

[DRAFT] Presidential Regulation  
Regarding Student Organizations

---

YORK 

# DRAFT: Presidential Regulation Regarding Student Organizations

Topic:	Student Organizations
Approval Authority:	President, and on recommendation of President, Board of Governors
Approval Date:	Approved by President: 1988/25/10; Approved by Board 1988/12/05; Sections A, C & D Approved by Board Student Relations Committee: 1988/11/07; Date Effective:1989/01/01. Amended 2021/12/4
Effective Date:	2021/12/4
Last Revised:	2021/12/4

---

**Description:** Regulations regarding Student Organizations, their Activities and Finances.

---

## 1. PREAMBLE

1.1 The objects and purposes of York University under the *York University Act, 1965*, are the advancement of learning, the dissemination of knowledge, the intellectual, spiritual, social, moral and physical development of its members, and the betterment of society. York University believes that student organizations play an important role in advancing these purposes. Student organizations promote learning, growth, and civic responsibility among those who conduct and participate in their activities, and thereby serve the interests of their fellow students. As well, student organizations contribute to the educational, recreational, social or cultural quality and diversity of life on campus.

*Last Edited: April 12, 2021*

- 1.2** The relationship between York University and student organizations is governed by the principle that their activities and their financing of student activities must be conducted in an open, accessible, democratic, Non-discriminatory, and legally and financially responsible manner. These conditions are necessary for the objects and purposes of York University to be advanced, and for all students to enjoy the freedom to associate and express themselves through student organizations. Where student organizations act consistently with this principle, York University will support their ability to communicate, explore and debate ideas, organize and use its facilities for lawful purposes, distribute materials on campus, and engage in peaceful demonstrations. York University will not deny privileges to a student organization simply on account of its beliefs or procedures, unless those beliefs or procedures are contrary to the foregoing principle or lead to activities that are contrary to it.
- 1.3** The privileges extended by York University to student organizations under this Regulation are based upon the observance and assumption of certain procedures and responsibilities, which give effect to the governing principle outlined above. These privileges may be denied or withdrawn if the procedures or responsibilities in this Regulation are neglected or not fulfilled.
- 1.4** Legal powers and responsibilities conferred by the *York University Act, 1965* on the President and the Board of Governors in relation to student organizations, activities and finances prevent the full devolution of authority onto student organizations. However, the President's and Board of Governors' respective powers and responsibilities should be exercised so far as is legally and practically possible in a manner consistent with the principles described above. The Vice-Provost, Students, acting on behalf of the Board of Governors and the President, will support and advance these principles.

## **2. Purpose and Jurisdiction**

- 2.1** This Regulation is made by the President pursuant to s. 13(2)(c) of the *York University Act, 1965*, and by the Board of Governors on the recommendation of the President pursuant to ss. 10 and 13(2)(g) of the *York University Act, 1965*, in order to govern student organizations, their activities and finances.
- 2.2** This Regulation sets forth the privileges and obligations of student organizations in order to ensure that their activities and their financing are conducted in an open, accessible, democratic, Non-discriminatory, and legally and financially responsible manner, so that the objects and purposes of York University may be advanced.

### **3. Definitions and Concepts**

**3.1 Definitions.** For the purposes of this Regulation, the following terms have the meanings given to them below:

**“Governing Documents”** means the constitution and, in the case of an entity that is incorporated, the letters patent, supplementary letters patent, articles of incorporation/amalgamation, by-laws or other foundational and constating documents (including the corporate objects), of a Student Organization or of a body seeking Recognition as a Student Organization, as the case may be.

**“Law”** means all applicable statutes, rules, orders, ordinances, and regulations of all governmental authorities.

**“Levy”** (or **“Levies”**) means a fee per academic credit that has been approved in accordance with section 9 of this Regulation, and which the University adds to the financial account of every student member of a Student Organization and then remits to the applicable Student Organization.

**“Non-discriminatory”** means free from harassment, prejudice, inequality and discrimination based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, religion, sex, sexual orientation, gender identity, gender expression, age, marital

status, family status or disability. To be Non-discriminatory the Student Organization must, among other things, treat all of its members equally in regards to, without limitation, its activities, corporate decisions, statements, and resolutions.

**“Privileges”** means the privileges set out in section 8.0 of this Regulation.

**“Recognition”** means the University’s formal acknowledgement of a Student Organization as eligible to receive Privileges in exchange for compliance with this Regulation. **“Recognized”** means having this University recognition.

**“Representative”** for the purposes this Regulation means a representative of the University responsible for the enforcement of this Regulation and includes:

- (a) For a Central Student Government, the Provost or designate.
- (b) For a Faculty Student Government or College Student Government, the Vice-Provost, Students or designate.
- (c) For a Student Club, the Executive Director of Student Engagement or designate.
- (d) If involving the York University Student Centre Incorporated, the Vice-President Finance and Administration or designate.

