



**STUDENT CAUCUS**  
OF FACULTY COUNCIL

## CONSTITUTION OF STUDENT CAUCUS OF FACULTY COUNCIL OF OSGOODE HALL LAW SCHOOL

### 1.0. NAME

The name of Student Caucus is: The Student Caucus of Faculty Council of Osgoode Hall Law School, York University. It will be referred to in this document as “Student Caucus” or “Caucus.”

### 2.0. PURPOSE

The purposes of Caucus shall be:

- 2.1. to promote the welfare and interests of Students by representing their views at meetings of Faculty Council and at meetings of Faculty Council Committees;
- 2.2. to advocate for the enhancement of the quality of education and academic life at Osgoode;
- 2.3. to participate fully and actively in Osgoode’s community by exercising all rights and responsibilities delegated or granted by Osgoode and this document;
- 2.4. to safeguard the rights of individuals in Osgoode’s community from all forms of discrimination;
- 2.5. to be fully committed to equality and diversity and be reflective of the diversity of Students, the surrounding community, and all equity seeking groups at Osgoode, including women, visible minorities, Indigenous persons, persons with disabilities, persons facing economic hardship, and LGBTQ2S+ persons;
- 2.6. to inform Students of Osgoode Hall Law School’s and York University’s administrative decisions and of Faculty Council proceedings;
- 2.7. to stimulate the interests of Students in Caucus affairs;
- 2.8. to act in the best interests of Students; and,
- 2.9. to convene regularly to discuss these purposes.

### 3.0. DEFINITIONS

In all Bylaws and resolutions of Caucus the following terms have the following meanings, unless the context requires otherwise:

- 3.1. “**Academic Year**” means the period from September (or whenever the first classes begin for the Fall Term) to the end of April (or whenever the last classes end for the Winter Term);
- 3.2. “**Caucus**” and “**Student Caucus**” means the Student Caucus of Faculty Council of Osgoode Hall Law School, York University;
- 3.3. “**Chief Electoral Officer (CEO)**” means the individual appointed to oversee student elections by the Society;
- 3.4. “**Constitution**” means the Constitution of Caucus;
- 3.5. “**Election Handbook**” means a document compiled by the CEO which specifies the rules and procedures of the Fall and Winter Term elections;
- 3.6. “**External Committee**” means any committee, sub-committee of Caucus, advisory board, decision-making body, investigatory group, inquiry, or other such body;
- 3.7. “**Executive**” means the Executive of Caucus;

- 3.8. **“Faculty Council”** means the governing body of Osgoode Hall Law School as mandated by “Faculty Council of Osgoode Hall Law School” under “Governance of York University and Osgoode Hall Law School” of the Osgoode Hall Law Academic Handbook;
- 3.9. **“Faculty Council Committee”** means any Committee mandated by “Standing Committees of Faculty Council” under “Governance of York University and Osgoode Hall Law School” of the Osgoode Hall Law Student Handbook;
- 3.10. **“Fall Term”** means the academic study period from September to December;
- 3.11. **“Initiative”** means any and all activities engaged in by one or more members of Caucus intended to better the life of Students that is not within the jurisdiction of Faculty Council and is not at present being organized by Caucus or a club supported by Caucus;
- 3.12. **“Member”** means a member of Caucus who is currently holding office;
- 3.13. **“Osgoode”** means Osgoode Hall Law School, York University;
- 3.14. **“Senate”** means the Senate of York University;
- 3.15. **“Senator”** means Students who serve on the Senate and are elected in accordance with the policies of Senate under “Governance of York University” of the Osgoode Hall Law Academic Handbook;
- 3.16. **“Society”** means the Legal and Literacy Society of Osgoode Hall Law School;
- 3.17. **“Society Executive”** means the Executive of the Legal and Literacy Society of Osgoode Hall Law School;
- 3.18. **“Special Meeting”** means a meeting at which all current elected Members of Student Caucus must be present;
- 3.19. **“Student”** means current registered students of Osgoode Hall Law School, including in joint programs;
- 3.20. **“University”** means York University;
- 3.21. **“Voting Participant”** means all Members of Student Caucus and any Faculty Council Committee member who is appearing at a Caucus meeting with respect to a matter concerning the Committee of which they are a member, and voting on a motion relating to that matter; and,
- 3.22. **“Winter Term”** means the academic study period from January to April.
- 3.23. Words in the singular shall include the plural and vice versa.

#### **4.0. AUTHORITY/SCOPE**

This document applies to Caucus, its Members, and to other individuals when specified. It is the responsibility of each Member to fulfil their duties as set out in this document to the best of their ability.

#### **5.0. THE EXECUTIVE**

##### **Composition**

- 5.1. The Executive of Caucus shall consist of three (3) Members selected by and from individuals elected to Caucus in the Winter Term of each Academic Year. The three (3) positions are:
  - (a) Chair;
  - (b) Vice Chair; and,
  - (c) Director of Communications.
- 5.2. No member of the Society Executive shall be a member of the Executive, except for the Chair in their capacity as a member of the Society.
- 5.3. All Executive Members have signing authority and are considered the Officers of Caucus.

