering, less members will qualify by a show of hands favouring a smaller quantity.

5.5.1 A quorum for a meeting of YUMSO shall be three members.

5.6 Advertising

5.6.1 Notice of any general meeting of mature age students facilitated by YUMSO shall be given on the YUMSO notice board(s), and on such other notice boards as it is the practice to use for the display of YUMSO news, and where possible in York University media, at least two weeks, and in the case of a meeting at which it is intended to consider proposed amendments to this division, at least three weeks prior to the meeting.

5.6.2 Mature age students shall notify YUMSO in writing of their intention to move motions recommending amendment of this division, setting out the proposed amendment and notice of motion, no less than three (3) days prior to the meeting at which such proposed amendment shall be considered.

5.7 Minutes of meetings

YUMSO shall ensure that minutes are kept of all meetings of mature age students facilitated by YUMSO and are made available to mature age students upon request.

6. Committees

6.1 Though YUMSO has no committees presently, YUMSO reserves the right, as it sees fit, to call for and assemble and dissolve committees ad hoc to respond to needs as they arise or circumstances dictate.

7. External Affiliations

7.1 Though YUMSO has no external affiliations presently, YUMSO reserves the right, as it sees fit, to join, or later resign from external organizations, bodies, and affiliations as needs arise or circumstances dictate.

8. Employees and Employment Standards

8.1 There are currently (March 2008) no employees with YUMSO, only un-paid volunteers.

8.2 Any and all un-paid volunteers or paid employees, shall be administered per the laws, bylaws, and governances of the Dominion of Canada, the Province of Ontario, the Corporation of York University, and the YUMSO constitution and bylaws as they apply, in respective order.

9. Interpretation

9.1 This YUMSO constitutional device shall be administered per the laws, bylaws, and governances of the Dominion of Canada, the Province of Ontario, and the Corporation of York University, as they apply, in respective order.

9.2 *Roberts Rules of Order* will be the primary source of procedure for the conduct of meetings. The YUMSO executive shall be the first line of interpretation on matters not affected by aforesaid governing bodies and document(s). Second shall be the York University organization that administers student clubs.

10. Conflict of Interest

10.1 No YUMSO executive shall be, or appear to be, in a conflict of interest to the business, operations, and interest of YUMSO. Persons in a conflict of interest must immediately remove the conflict or resign from the executive. Those who fail to do either within 72 hours of notification shall be considered as “terminated” and no longer a YUMSO executive.

10.2 Persons employed or who volunteer their services in official YUMSO capacities are also bound by the same terms laid out in 8.1.

11. Procedures Regarding Allegation of Wrongdoing and Disciplinary Action

11.1 Persons under allegation of wrongdoing of any kind – inside or outside – the YUMSO organization, who are members of the executive of YUMSO, must account for and answer the allegation to the satisfaction of the executive, and in accordance with York University’s policy on student conduct. Outside of YUMSO allegations to YUMSO executives alleged to have, or do in fact have, external criminal charges in place, pending, or are under investigation, must resign for the good of the organization, its membership, and the university at large until such allegations are invalidated. Accused person(s) will have not less than six weeks and not more than eight weeks to respond and contest allegations.

11.2 Persons convicted of Criminal Code offences without pardon, or other similar offences under the law, may not hold executive positions in YUMSO until 5 years past the date of parole. Persons officially pardoned of criminal offences may hold executive positions in YUMSO only if they have satisfied the conditions of the pardon. Said persons must sign a written declaration that they will conduct themselves in a responsible manner and will execute their duties and represent themselves in a professional manner.

11.3 Persons employed or who volunteer their services in official YUMSO capacities

11.4 The President of YUMSO will bear the responsibility for responding to allegations unless he/she is the sole accused. If so, a vice-president will assume the responsibility. The president and the executive will decide on appropriate disciplinary actions by majority vote, unless one of the executive is the accused (in which case, the accused must remove him/herself. Disciplinary action may consist of suspension, probation, dismissal or other reasonable and fair terms so decided by the executive. In the event of no decision, a meeting of the membership will be called to discuss solutions.

12. Financial

12.1 No payment shall be made out of the funds standing to the account of the YUMSO, whether by cheque or otherwise, except on the signature of the authorized signatories who shall first sign a statement that the payment is in order, and the YUMSO treasurer shall retain each such statement for production to the auditor referred to in these regulations. For the purpose of this section, the authorized signatories shall be:

12.1.1 the president of YUMSO, or, in the absence or incapacity of the president, or a vacancy in the office of president, a person nominated by YUMSO; and

12.1.2 the treasurer of YUMSO, or, in the absence or incapacity of the treasurer, or a vacancy in the office of treasurer, a person nominated by YUMSO.

13. Fees & Dues

13.1 There are presently no fees or dues for membership of YUMSO. Membership and administration is on a volunteer basis. Members may request to remove themselves from mailing lists and circulation lists at any time.

13.2. There may be small fees instituted for certain services as they arise or become available. For example, a small charge for coffee should the office have a coffee machine. Or, a small printing charge may be levied to print files and such in order to pay for maintenance and consumables.

14. Rules

14.1 Subject to YUMSO constitution and the statutes and regulations, YUMSO may, by a resolution adopted by the affirmative votes of a majority of its members, make rules for or with respect to all matters relating to the organization, management and good government of YUMSO or for prescribing or providing for any matter or thing authorized or directed to be prescribed for the purposes of this constitution.

14.2 Rules made under this constitution shall be promulgated by being exhibited on a notice board designated as the official notice board of YUMSO and after being so promulgated shall remain so exhibited for at least fourteen days not counting a day on which the university is on vacation.

15. Disclaimer

15.1 YUMSO, or Your University Mature Students Organization is a student services club and not an official representative or organ of York University or its executive. YUMSO will not speak for, or on behalf of, the University.

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