**“Reviewing Office”** has the meaning given to it in section 13.1 of this Regulation.

**“Student Club”** means a voluntary, membership-driven organization that is dedicated to a particular interest or activity. Recognized Student Clubs may have access to Privileges.

**“Student Government”** means a body Recognized as representing all undergraduate or graduate students, or all students in a Faculty or College. A Student Government is normally concerned with a broad array of activities, including representation of the interests of those students in discussions with the academic and administrative authorities of the University, a Faculty or a College.

**“Student Organization”** means a Student Government, a Student Club, and the York University Student Centre Incorporated.

**“University Legislation”** means all legislative texts enacted under the *York University Act, 1965*, directly or through delegated authority, such as but not limited to:

*The Code of Student Rights and Responsibilities*

*The Human Rights Policy and Procedures*

*The Policy on Alcohol and Cannabis Use and Procedures*

*The Policy on Posters*

*The Senate Policy on Computing and Information Technology Facilities*

*The Statement of Policy on Free Speech*

*The Temporary Use of University Space Policy and Procedures*

and other Guidelines, Policies, Procedures, and Rules.

**3.2 Concepts.** The following concepts to which Student Organizations are to adhere are explained in Schedule D:

**“Open”, “accessible”, “democratic”;** and

**“Financial responsibility” (or “financially responsible”).**

#### **4. Central Student Government**

**4.1 Establishment of Central Student Governments.** The University may Recognize a Central Student Government.

**4.2 Continuance of Central Student Governments.** The Recognition of a Central Student Government as of the latest effective date of this Regulation is continued

unless and until such time as Recognition is withdrawn under sections 11 and 12. Central Student Governments continued at the enactment of this Regulation are:

a) **Undergraduate:** The York Federation of Students (YFS) as the Central Student Government for all undergraduate students.

b) **Graduate:** The York University Graduate Students' Association (YUGSA) as the Central Student Government for all graduate students.

**4.3** A Central Student Government includes, represents and is accountable to all students enrolled in an undergraduate or graduate program of study at York University.

**4.4** Every student is, upon enrolment in an undergraduate or graduate program at the University, a member of, and pays a Levy to, a Central Student Government.

**4.5** Only one Central Student Government is Recognized for students registered in undergraduate programs and one Central Student Government for students registered in graduate programs.

**4.6** In the event of there being no Recognized Central Student Government for undergraduate students or none for graduate students, students from the relevant level may seek to establish a Central Student Government as follows:

**Step 1** Serve on the Vice-Provost, Students a notice of intent to establish a Central Student Government.

**Step 2** Meet with the Vice-Provost, Students to receive directions, and guidelines to conduct Steps 3-4, below, including but not limited to as to the appropriate referendum question(s).

**Step 3** Obtain, through a petition, the consent of no less than 10% of students eligible to seek, in their name, to establish a Central Student Government and submit the results to the Vice-Provost,

Students. Upon receipt of the results of the petition, the Vice-Provost, Students will determine whether the petition was properly conducted according to the directions and guidelines and is, therefore, valid. If the Vice-Provost, Students determines that the petition is invalid, they may require that the petition be redone or terminate the process. If the Vice-Provost, Students determines that the petition is valid, they will invite students to proceed to Step 4.

**Step 4** Conduct, in accordance with the *Procedures for the Conduct of Student Referenda* and using the University's electronic voting system, a referendum of students who would constitute the Student Organization's members and submit the results to the Vice-Provost, Students. Upon receipt of the results of the referendum, the Vice-Provost, Students will determine whether it was properly conducted according to the *Procedures for the Conduct of Student Referenda* and is, therefore, valid. If the Vice-Provost, Students determines that the referendum is invalid, they may require that the referendum be redone or terminate the process. If the Vice-Provost, Students determines that the referendum is valid, they will invite the students to draft a constitution that complies with this Regulation.

**Step 5** Submit to the Vice-Provost, Students a draft constitution that complies with this Regulation and that has been approved by a majority of the Student Organization's members. Upon receipt of the draft constitution, the Vice-Provost, Students will determine whether it complies with this Regulation. If the Vice-Provost, Students determines that the draft constitution is non-compliant, they may require that the draft be amended and resubmitted, as many times as is necessary to make the draft constitution compliant. If the Vice-Provost, Students determines that the draft



constitution is compliant, they will recommend to the President that the Central Student Government be Recognized.

**Step 6** Upon receiving the recommendation from the Vice-Provost, Students, the President will normally grant Recognition to the Central Student Government.

## **5. Faculty Student Government**

**5.1 Recognition of a Faculty Student Government.** The University may Recognize a Faculty Student Government.

**5.2 Continuance of Faculty Student Governments.** The Recognition of a Faculty Student Government Recognized as of the latest effective date of this Regulation is continued unless and until such time as Recognition is withdrawn under sections 11 and 12.