##### **Method of Election**

- 5.4. The Executive shall be elected at a Special Meeting attended by the newly elected Members to be held within twenty-one (21) days after the results of the Winter Term elections are released, or, in exceptional circumstances, to be held at a time to be determined jointly by the outgoing executive and the CEO.
- 5.5. The election of Members to the Executive shall be administered by the CEO. The CEO is responsible for administering the election with the assistance of at least one (1) of the following, who shall not vote:
  - (a) the outgoing Chair of the Executive (if they are in their final year of study);
  - (b) one (1) other Member of the outgoing Executive (if they are in their final year of study); and/or,
  - (c) the newly elected Society President, or their delegate present at the vote.
- 5.6. If the outgoing Chair is not in their final year of study, another outgoing Member of the Executive in their final year of study shall take their place.
- 5.7. If there are less than two Members of the outgoing Executive in their final year of study, or if outgoing Executive Members are unable to attend the Special Meeting, the CEO may select one (1) or two (2) outgoing Third Year Representatives accordingly.
- 5.8. At the Special Meeting, each position of the Executive shall be decided by a separate vote.
- 5.9. Votes shall be cast by closed ballot. The results of the election shall not be disclosed by the administrators of the election without the consent of all candidates involved.
- 5.10. Each member of the Executive shall be elected by a ranked ballot. Each voter must indicate the order in which they prefer the candidates by writing a “1” beside their first preference, a “2” beside their second preference and continuing this sequence in numerical order up to an including the final candidate.
- 5.11. A ballot is considered spoiled unless it indicates a numeral beside each candidate. Spoiled ballots do not count as eligible votes. The CEO must communicate this information to all eligible voters prior to when they cast their votes.

### **Executive Elections: Speeches and Question Period**

- 5.12. Candidates seeking election shall attend a speech and question period for each position to be held during the Special Meeting.
- 5.13. Candidates will be permitted a two (2) minute speech to state their platforms.
- 5.14. Following speeches, the floor will be open to Members to ask questions to the candidates for as long as necessary as determined by the CEO.
- 5.15. If necessary, Members can extend question period.
- 5.16. The speech and question period are meant to serve as replacements for campaigning and as such, no campaigning, at least in the traditional sense, shall be permitted for Executive positions.

### **Executive Elections: First Round**

- 5.17. If a candidate receives a majority (50%) the eligible first preference votes, that candidate shall be elected.

### **Executive Elections: Second and Subsequent Rounds**

- 5.18. In a situation with more than two (2) candidates, and where no candidate receives a majority (50%) of the eligible first preference votes in the first round, the candidate(s) with the fewest first preference votes is/are eliminated and a second round is required. An eliminated candidate can no longer receive re-allocated votes.
- 5.19. In the second round, the first preference votes of the eliminated candidate(s) shall be re-allocated amongst the remaining candidates according to the second preferences, or, if second preference candidates have also been eliminated, the highest-ranked preference that contains a candidate that has

not been eliminated. These re-allocated votes shall be counted as first preference votes. If a candidate receives a majority (50%) of the eligible first preference votes after this process, that candidate shall be elected.

- 5.20. In the event that no candidate has received a majority (50%) of the eligible first preference votes after a second round, subsequent rounds shall be held under the procedures outlined in 5.19. Votes from eliminated candidates in subsequent rounds shall be re-allocated as first preference votes in a way that reflects how the remaining candidates have been prioritized on these votes.

### **Executive Elections: Ties**

- 5.21. If the election cannot be resolved by the method outlined, the election shall be resolved by a final vote between two (2) outgoing Members, who will be picked by the CEO, and the newly elected Society President or their delegate at the vote. The two (2) outgoing Members cannot be running in the election contested and should not have an easily perceivable conflict of interest or bias towards a candidate.
- 5.22. In this vote, each of the three (3) individuals shall write the name of the candidate they wish to elect on a ballot. The ballots will then be counted by the CEO. The candidate with the most votes shall be elected.
- 5.23. In the event that two outgoing Members are not present at the meeting, then all efforts should be made to find two (2) outgoing Members. The outgoing Chair will be considered an outgoing Member. If none can be found, then the vote will need to be postponed by the CEO and rescheduled within twenty-four (24) hours.
- 5.24. In the event that more than two (2) candidates remain, and the vote in 5.22 does not result in a candidate being elected, the CEO shall reveal the results of the vote to the three (3) individuals, and the Society President must re-allocate their vote to one of the candidates chosen by either of the outgoing Members.

### **Executive Elections: Disputes**

- 5.25. If the result of any election is questioned or challenged by any candidate or Student, such dispute shall be brought to, and resolved by, the CEO.