**5.3** A Faculty Student Government includes, represents and is accountable to all students enrolled in programs within that Faculty at York University.

**5.4** Only one Faculty Student Government is Recognized per Faculty.

**5.5** As of the Approval Date of this Regulation, Recognized Faculty Student Governments are those listed in Schedule A.

**5.6** Students in any Faculty without a Faculty Student Government may seek to establish a Faculty Student Government as follows:

**Step 1** Serve on the Vice-Provost, Students a notice of intent to establish a Faculty Student Government.

- Step 2** meet with the Vice-Provost, Students to receive directions, and guidelines to conduct Steps 3-4, below, including but not limited to as to the appropriate referendum question(s).
- Step 3** Obtain through a petition, the consent of no less than 10% of students enrolled in the Faculty to seek, in their name, to establish a Faculty Student Government and submit the results to the Vice-Provost, Students. Upon receipt of the results of the petition, the Vice-Provost, Students will determine whether the petition was properly conducted according to the directions and guidelines and is, therefore, valid. If the Vice-Provost, Students determines that the petition is invalid, they may require that the petition be redone or terminate the process. If the Vice-Provost, Students determines that the petition is valid, they will invite students to proceed to Step 4.
- Step 4** Conduct, in accordance with the *Procedures for the Conduct of Student Referenda* and using the University's electronic voting system, a referendum of students enrolled in the Faculty and submit the results to the Vice-Provost, Students. Upon receipt of the results of the referendum, the Vice-Provost, Students will determine whether it was properly conducted according to the *Procedures for the Conduct of Student Referenda* and is, therefore, valid. If the Vice-Provost, Students determines that the referendum is invalid, they may require that the referendum be redone or terminate the process. If the Vice-Provost, Students determines that the referendum is valid, they will invite the students to draft a constitution which complies with this Regulation.
- Step 5** Submit to the Vice-Provost, Students a draft constitution that complies with this Regulation and that has been approved by a

majority of the Student Organization's members. Upon receipt of the draft constitution, the Vice-Provost, Students will determine whether it complies with this Regulation. If the Vice-Provost, Students determines that the draft constitution is non-compliant, they may require that the draft be amended and resubmitted and may do so as many times as is necessary to make the draft constitution compliant. If the Vice-Provost, Students determines that the draft constitution is compliant, they will recommend to the President that the Faculty Student Government be Recognized.

**Step 6** Upon receiving the recommendation from the Vice-Provost, Students, the President will normally grant Recognition to the Faculty Student Government.

**5.7** In the event a new Faculty is created the Vice-Provost, Students may give notice to students in the new Faculty of the steps to seek Recognition of a new Faculty Student Government under section 5.6.

## **6. College Student Governments**

**6.1 Recognition of a College Student Government.** The University may Recognize a College Student Government.

**6.2 Continuance of College Student Governments.** The Recognition of a College Student Government Recognized as of the effective date of this Regulation is continued unless and until such time as Recognition is withdrawn under sections 11 and 12.

**6.3** Students in any College without a College Student Government may seek to establish a College Student Government in the manner set out in section 4.6, modified so that the students who may sign the petition and vote in the referendum are only those who are affiliated with that College. Upon receiving the

recommendation from the Vice-Provost, Students, the President will normally grant Recognition to the College Student Government.

- 6.4 A College Student Government includes, represents and is accountable to all undergraduate students affiliated with that College at York University.
- 6.5 Every student who is affiliated with a College at the University becomes a member of, and pays a Levy to, the College Student Government of that College subject to validly exercising a right to opt out.
- 6.6 Only one College Student Government is Recognized per College.
- 6.7 As of the Approval Date of this Regulation, Recognized College Student Governments are those listed in Schedule B.

## 7. **Student Clubs**

- 7.1 **Recognition of Student Clubs.** The Vice-Provost, Students will formulate and implement procedures for Recognition of Student Clubs which are formed by Students to pursue and contribute to the educational, recreational, social, or cultural quality and diversity of life on campus.
- 7.2 **Continuance of Student Clubs.** The Recognition of a Student Club Recognized as of the effective date of this Regulation is continued unless and until such time as Recognition is withdrawn under sections 11 and 12.
- 7.3 Student Clubs are not eligible to receive Levies unless they have actively operated for at least two academic years after Recognition, subject to the approval process outlined in section 9.
- 7.4 The Vice-Provost, Students will publish a list of Recognized Student Clubs annually.

## 8. **Privileges**

**8.1** Subject to compliance with this Regulation, the University may at its discretion grant to Recognized Student Organizations in accordance with Law, University Legislation and subject to availability and appropriate agreements with the University, any or all of the following Privileges:

- a) Use of the University electronic voting system.
  
- b) Student Levies in accordance with section 9.
  
- c) Financial and in-kind University grants or donations.
  
- d) University-hosted email addresses and website URLs.
  
- e) University office space.
  
- f) Use of University space and facilities including tabling space.
  
- g) University classroom technology.
  
- h) Membership contact information for the purpose of direct electronic communication, subject to a privacy agreement in the form defined by the Vice-Provost, Students.
  
- i) Support coordinated through the Vice-Provost, Students or designate such as support for: training, resources, guidance and events.

## 9. Levies

9.1 Subject to section 7.3 regarding Student Clubs, a Recognized Student Organization may seek the establishment, amendment or cancellation of a Levy as follows:

- Step 1** Deliver to the Vice-Provost, Students proof of operation for no less than two academic years and a notice of its intent to seek the establishment, amendment, or cancellation of a Levy.
- Step 2** Meet with the Vice-Provost, Students or designate to receive directions and guidelines to conduct Steps 3 and 4, below.
- Step 3** Obtain, through a petition, the consent of no less than 10% of students who would be subject to the proposed Levy and submit the results of the petition to the Vice-Provost, Students. Upon receipt of the results of the petition, the Vice-Provost, Students will determine whether the petition was properly conducted according to the directions and guidelines given in Step 2, and is, therefore, valid. If the Vice-Provost, Students determines that the petition is invalid, they may require that the petition be redone or terminate the process. If the Vice-Provost, Students determines that the petition is valid, they will invite students to proceed to Step 4.
- Step 4** Conduct, in accordance with the *Procedures for the Conduct of Student Referenda* and using the University's electronic voting system, a referendum of students who would be subject to the Levy and submit the results to the Vice-Provost, Students. Upon receipt of the results of the referendum, the Vice-Provost,

Students will determine whether it was properly conducted according to the *Procedures for the Conduct of Student Referenda* and is, therefore, valid. If the Vice-Provost, Students determines that the referendum is invalid, they may require that the referendum be redone or terminate the process. If the Vice-Provost, Students determines that the referendum is valid, they will recommend to the Provost that the Levy be established, amended or cancelled as the case may be. The Provost will normally submit the recommendation to the Board of Governors for approval.

- 9.2** Student Organizations with no Levy funding are not precluded from charging members modest membership fees and/or reasonable cost recovery charges to finance the Student Organization's activities. Information about all membership fee rates and benefits associated with membership must be publicly available.

## **10. Obligations of Student Organizations**

### **10.1** A Student Organization must:

- a) Constitute and operate itself in an open, accessible, Non-discriminatory, and democratic manner and consistent with the Constitutional Requirements of Student Organizations set forth in Schedule C and ensure that the formation, operation and funding of Student Organizations conform to proper standards of democratic practice, compliance with Law, University Legislation and financial responsibility.
- b) For Student Organizations in which student membership is mandatory or that receive a Levy, conduct elections at least once each academic year; such elections must be conducted through the University's electronic voting system, or a comparably secure system to which the Vice-Provost, Students has given prior approval in writing.

- c) Submit to the University by July 1 annually, or from time to time at the University's request, and in the format and by the date as may be required by the University from time to time, the following documents, that the University will publish:
- i. a current list of the names, titles, and email addresses of each officer, including the treasurer or equivalent.
  - ii. a current list of the names, titles and email addresses of each officer with signing authority.
  - iii. a copy of the most up-to-date Governing Documents.
  - iv. a copy of its financial statements for the preceding fiscal year (May 1 to April 30). In the case of Student Organizations in which membership is mandatory or that receive a Levy, where the gross revenue for the fiscal year exceeded \$40,000 (including Levy and non-Levy) the Student Organizations must provide audited financial statements from a certified auditor. In the case of Student Organizations whose financial statements show gross revenue for the fiscal year was \$40,000 or less (including Levy and non-Levy), the Student Organizations must provide a Review Engagement Report prepared by a licensed public accountant. A Student Club without a Levy is exempt from this requirement but must provide a copy of its most recent bank statements.
  - v. a document signed by each officer acknowledging the organization's obligation to comply with all University Legislation.
  - vi. any additional document or information that the University deems, at its sole discretion, to be necessary to verify compliance with the Regulation and University Legislation.