### **Transitional Provisions**

- 5.26. Within one (1) week after the Special Meeting for elections the outgoing Chair shall send an email to the Dean, Associate Dean (Students), Assistant Dean (Students), the Chair of Faculty Council, the Secretary of Faculty Council, or their equivalents, and such other parties as may be relevant, such as committee Chairs, notifying them of the new composition of the Executive, and of the names of all Members for the following year.
- 5.27. Before the beginning of the Fall Term, the incoming Vice Chair shall seek Faculty Council Committee preferences of Members and make appointments to the Committees.
- 5.28. The outgoing Director of Communications shall ensure the minutes of the most recent meeting are available for approval for the first meeting of the following Caucus.
- 5.29. The incoming Director of Communications shall ensure the names of the new Executive and Members are posted on the Caucus website.

### **Powers and Duties: Executive Committee**

- 5.30. The Executive shall exercise the following powers and duties:
- (a) appoint all Student members to Faculty Council Committees in accordance with the following:

- (i) all appointments to Faculty Council Committees shall be made by approval of a majority of the Executive at a meeting (or meetings) attended by all Executive Members and can be conducted electronically;
    - (ii) in its deliberations, the Executive shall take into consideration the applicant's demonstrated interest in the committee, their qualifications, and whether the applicant is already an elected Member of Caucus.
  - (b) set the agenda for all meetings of Caucus;
  - (c) be familiar with this document;
  - (d) delegate duties as required to other Members, subject to the majority approval of the Executive and Caucus; and,
  - (e) notify all Members and all Student members of Faculty Council Committees of their duties and responsibilities.
  - (f) maintain a current, authoritative copy of the Constitution and any bylaws and ensure they are available on the Caucus website.
- 5.31. Any unilateral action taken by the Executive shall be subject to the ratification of Voting Participants at the discretion of Caucus and shall be ratified at the next Caucus meeting after said unilateral action has been taken.

### **Powers and Duties: Chair**

- 5.32. The Chair has the following powers and duties:
- (a) chair all Caucus meetings;
  - (b) be responsible for convening all Caucus meetings;
  - (c) be available to provide advice and commentary to future Members, if requested;
  - (d) subject to 5.4 – 5.24 and 8.0, supervise or arrange for the supervision and administration of all elections to Caucus;
  - (e) assist other Executive Members in their duties;
  - (f) Meet with the Dean and Associate Dean (Students) on alternating weeks throughout the Academic Year to discuss issues at Osgoode, with the goal of meeting with each Dean at least two (2) times per month if it is reasonable to do so;
  - (g) represent Caucus in public matters;
  - (h) represent Caucus at meetings of the Law Students Society of Ontario (LSSO);
  - (i) sit as an Ex-Officio member of Faculty Council's Priorities and Finance Committee and Nominating Committee, or on committees that most closely resemble their mandates should the committee structure or name change; and,
  - (j) sit as an *ex officio* member of the Society Executive.

### **Powers and Duties: Vice Chair**

- 5.33. The Vice Chair has the following powers and duties:
- (a) be responsible for establishing open and effective lines of communication between Caucus and Student members of Faculty Council Committees by:
    - (i) informing Student members of Faculty Council Committees of the affairs and concerns of Student Caucus; and,
    - (ii) informing Student Caucus of the affairs and concerns of the various Committees. In doing so, the Vice Chair may request the attendance of members of specific Faculty Council Committees at Caucus meetings.
  - (b) maintain a record of all Student members of Faculty Council Committees, including their attendance;
  - (c) remind Members of their obligations and responsibilities under this document;
  - (d) supervise the selection and appointment of members of Faculty Council Committees;
  - (e) maintain, record, and utilize Caucus' financial accounts in accordance with 11.0, unless a Treasurer has been selected in accordance with 11.1 – 11.3;

- (f) assist other Executive Members in their duties; and,
- (g) chair Caucus meetings in the Chair's absence.

## **Powers and Duties: Director of Communications**

- 5.34. The Director of Communications has the following powers and duties:
- (a) inform all Members about the contents of Caucus meetings by putting together an agenda for the meeting and dispersing to all Members at least twenty-four (24) hours in advance of the meeting;
  - (b) maintain a record (the minutes) of the proceedings and discussions of Caucus meetings;
  - (c) assist other Executive Members in their duties; and,
  - (d) utilize communication channels to inform Students about Caucus and Faculty Council affairs and initiatives, including but not limited to:
    - (i) posting on social media platforms;
    - (ii) sending out surveys;
    - (iii) ;
    - (iv) maintaining the Caucus website; and,
    - (v) emailing Students on the listserv.

## **6.0. FACULTY COUNCIL COMMITTEES**

### **Application**

- 6.1. Any Student is eligible for consideration for appointment to any Faculty Council Committee.
- 6.2. Students in a joint program can seek positions on Faculty Council Committees, with the only exception being students who are in their first year who are beginning their joint program at a different faculty.
- 6.3. Each Member is required to sit on at least one (1) Faculty Council Committee and must apply in accordance with 6.0.
- 6.4. Each application for a position on a Faculty Council Committee shall be addressed in writing to the Vice Chair. The Vice Chair shall provide a written acknowledgement of receipt of an application to its applicant.
- 6.5. Each applicant shall provide at least the following information to the Vice Chair:
  - (a) their academic background;
  - (b) their previous relevant experience;
  - (c) their reasons for applying to the Faculty Council Committee in question; and, (d) whether they have sat on a Faculty Council Committee before.
- 6.6. The Vice Chair shall endeavour to ensure, to the extent that is possible, at least one (1) member from an equity seeking group, as listed in 2.5, is placed on each Faculty Council Committee.
- 6.7. The Society Equity Officer shall sit ex-officio on the Equality Committee.
- 6.8. All appointments are subject to the ratification of Caucus.

### **Appointment**

- 6.9. Based on the applications that they receive the Vice Chair shall create a list of recommendations for appointments of Students to Faculty Council Committees before the second meeting of Faculty Council in the Fall Term.
- 6.10. All appointments will be finalized and ratified by the Executive in accordance with 5.30.
- 6.11. With the exception of the Chair and the Society President, no person shall sit as a member of more than one (1) Faculty Council Committee at any given time unless by unanimous consent of the Executive.

- 6.12. Consent to sit on more than one (1) Faculty Council Committee can be obtained after the individual seeking to sit on more than one (1) committee provides reasons for their request to the Vice Chair. The Vice Chair shall then present these reasons to the other members of the Executive. The Executive shall discuss the request and shall approve the request only if the Executive Members unanimously agree to do so.
- 6.13. With exception of the Chair, no member of the Executive shall sit as a member of more than one (1) Faculty Council Committee at any time, unless approval is granted by a vote of a two-thirds (2/3) majority at a quorum Caucus meeting after discussing the matter.
- 6.14. If for any reason an unexpected vacancy arises on any Faculty Council Committee, the Executive shall appoint a replacement within fourteen (14) days of them learning about this vacancy, in accordance with 5.30 and 6.1 – 6.8.

### **Duties of Student Members of Faculty Council Committees**

- 6.15. Student members of Faculty Council Committees have a duty to:
  - (a) attend each meeting of the Faculty Council Committee to which they are appointed;
  - (b) communicate any related mandates delivered to them by Caucus to their Faculty Council Committee;
  - (c) aid in facilitating communication between their Faculty Council Committee and Caucus by:
    - (i) providing a written record of each meeting held by their Faculty Council Committee to the Vice Chair; and,
    - (ii) when requested by the Vice Chair, appearing at a Caucus meeting and presenting a report of any relevant issues being discussed by their Faculty Council Committee.
  - (d) participate in any other related Caucus initiatives as the Executive deems necessary.
- 6.16. Members voting on motions at Faculty Council meetings shall take into consideration any discussions held in relation to these motions at Caucus meetings.

## **7.0. STUDENT CAUCUS MEETINGS**

### **Student Caucus Composition**

- 7.1. Caucus shall contain a membership of fourteen (14) Members elected by Students and three (3) Members of the Society Executive, and one (1) Member selected by the Osgoode Indigenous Students Association ("OISA").
- 7.2. Caucus shall be comprised of the following individuals:
  - (a) four (4) First Year Representatives, elected in accordance with 8.1 – 8.11;
  - (b) five (5) Second Year Representatives, elected in accordance with 8.13 – 8.15, subject to 8.33;
  - (c) five (5) Third Year Representatives, elected in accordance with 8.13 – 8.15, subject to 8.33;
  - (d) three (3) members of the Society Executive, consisting of:
    - (i) the President;
    - (ii) the Equity Officer; and,
    - (iii) the Vice-President (Internal).
  - (e) One (1) representative selected by the OISA.

### **Year Representatives**

- 7.3. The Year Representatives of the Student Caucus, in addition to their duties as Members, may be called upon to chair or sit on sub-committees of Caucus, run Initiatives or events for Caucus, and sit as full voting members of Faculty Council. They also have priority in the assignment of committee positions, subject to the discretion of the Executive. They are expected to solicit and represent the views of their constituents and take leadership on issues of import to their constituents. Year Representatives are expected to carefully consider and weigh all issues that come before the caucus,

to voice the opinions of their constituents and to vote, advocate, and conduct themselves in the best interests of Students.

## **Convening**

- 7.4. A Caucus meeting shall be held within the first three (3) weeks of the commencement of each Fall and Winter Term, and therefore within six (6) days prior to each Faculty Council meeting, at the discretion of the Chair.
- 7.5. Caucus meetings shall be held at least once every two (2) weeks, with the exception of meeting dates occurring during holidays or breaks, in which case the meeting shall be held the first week back when either Osgoode is open, or classes have resumed, at the discretion of the Chair.
- 7.6. The Chair and Society President shall consult with each other and set a time that ensures Caucus and Society meetings do not overlap, unless there is a joint meeting in which case there is no overlap.
- 7.7. The Executive can reschedule or cancel a meeting if there is not enough business to discuss or there will not be enough attendees to meet quorum; however, the Executive may not do so more than two (2) meetings per Academic Year.
- 7.8. The Chair shall convene any additional meetings that they, or a majority of the Executive, deem necessary.
- 7.9. Notice of any Caucus meeting shall be given in a fair, reasonable, and conspicuous manner to Students and Members at least forty-eight (48) hours prior to its start time.