- d) Apply for and obtain approval from the Vice-Provost, Students or designate prior to seeking legal status as an incorporated entity.
- e) Notify the Vice-Provost, Students or designate within 14 days following any change in its constitution or other Governing Documents and any change in its officers including officers with signing authority.
- f) Manage its financial affairs with accountability, accessibility and openness and democracy.
- g) A Student Organization must not divert its funds to purposes inconsistent with the Student Organization's purpose, objects, constitution or other Governing Documents. A Student Organization must act with the utmost of financial responsibility.
- h) Not engage in activities that are essentially commercial in nature, such as, but not limited to:
  - i. providing goods and/or services for profit; or
  - ii. engaging in an activity or function on behalf of, a commercial organization.
- i) Have and adhere to policies and procedures to address real, potential, or apparent conflicts of interest, including with respect to awarding of contracts to, acceptance of gifts by, payments made to, or other benefits provided to officers, employees, members and persons who are related by family, marriage or other personal relationship to any officer, employee or member.
- j) Comply with University Legislation and all Law.

## **11. Non-compliance**

**11.1** Student Organizations that do not comply with any part of this Regulation may face sanctions for breach of this Regulation.

**11.2** When the University has reason to believe that the Student Organization:

- (a) has not, or may not have, operated in an open, accessible, Non-discriminatory, and democratic manner consistent with its corporate objects, constitution or other Governing Documents, or agreements;
- (b) has not or may not have acted in accordance with University Legislation or is in breach of any agreement with the University or is otherwise not conducting its affairs in accordance with this Regulation or any Law;
- (c) has, or may have, not been financially responsible;
- (d) has, or may have, otherwise breached this Regulation; or
- (e) is not, despite being a Student Organization Recognized as of the latest effective date of this Regulation, compliant with this Regulation;

the University will provide written notice of any suspected breach to the Student Organization through the Centre for Student Community Leadership Development. The University will stay further proceedings under this Regulation until after the internal complaint process of the Student Organization has been exhausted, or a reasonable period of time for exhausting it has elapsed, other than in exceptional circumstances.

**11.3** The Centre for Student Community Leadership Development will prepare the written notice in the case of any suspected breach by any Student Organization. The notice will include the following information:

- a) the nature of the suspected breach;
- b) what the Student Organization is required to do, either to demonstrate that a breach has not occurred or to remedy the breach;

- c) the date for compliance with paragraph (b);
- d) the terms of any interim measures, such as suspension or withdrawal of Privileges, that the Representative deems appropriate, the reasons for those interim measures, and the date on which they take effect;
- e) the date for delivery of submissions by the Student Organization in response to any interim measures imposed, and any format requirements for such submissions;
- f) the potential consequences for failure to comply with any requirements under paragraph (b) by the date provided under paragraph (c), which may include sanctions until there is compliance; and
- g) that the suspected breach will be addressed in either a written or oral hearing, based upon the Representative's assessment of the complexity of the suspected breach and the severity of potential consequences.

**11.4** The Representative will conduct a written or oral hearing in accordance with the principles of procedural fairness before making a determination whether the Student Organization has been and/or remains in breach of this Regulation. The hearing shall be conducted by a Representative who was not involved in investigating the suspected breach or in preparing and providing the written notice of it.

**11.5** In conducting a hearing, the Representative may consult with members of the *Student Representative Roundtable* or other student organization(s) as appropriate in the opinion of the Representative. Such consultations are strictly confidential.

**11.6** The Representative will issue their decision which will include written reasons for their determination of whether the Student Organization has been and/or remains in breach of this Regulation.

**11.7** At any point prior to a determination, the Representative may suggest alternative dispute resolution processes on such terms as they consider appropriate having regard to the nature of the suspected breach.

## **12. Sanctions**

**12.1** If the Representative determines that a Student Organization is or remains in breach of this Regulation they will provide the Student Organization with a period of 7 days from the date of their decision to deliver written submissions on sanctions should the Student Organization wish to do so.

**12.2** In determining a sanction proportionate to the breach, the Representative will first consider any written submissions on sanctions from the Student Organization and any mitigating and aggravating circumstances.

**12.3** Sanctions may include one or more of the following:

- a) the suspension or revocation of one or more Privileges;
- b) the requirement to participate in a remedial or educative process;
- c) the suspension, in whole or in part, of the transfer of Levies to the Student Organization on such terms as the Representative determines appropriate which may or may not include the University directing Levy revenues toward to proper expenses or purposes of the Student Organization without transferring those revenues to the Student Organization;

- d) the withdrawal of Recognition of the Student Organization and the termination of the collection of any Levies.

**12.4** The Representative will issue their decision which will include written reasons for their determination of sanctions.

**12.5** The sanction in section 12.3 c) takes immediate effect on an interim basis subject to approval by the Board of Governors after any review process in section 13 of this Regulation has been exhausted. If the Board does not approve the sanctions, the University must as soon as reasonably possible arrange to account for and transfer the Levies to the Student Organization.

**12.6** In any case in which the sanction in section 12.3 d) is imposed which involves the termination of the collection of any Levies, such termination will not take effect unless and until it is approved by the Board of Governors after the review process in section 13 of this Regulation has been exhausted.