## **Quorum**

- 7.10. Each meeting of Caucus should have attendance of more than fifty percent (50%) of the current Members.
- 7.11. Attendance shall be made up of at least:
  - (a) two (2) Members of the Executive;
  - (b) one (1) First Year Representative (if the First Year Representatives have been elected);
  - (c) one (1) Second Year Representative; and,
  - (d) one (1) Third Year Representative.
- 7.12. Members of the Executive, in their roles as representatives of their respective year, are able to contribute to quorum.
- 7.13. Members joining the meeting electronically shall contribute to quorum and can act as Voting Participants.
- 7.14. Caucus meetings can still occur if quorum is not met; however, voting cannot occur, and resolutions or motions cannot be adopted or carried.

## **Conduct**

- 7.15. Caucus meetings shall be open to all Students.
- 7.16. Caucus meetings shall be held in accordance with Robert's Rules of Order, 11th edition, and with any subsequent editions, subject to the discretion of the Chair.
- 7.17. A motion may be brought at any quorum Caucus meeting by any Voting Participant.
- 7.18. Any individual present at a Caucus meeting can request their remarks, or part of their remarks, are not recorded.
- 7.19. The Chair is responsible for maintaining order and ensuring proper voting procedures are followed.
- 7.20. The Chair shall not vote at Caucus meetings unless to break a tie. In this event, the Chair will cast the deciding vote. Chairs are able to move and second motions.
- 7.21. The Vice Chair shall keep a record of attendance at all Caucus meetings. In the absence of the Vice Chair, another Member of the Executive will record attendance for the meeting. Members can be found to be in cessation of their duties if they fail to attend two (2) Caucus meetings as in 15.0.



## **Agenda and Pre-Meeting**

- 7.22. Any Member may submit an item, including Initiatives for approval, to be discussed on an agenda of any meeting.
- 7.23. At the discretion of the Executive, Members must submit items for the agenda of any meeting at least forty-eight (48) hours prior to any regularly scheduled meetings.

## **Executive Updates**

- 7.24. During every meeting at which they are present, the Chair, Vice Chair, and Director of Communications shall each provide an oral update to Caucus. If there are no updates, a Member of the Executive may decline to give an update.
- 7.25. An update made under 7.24 shall aim to provide an overview of issues pertaining to Caucus and should be presented in a way that does not take away discussion from other items on the agenda. Updates should be made in a reasonable amount of time.
- 7.26. During each meeting, a Member of the Executive can ask for all Members for an update on any outstanding items or Initiatives.

## **Initiatives**

- 7.27. If approved, by a majority of Voting Participants, Caucus shall support Initiatives by providing human resources, lobbying efforts, and other assistance to the best of its abilities.
- 7.28. Caucus may designate any person(s), one of whom must be a Member that applied for the Initiative to be approved to guide the Initiative and provide updates as to the status of the Initiative at Caucus meetings. If the Member is relieved of their duties under 15.0, they shall cease to guide and provide updates of the Initiative.
- 7.29. Members can vote to stop supporting an Initiative by majority vote. Members responsible for the Initiative shall no longer guide or provide updates on it.

## **Minutes**

- 7.30. The Director of Communications shall ensure that items that require specific action from Members and the results of any vote are recorded in the minutes.
- 7.31. Meeting minutes shall be approved by a simple majority of Members at the next quorum Caucus meeting.

## **Online Votes**

- 7.32. Votes can be conducted online or via email outside of regularly scheduled meetings if a majority of the Executive deem the matter to be pressing or exceptional.
- 7.33. Online voting shall not be used as a means of circumventing 7.4 – 7.7.
- 7.34. The Director of Communications shall record the vote in the minutes of the online session.

## **Proxy Voting**

- 7.35. Voting by proxy shall not be allowed.

## **In-Camera**

- 7.36. Caucus may choose, based on direction from a majority vote, to hold all or part of any of its meetings, or any meeting of a committee or sub-committee, in-camera.

- 7.37. A meeting held in-camera shall be held behind closed doors, without public minutes taken and without any individuals who are not Voting Participants present.
- 7.38. Notwithstanding 7.36, Caucus may invite any individual or group to an in-camera meeting, provided the individual or group agrees to abide by 7.35 – 7.38.
- 7.39. No individual present at an in-camera meeting shall report what was discussed within the meeting to any individual who was not present, except to communicate a decision in accordance with the directions of the meeting that are approved by a majority of Voting Participants present at the meeting.
- 7.40. Any Member who violates 7.38 is subject to discipline under 15.0.
- 7.41. Any individual who violates 7.38 and is not a Member is subject to a complete suspension of support from Caucus.

## **8.0. ELECTIONS**

### **First Year Representatives**

- 8.1. The Chair shall, with the assistance of the CEO, ensure that Osgoode's first year Students elect First Year Representatives of Caucus.
- 8.2. Each section of Osgoode's first year class shall individually elect one (1) First Year Representative.
- 8.3. Elections for First Year Representatives shall be held in the Fall Term of each year and shall be held concurrently with Society elections in accordance with any rules and procedures mandated by the CEO, except where this document and rules and procedures mandated by the CEO conflict, this document will prevail.
- 8.4. In supervising the administration of the election of First Year Representatives, the Chair shall:
  - (a) inform members of Osgoode's first year class about the student government structure, the role of Members on Faculty Council, and the duties and responsibilities of First Year Representatives; and,
  - (b) attend and supervise, or appoint a representative to attend and supervise, each election of a First Year Representative.
- 8.5. Votes shall be cast by closed ballot. The results of the election shall not be disclosed by the administrators of the election without the consent of all candidates involved.
- 8.6. Each First Year Representative shall be elected by ranked ballot. Each voter must indicate the order in which they prefer the candidates by writing a "1" beside their first preference, a "2" beside their second preference and continuing this sequence in numerical order up to and including the final candidate.
- 8.7. A ballot is considered spoiled unless it indicates a numeral beside each candidate. Spoiled ballots do not count as eligible votes. The Chair, their representative, or the CEO must communicate this information to all eligible voters prior to when they cast their votes.

### **First Year Representatives: First Round**

- 8.8. If a candidate receives a majority (50%) the eligible first preference votes, that candidate shall be elected.

### **First Year Representatives: Second and Subsequent Rounds**

- 8.9. In a situation with more than two (2) candidates, and where no candidate receives a majority (50%) of the eligible first preference votes in the first round, the candidate(s) with the fewest first preference votes is/are eliminated, and a second round is required. An eliminated candidate can no longer receive re-allocated votes.
- 8.10. In the second round, the first preference votes of the eliminated candidate(s) shall be re-allocated amongst the remaining candidates according to the second preferences, or, if second preference

candidates have also been eliminated, the highest-ranked preference that contains a candidate that has not been eliminated. These re-allocated votes shall be counted as first preference votes. If a candidate receives a majority (50%) of the eligible first preference votes after this process, that candidate shall be elected.

- 8.11. In the event that no candidate has received a majority (50%) of the eligible first preference votes after a second round, subsequent rounds shall be held under the procedures outlined in 8.10. Votes from eliminated candidates in subsequent rounds shall be re-allocated as first preference votes in a way that reflects how the remaining candidates have been prioritized on these votes.

### **First Year Representatives: Ties**

- 8.12. If the election for a First Year Representative cannot be resolved by the method outlined in 8.1 – 8.11, the election shall be resolved by the CEO.

### **Upper Year Representatives**

- 8.13. A general election shall be held in the Winter Term of each year for the purpose of selecting five (5) Second Year Representatives and five (5) Third Year Representatives of Caucus.
- 8.14. A candidate running for a position on the Society shall not run for a Caucus position in the same year.
- 8.15. The Winter Term election shall be conducted by popular vote in accordance with any rules and procedures mandated by the Society, except when this document and Society rules and procedures conflict, in which case this document will prevail.
- 8.16. If a tie is found to occur during the Upper Year Representatives' election, it shall be resolved by the CEO.

### **Platforms**

- 8.17. Candidates must write a platform for election to the specifications described by the CEO.

### **Debates**

- 8.18. Candidates are expected to take part in a debate set during the campaigning period.

### **Campaigning**

- 8.19. Specifications for campaigning shall be set out by the Election Handbook, to be distributed by the CEO to all potential candidates during the Winter Term elections.

### **Term Length**

- 8.20. Members are elected to one (1) term. In the case of Upper Year Representatives, their term shall last from the conclusion of the Special Meeting at which Executive elections are held following the Winter Term elections to the conclusion of the subsequent Special Meeting at which Executive elections are held after the subsequent Winter Term elections. The elected term for First Year Representatives is from the conclusion of the Fall Term elections to the conclusion of the Special Meeting at which Executive elections are held following the Winter Term elections.

## **Joint Program Students**

- 8.21. Students pursuing a joint program are able to run for, and hold, a position on Caucus while they are a Student of a different faculty at the University, except when they are doing their first year of a joint program at a different faculty from Osgoode.
- 8.22. Students doing their first year of a joint program at a different faculty from Osgoode are barred from running as First Year Representatives and from voting. Students doing their first year of a joint program at Osgoode can stand for election as a First Year Representative and vote in Caucus elections.
- 8.23. Students completing their first year of a joint program can run as a Second Year Representative and vote if they completed their first year at Osgoode. Students completing their first year at a different faculty other than Osgoode can run as a First Year Representative and vote in the Fall Term of their second year in accordance with 8.1 – 8.11.
- 8.24. Students completing their upper years in a joint program shall run in, and vote for, the Year Representatives of the graduating class they entered with at Osgoode.
- 8.25. Students entering their fourth year of a joint program can only be considered for, and vote for, a position as a Third Year Representative for the next Caucus term.
- 8.26. Students in a joint program can seek positions on Faculty Council Committees or External Committees, with the only exception being students who are in their first year who are beginning their joint program at a different faculty.