**12.7** Continued non-compliance after a determination of breach of this Regulation, or failure to comply with sanctions imposed, may give rise to notice of subsequent suspected breach and may also be an aggravating factor considered in determining sanctions for a subsequent breach.

### **13. Review**

**13.1** A Student Organization that has been determined to be in breach of this Regulation may request a review of that decision on grounds of jurisdiction, bias, conflict of interest, or other procedural irregularity. The review will be conducted by the University Office to which the Representative reports, by individuals other than the Representative who were not involved in investigating the suspected breach or in preparing and providing the written notice of it ("**Reviewing Office**").

**13.2** Except in the circumstance described in 13.5, a Student Organization may request a review pursuant to section 13.1 by submitting a written request for review to the

Reviewing Office, with a copy to the Representative, within 7 days of the date on which the decision was issued to the Student Organization under section 11.6 or 12.4. The written request for review will include: the grounds upon which the review is sought, and the evidentiary basis for the review.

**13.3** The Representative will forthwith submit a copy of the documentation in their file to the Reviewing Office, or to the President in the case of reviews of decisions of the Provost or designate.

**13.4** The Reviewing Office will, as soon as possible and in any event no later than 21 days after the submission of the request for review, communicate the name of the reviewer to the Student Organization along with a proposed timeline for the review. The Reviewing Office's determination of the review will be issued to the Student Organization in writing as soon as possible and in any event no later than 60 days after the request for review was submitted.

**13.5** A Student Organization may request a review of a decision made by the Provost or designate by submitting a written request for review to the President, with copy to the Provost or designate, within 7 days of the date on which the decision was issued to the Student Organization under section 11.6 or 12.4. The written request for review will include: the grounds upon which the review is sought, and the evidentiary basis for the review.

**13.6** The President may:

a) conduct the review personally, in which case the President's determination of the review will be issued to the Student Organization in writing as soon as possible and in any event no later than 60 days after the request for review was submitted;

or

- b) direct that the review be conducted by an independent reviewer and promptly communicate that to the Student Organization. The President will appoint the independent reviewer as soon as possible and in any event no later than 21 days after of the submission of the request for a review and will promptly communicate the name of the reviewer to the Student Organization along with a timeline for the review. The independent reviewer will submit recommendations to the President. The President's determination will be informed by the recommendations made by the independent reviewer and will be made and communicated to the Student Organization in writing as soon as possible and in any event no later than 60 days after the independent reviewer was appointed.

**13.7** The Reviewing Office may sustain, amend or rescind the Representative's decision.

**13.8** The determination of the Reviewing Office on review of a decision under this Regulation is final.

#### **14. Review of this Regulation**

**14.1** This Regulation will be reviewed at least once every five years after its effective date.

**14.2** The Vice-Provost, Students will initiate and oversee the review process which will include consultation with students, representatives of Student Organizations, faculty, staff and other community members.

**SCHEDULE A**  
**to Presidential Regulation Regarding Student Organizations**  
**Recognized Faculty Student Governments**

*[NOTE TO DRAFT: TO BE UPDATED AS OF THE BOARD APPROVAL DATE OF THIS  
REGULATION]*

Creative Arts Students Association  
Environmental and Urban Change Students' Association  
Faculty of Education Students' Association  
Faculty of Health Student Caucus  
Graduate Business Council  
Lassonde Student Government  
Legal and Literary Society of Osgoode Hall Law School  
Student Council of Liberal Arts & Professional Studies  
Undergraduate Business Society



**SCHEDULE B**  
**to Presidential Regulation Regarding Student Organizations**  
**Recognized College Student Governments**

*[NOTE TO DRAFT: TO BE COMPLETED AS OF THE BOARD APPROVAL DATE OF  
THIS REGULATION]*

Bethune College Council  
Calumet College Council  
Founders College Student Council  
Glendon College Student Union  
McLaughlin College Council  
New College Council  
Stong College Student Government  
Vanier College Council  
Winters College Council

## SCHEDULE C

### to Presidential Regulation Regarding Student Organizations

#### Constitutional Requirements for Student Organizations

The Presidential Regulation Regarding Student Organizations advances the objects and purposes of the *York University Act, 1965* and the freedom of students to associate and express themselves through Student Organizations by requiring that Student Organizations conduct their activities and their financing of student activities in an open, accessible, democratic, Non-discriminatory, legally and financially responsible manner. York University's interest in the Constitution of Student Organizations reflects this governing principle. In keeping with this, as a condition of Recognition, the Student Organization must develop and continuously maintain a Constitution that is approved by a majority of its members and that complies with the following requirements. As well, where the Student Organization is incorporated, it must include and continuously maintain these requirements in its Governing Documents, except to the extent that they conflict with the mandatory requirements of any legislation under which a Student Organization is incorporated:

1. **Interpretation:** The Constitution must describe whose interpretation is authoritative. Example: *The Council of \_\_\_\_\_ shall be the sole authority for the interpretation of the Constitution. The Council shall, however, make all determinations of construction and interpretation with due regard to accepted rules of procedure, e.g. Roberts Rules of Order. The Speaker of the Organization, subject to an appeal to the Council, is generally the first source for interpretation of the Constitution.*
2. **Objects:** The Constitution must clearly state the objects of the Student Organization and these must match the published corporate objects in the Governing Documents if the Student Organization is a corporation. Such statements of objects must be consistent with University regulations, policies, procedures, guidelines and federal and provincial laws, including the Ontario *Human Rights Code*. If they are not consistent,

the Student Organization will be in breach of this Regulation until the inconsistency is corrected.