## **Clinical, Intensive, and Exchange Programs**

- 8.27. Students who are enrolled in a clinic, intensive, or exchange program, or Students who are expecting to enrol in a clinic, intensive, or exchange program, are eligible to serve as Members.
- 8.28. Students must bring their enrolment in a clinic or intensive program to the attention of the CEO and outgoing Executive, and at the discretion of these parties, they may choose to allow the Student to serve on Caucus.
- 8.29. Students must be aware of the time commitments and responsibilities expected of a Member, or member of a Faculty Council Committee, or any other External Committee, and agrees that they will be able to fully satisfy these obligations as well as fulfill the requirements of their program.
- 8.30. If the clinic, intensive, or exchange, impedes the ability of the Member to contribute meaningfully to Caucus, or to a Faculty Council Committee, or any other External Committee, Caucus can relieve them of their capacity as a Member in accordance with 15.0.
- 8.31. Students who will be participating, or expecting to participate, in a clinic, intensive, or exchange program which requires them to be off-campus for four (4) consecutive weeks during the Academic Year shall not be able to serve on the Executive.

## **Number of Student Caucus Representatives**

- 8.32. Despite 7.1 – 7.2 and 8.1 – 8.11, if Osgoode increases or decreases the number of sections of first year students, the current Chair shall be responsible for ensuring that a reasonable amount of First Year Representatives shall exist while adhering to the requirements of 7.1 – 7.2.
- 8.33. Despite 7.1 – 7.2 and 8.13 – 8.15, if the number of willing candidates to run for Second Year Representative or Third Year Representatives is less than five (5), the outgoing Chair shall be responsible for ensuring that a reasonable amount of Second Year Representatives and Third Year Representatives shall exist while adhering to the requirements of 7.1 – 7.2.

## **Disputes**

- 8.34. If the result of any election is questioned or challenged by any candidate or Student, such dispute shall be brought to, and resolved by, the CEO.

## **9.0. STUDENT SENATORS**

### **Election**

- 9.1. Senators shall be directly elected by a vote of all Students during the Winter Term as overseen by the CEO and following the procedures as set out in the Election Handbook.
- 9.2. Students wishing to run for Senate must be a Student for two (2) Academic Years after the election.
- 9.3. One (1) Senator shall be elected every other Academic Year for a two (2) year term. Senators shall commence their term on July 1 of the year in which they are elected.

### **Duties**

- 9.4. Senators shall:
- (a) report to Caucus when requested;
  - (b) inform Caucus and the Society of relevant business of the Senate; and,
  - (c) consult with Caucus as to the perspective of Students on issues dealt with by the Senate as would be reasonable.

## **10.0. DIVERSITY**

Caucus, in consideration of reflecting the diverse body of Students at Osgoode commits itself:

- 10.1. to pursue and advocate for diversity and equality in the Osgoode student body, faculty, administration, and staff, through involvement in Faculty Council, Faculty Council Committees, and in all other Caucus Initiatives;
- 10.2. to strive to ensure the pool of candidates for every Faculty Council Committee and for any selection process administered by Caucus, including the selection of External Committees, include at least one (1) person representative from an equity-seeking group as noted in 2.5; and,
- 10.3. to advertise by email to all Students any elections, selection processes, and information sessions which are administered by Caucus.

## **11.0. BUDGET MANAGEMENT**

### **Appointment and Election**

- 11.1. The Executive shall act jointly as the Treasurer of Caucus; however, a majority of the Executive and Voting Participants at Caucus can elect a Second Year Representative or Third Year Representative to act as Treasurer instead.
- 11.2. In the event of an even number of votes for multiple candidates in an election for Treasurer, the Executive shall determine the winning candidate.
- 11.3. No current Member who is also a Society Executive member shall act as Treasurer.

### **Responsibilities**

- 11.4. The Treasurer shall apply for Caucus' annual budget in accordance with Society procedures.

- 11.5. The Treasurer shall monitor and record all Caucus expenditures for the duration of their term in accordance with Society procedures.
- 11.6. Whenever possible, expenditures should be pre-approved by Caucus.
- 11.7. If a person incurs an expense as a result of an approved expenditure, that person must notify the Treasurer of the exact cost and description of the item(s) and follow all Society procedures for applying for reimbursement.
- 11.8. The Treasurer shall deliver one (1) budget report in March, either written and orally, to Caucus that provides an update on Caucus expenditures.

## **12.0. EXTERNAL DOCUMENTS**

- 12.1. In the event that Caucus determines that a document for external use should be created, the Chair shall draft the document subject to the ratification of Caucus. If such ratification is not granted, the document shall be amended until it is acceptable to a majority of Members.

## **13.0. PUBLIC STATEMENTS**

- 13.1. Any Executive Member may make a statement on behalf of Caucus where the statement is approved by all Members of the Executive and clearly and unequivocally reflects the will of Caucus.
- 13.2. If a Member communicates to the Executive that Caucus should make a statement to Students, a draft of that statement must be discussed at a Caucus meeting and approved by a majority of Voting Participants in order to be circulated to Students. This does not apply to routine communications.
- 13.3. At the discretion of Caucus, Executive Members shall not use routine Caucus communications to promote the interests of other groups on campus.

## **14.0. EXTERNAL COMMITTEES**

- 14.1. Caucus may form External Committees, or be asked to staff committees, to facilitate Initiatives, run events, or address any issues or concerns that Caucus deems relevant. Caucus shall staff the External Committee as required. The External Committee shall choose the chair, with disputes resolved by a majority vote of the Executive unless a different body performs this objective. The Chair or other members on the Committee can be removed or added by a majority vote of the Executive, with ratification by a majority vote of Caucus, unless a different body performs these objectives.
- 14.2. A chair of an External Committee shall conduct meetings of the External Committee, shall report to Caucus as required, and shall delegate tasks and assignments to the other members of the Committee as would be reasonable. Students shall make reasonable efforts to attend all meetings.
- 14.3. Caucus can disband or end its involvement with any External Committee by majority vote.

## **15.0. CESSATION OF DUTIES**

### **Student Members of Faculty Council Committees**

- 15.1. Students may be relieved from their capacity as a member of a Faculty Council Committee at the discretion of the Executive by majority vote.
- 15.2. The Executive shall not exercise the discretion granted in 15.1 except for reasonable cause.

### **Executive Members**

- 15.3. Executive Members may be relieved from their duties in that capacity upon a two-thirds (2/3) majority vote at a Special Meeting. A motion to convene this Special Meeting must be carried by a two-thirds (2/3) majority of Members present at a quorum Caucus meeting.

- 15.4. Despite 3.18, a Special Meeting may proceed in the absence of the Executive Member sought to be relieved, provided that Caucus has given reasonable notice, including the time and purpose of the Special Meeting, to that individual.
- 15.5. The relieving of an Executive Member from their duties shall not affect their status as a Member.
- 15.6. In the event that a vacancy is created by the relieving of an Executive Member, this vacancy shall be filled within fourteen (14) days in accordance with the procedures outlined in 5.0, adapted reasonably for the time that this may take place.

### **Student Caucus Members**

- 15.7. Any Member that is not an Executive Member may be relieved of their duties at the discretion of the Executive if they have failed to attend any two (2) Caucus meetings during one (1) term without providing an explanation found reasonable by the Executive.
- 15.8. The Executive shall only relieve a Student under 15.7 if they agree unanimously to do so.
- 15.9. A decision made by the Executive under 15.8 shall be effective only upon ratification by a two-thirds (2/3) majority vote of those in attendance at a quorum Caucus meeting in accordance with 7.0.
- 15.10. In the event that a vacancy is created by the relieving of a Member of their duties, this vacancy shall be filled within three (3) weeks in accordance with the general procedures enumerated in 8.0, adapted reasonably for the time that this may take place.

### **Members of the Society Executive**

- 15.11. Members that are also Society Executive members are not subject to 15.0, however, should they meet the criteria for cessation they could be censured, or publicly condemned, by the Executive upon ratification by a two-thirds (2/3) majority vote of Caucus.
- 15.12. A Society Executive member that has been relieved of their duties with the Society Executive will also be relieved of their duties with Caucus.
- 15.13. An individual replacing a Society Executive member that has been relieved of their Caucus duties shall become a Member of Caucus.

## **16.0. AMENDMENTS**

- 16.1. Amendments to this document may be proposed by a motion approved by a two-thirds (2/3) majority of Voting Participants at a quorum Caucus meeting, or by a petition signed by at least fifteen percent (15%) of Students and submitted to the Executive.
- 16.2. The Executive shall also use reasonable means to notify Students of proposed amendments including but not limited to:
  - (a) posting on social media platforms;
  - (b) emailing Students on the listserv.
- 16.3. All such proposed amendments shall be put to a referendum voted on by all Students, to be supervised by the CEO and initiated within ten (10) school days of the receipt of the proposed amendments.
- 16.4. To be successful, the referendum must be voted on by no less than 10% of Students and be approved by a two-thirds (2/3) majority of the votes cast.
- 16.5. Minor editorial or cosmetic revisions to this document shall not have to follow the procedure described in 16.1 – 16.4. Instead, a two-thirds (2/3) majority of Members at a quorum Caucus meeting is acceptable to amend this document.
- 16.6. A proposed amendment approved by referendum, or an amendment made in accordance with 16.5, shall come into effect immediately, unless otherwise indicated.

## **17.0. BYLAWS**

- 17.1. Motions or resolutions adopted by Caucus may be designated as bylaws, provided, they do not violate this document.
- 17.2. To become a bylaw, a motion or resolution must be passed by a two-thirds (2/3) majority of all Members present at a quorum Caucus meeting.
- 17.3. If adopted, a motion or resolution designated as a bylaw shall be recorded by number and date by the Director of Communications.
- 17.4. The Director of Communications shall maintain an updated list of bylaws and shall make it available to all Students on the Caucus website.
- 17.5. To repeal a bylaw, a motion or resolution to repeal must be passed by a two-thirds (2/3) majority of all Members present at a quorum Caucus meeting.

Copies of this document shall be deposited with the Society, as well as with the Chair of Faculty Council and the Office of the Associate Dean (Students).