3. **Powers:** The Constitution must clearly state the powers accorded to the Organization, its members and elected representatives, i.e., members of the Council, members of the Executive, etc. Such powers must be exercised in a manner that is consistent with the published Objects of the Student Organization.
4. **Membership-Constituency:** The Constitution must clearly define constituency and criteria for membership.
5. **Membership criteria for Council and for Executive:** The Constitution must clearly define criteria for Council membership, Executive membership, and/or membership on a Board of Directors, including qualifications for membership, maximum terms of office, procedures to deal with vacancies, and the responsibilities and privileges associated with membership. Such criteria must be consistent with the Ontario Human Rights Code. Where a salary is paid by the Student Organization, there must be a job description for the role (see 15, below). Definitions of full vs. associate memberships should be included if applicable. (Example: “The voting members of Council are: the President, the Vice-President of Finance,...”.)
6. **Duties of Members:** The Constitution must clearly describe the duties of all members of Council and/or of elected representatives. Job descriptions should also be included. (see 11, below). (Example: The duties of the President are ..., the duties of the Secretary are ..., the duties of the Senators are..., etc.)
7. **Associate Membership:** The Constitution may provide for associate membership for categories of students who are beneficiaries of some of its activities but unable to participate in its affairs because of the location of their studies or other anomalous conditions.
8. **Conflict of Interest:** As per section 10.1(i) of this Regulation, the Constitution must address the issue of conflict of interest for members of the executive, council, committees, and/or members of advisory/management boards.
9. **Election Procedures:** The Constitution must prescribe annual election procedures by which positions will be filled. These procedures must clearly: assign responsibility for calling elections, advertising elections in a manner that ensures that members will

have ample opportunity to participate, the use of the University's electronic voting system, or a comparably secure system to which the Vice-Provost, Students has given prior approval in writing, appointing a trained Chief Returning Officer (CRO), approving election results and either challenging or responding to and resolving challenges to elections procedures and/or results. A job description for the CRO must also be provided and be published to the members. Descriptions of nomination procedures, definitions of eligibility to vote, to run for office, campaign guidelines (expenses), ballot and polling procedures, etc. must also be stipulated.

10. **Procedures of Council:** The Constitution must include provisions for all Procedures of Council such as: frequency of meetings, who has responsibility for calling and for chairing meetings and setting the agenda, how notice for meetings will be given, how much notice is required for meetings, who has voting privileges at meetings, procedures for proxy voting (if desired), a procedure to deal with a tie vote, quorum requirements, etc. (NOTE: The Constitution must contain a clear and concise statement on quorum requirements for all orders of business, such as but not only meetings of Council and meetings of the Elected Officials.)
11. **Financial Responsibility:** The Constitution must clearly delineate financial responsibility by stating the fiscal year, positions with signing authority, who is to strike the budget, what steps are required before the budget is approved, the percentage of votes needed to approve the budget, who is to maintain the financial records of the organization, who is to prepare financial reports and make them available to members, and who is responsible for financial reporting to the University. The Constitution must also indicate how any residual funds or debts are to be treated in the event that a Student Organization is not expecting to be continued past the end of the current year.
12. **Committees:** The Constitution must create and describe all standing committees, including their terms of reference, who may serve and vote on them, any ex officio members, quorum requirements, responsibilities, and reporting requirements.
13. **Amendment Procedures:** The Constitution must include fair amendment procedures, stating how much notice is required for members to introduce proposed changes to the Constitution and/or by-laws; and quorum, voting procedures and voting requirements for such proposals.

14. **External Affiliations:** If necessary, the Constitution should include descriptions of any affiliations and/or jurisdictional relationships. (Example: membership in outside organizations such as Canadian Federation of Students.)
15. **Employees:** The Constitution must include job descriptions for all employees of the organization or otherwise identify where these are located and made accessible to members. Descriptions should indicate employees' responsibilities and terms of employment, as well as who has responsibility for hiring, supervising and disciplining employees.
16. **Custodian of the Constitution** Each funded Student Organization must designate an official "custodian of the constitution" for purposes of continuity between elected officials and for ensuring timely review and reporting regarding the Constitution. Where appropriate, a member of the Division of Students, Dean's or Head's staff could fulfill this role. If the group has permanent employees, one of their own staff members may be charged with this custodial role.
17. **Advisory/Management Boards** Student Organizations that own and operate small businesses such as pubs, coffee shops, newspapers, games rooms, etc. must establish advisory/management boards to oversee these operations in an appropriate arms-length relationship to the businesses. To the extent possible, advisory/management boards must be composed of a combination of students, staff, faculty and alumni who can lend their respective expertise and perspectives to the Student Organization. Conflict of interest guidelines must be adhered to when selecting members of these advisory/management boards.
18. **Allegations of Wrongdoing & Disciplinary Action:** Along with the requirement for an internal complaints process (see 19, below) the Constitution must prescribe formal procedures for dealing with allegations of wrongdoing against any member of the Council or an elected representative. Provisions must include the circumstances which might dictate disciplinary action (such as censure, suspension, or impeachment) and indicate whose responsibility it will be to hear allegations and/or impose sanctions. Provisions for replacing elected officials (by-elections) if and when vacancies occur must also be included. Such hearing processes must be conducted fairly, ensuring that the party facing the allegations has a fair and timely opportunity to present their

own defence, and that the allegations are investigated or adjudicated by one or more unbiased student members of the Student Organization.

**19. Internal Complaints Process** Student Organizations must adopt and publish on their website or other digital location a detailed and accessible internal process for addressing complaints about any aspect of their organization and its activity.

**20. Accessibility of Documentation.** Student Organizations must publish their meeting dates, agendas, motions, meeting minutes, Governing Documents, budgets and financial statements in a manner that may easily be accessed by their members (e.g. website, public social media accounts, YU Connect page).

**SCHEDULE D**  
**to Presidential Regulation Regarding Student Organizations**  
**Characteristics of Concepts**

**1. Open, Accessible and Democratic**

Openness, accessibility and democracy are broadly accepted ideals applicable to many community- based organizations. There is no single definition of what constitutes an open organization, an accessible one, or a democratic one. The terms are inter-related, take on meaning depending on the context, and may vary by the size, scope and mandate of an organization. They may evolve as organizations and the expectations of their members change. For a Student Organization to be considered open, accessible and democratic, the following attributes tend to apply.

The criteria listed below are not absolute, since they are meant to describe general standards in accordance with which Student Organizations, ranging in size and budget from very small to the very largest, should act. This Regulation acknowledges that organizations will choose various means to act in an open, accessible and democratic way, and that variations in the application of these principles are to be expected.

**Accessible Student Organizations are characterized by many of the following:**

- Willingness and demonstrated desire to integrate both new members into the group, and the activities demonstrating same
- In the case of voluntary groups, an environment that seeks out and welcomes new members, with clearly articulated and publicly available criteria regarding how to join
- Commitment to, and actually encouraging and facilitating participation of all members in the full scope of the organization's activities
- Transparency about what the activities are
- Openness to scrutiny

- Commitment to, and acting and communicating in accordance with the principles of diversity, equity and inclusion for all members
- Commitment to, and ensuring, clarity in communications
- Commitment to, and allowing and facilitating a diversity of perspectives to be heard
- Fair processes for members to initiate change

**Democratic Student Organizations are characterized by many of the following:**

- Openness to the participation of members in all activities
- Effective and clearly identified channels of communication between members and the executive
- Transparency and accountability to the membership, including but not limited to budgeting and expenditures
- Transparent management
- Commitment to, and actually considering and respecting the range of members' views whether majority or minority in nature
- Ensuring that those affected by decisions have an actual voice in processes leading to decisions
- Ways for dissent, and for complaints, to be considered and resolved and, where appropriate, processed at successively higher levels within the organization
- Ability of all members to stand for executive positions
- Impartial and fair elections processes that allow members to participate easily as both voters and candidates, including the provision of an arms-length chief returning officer for elections

**Open Student Organizations are characterized by many of the following:**

- Widely-available information on the organization's operations, membership, finances and mandate
- Transparency about rules of operations
- Willingness to freely share information about the organization with members
- Clear and transparent membership criteria



- Commitment to ensuring that meetings, events and activities of the organization are communicated to the membership in such a way that members are able to participate fully in such meetings, events and activities
- Commitment to ensuring that members' voices and perspectives whether expressed individually or by a group, can be heard and, if appropriate, acted upon

**2. Financially Responsible (or Financial Responsibility) is characterized by the following:**

- Making its budget and financial statements available to all of its members at all times
- Directing its funds only to the purposes required to achieve its objects and its constitution and otherwise in accordance with its Governing Documents, University Legislation including the requirements of this Regulation, and in compliance with Laws
- Compliance with section 11 of Schedule C