

## Simon Fraser Student Society Club Terms of Reference

### Table of Contents:

1. Purpose and Goals
2. Club Name
3. Statement of Agreement
4. Violence and Harassment Prevention
5. Membership and Suspension of Membership
6. Executives
7. Elections and By-elections
8. Interviews and Process
9. Meetings
10. Finance and Ownership of Assets
11. Turnover
12. Disciplinary procedures
13. Co-curricular Record
14. Expiration
15. Agency
16. Controlled Substances
17. Review and Approval

## 1. Purposes and Aims

- a. The purpose of a club is to bring together a diverse group of Simon Fraser University (SFU) and Fraser International College (FIC) students who share a common interest, specific to the established mandate of the club.
- b. Clubs must adhere to the Simon Fraser Student Society (SFSS) by-laws, policies and regulations as well as SFU policies. The approval of clubs will be at the discretion of the SFSS Member Services Club Coordinators.
  - i. Clubs can only be initiated by SFSS Members (not including FIC students)
- c. Club events shall be reasonably related to the established mandate of the club.

## 2. Club Name

- a. The official name of the club shall be the name provided in the club proposal submitted online and approved by a Member Services Club Coordinator. The name shall not include profanity or any other offensive words. No other name, except a logical acronym or initialism of their name shall be used in the advertising or representation of the club.

## 3. Statement of Agreement

- a. All clubs must agree to abide by the rules set out in the SFSS Club Terms of Reference in order to be an approved club. Clubs are permitted to create additional rules and establish their own Club Constitutions. Club Constitutions and rules shall not conflict with the SFSS Clubs Terms of reference or any SFSS mandate.
- b. Clubs are not allowed to enter into contractual agreements, unless they are approved by the SFSS; where there may be a conflict, this document will take precedent.
  - i. Clubs must notify the Member Services Club Coordinators of any extraneous agreements they attempt to enter into, within 5 days of receiving the contract from the third party. The contract must be approved by the SFSS prior to actually entering into the agreement.
  - ii. Any agreements that have not been approved by the SFSS will result in any events or projects being cancelled and the club being suspended, at the discretion of the SFSS Board & Staff.

## 4. Violence and Harassment Prevention

- a. The SFSS is committed to providing a safer, healthy, and supportive environment by treating its staff and members with respect.
- b. The SFSS will not tolerate any form of violence, harassment, or abuse directed towards members of the SFSS staff, SFSS Board of Directors, and the general membership. This includes any inappropriate conduct or comments made towards the SFSS staff or the SFSS Board of Directors/Council. Club actions must coincide with By-Law 21: Prohibition on Discrimination of the SFSS By-Laws, all SFSS policies and any other regulations or decisions by the Board of Directors/Council).
- c. Harassment is defined as comments or conduct which a person knows or ought to know is unwelcome and creates an intimidating or hostile environment. Violence and harassment can occur through many different channels, including but not limited to: verbal, physical, electronic and digital communications, including personal or club associated accounts (email, social media etc.).
- d. Violence and Harassment may or may not involve physical contact. It includes but is not limited to: physical violence, sexual violence and misconduct, gender-based violence, racism, homophobia, transphobia, ableism, any form of bullying and harassment that is covered under "the grounds of discrimination" prohibited by the BC Human Rights Code including age, race, colour, ancestry, place of origin, political belief, religion, marital

status, family status, physical or mental disability, sex, gender identity, gender expression, and sexual orientation.

- i. Examples of online harassment and sexual violence include but are not limited to vulgar language, stalking, nudity, and unwanted messages.
- e. The SFSS will not tolerate any intentional action taken or situation created to produce mental, emotional, or physical discomfort, which includes but is not limited to embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: initiation rites, forceful use of alcohol and drugs; creation of excessive fatigue; physical and psychological shocks; engaging in inappropriate public stunts and mischief; morally and sexually degrading or humiliating games and activities; any other activities which are against SFSS By-Laws, policies, other regulations or decisions by the Board of Directors/Council); any other activities which are against the SFU Policies, including and not limited to the Sexual Violence and Misconduct Prevention, Education and Support (GP 44).
- f. Any incidents of violence or harassment will be documented and the appropriate parties and authorities will be notified. Following, the SFSS will thoroughly investigate the incident and if warranted, corrective action will be taken at the discretion of the SFSS.
- g. When incidents and behaviours fall under SFU Policies, including and not limited to the Sexual Violence and Misconduct Prevention, Education and Support (GP 44), the appropriate responsible Office may be notified.

## 5. Membership and Suspension of Membership

- a. Membership shall be open to all undergraduate SFU students in good standing (as per SFSS By-Law 2: Membership) with the Simon Fraser Student Society, and Fraser International College (FIC) students, (FIC Students are not allowed to run for executive positions).
  - i. FIC students will have access to SFSS services and clubs as outlined in the service agreement, but they will not be considered members until they transfer to SFU.
- b. No restrictions will be placed on holding a membership on any ground enumerated in the Canadian Charter of Rights and Freedoms or the British Columbia Human Rights Code.
- c. A member may be suspended from the club by a vote of the majority (above 50%) of the voters **and** the majority of the executives through an in-person or online vote. The duration of the penalty must be determined before the expulsion vote is conducted. Alternatively, the Member Services Club Coordinators reserve the right to expel a member without the club/executive majority vote, if the member's behaviour is deemed to be severe enough to warrant that consequence.
- d. The intent to suspend a member must be reported to the Member Services Club Coordinators through email within 48 hours of the decision being made. The reasons for suspension will be reviewed to ensure there was just cause.
  - i. Executives must call a meeting with at least 1 weeks' notice to formally vote on the motion to suspend a member and record that specific meetings' minutes. Minutes must be emailed to the Member Services Club Coordinators promptly.
- e. A suspended member has the right to appeal and may rejoin the club if another vote is held and the majority of the voters and the majority of the executives permits this.
  - i. To appeal, the suspended member may email the Member Services Club Coordinators stating their full name, the club name, the date of suspension, the reason for suspension, and the reasons they are appealing the suspension.
  - ii. All appeals must be submitted within 10 days of the suspension, otherwise the member's right to appeal is revoked.

## 6. Executives

- a. The executives of a club shall consist of a minimum of 2 SFSS members to a maximum of 20 SFSS members in good standing, acting in leadership capacity within the club.
- b. A person is eligible to run for an executive position if they meet the following criteria:
  - i. Are in good standing, as per the SFSS By-Law 2: Membership.
  - ii. Have not been convicted of a crime or offense in Canada for which a pardon has not been granted under the Criminal Records Act of Canada.
  - iii. Have not been convicted or currently charged with, on trial for, or party to a crime or offence or subject of any other criminal proceedings in any other country or territory.
  - iv. Have not been associated with a group that advocates or advocated for anything that goes against the SFSS values and guiding principles, and/or the values of the club.
  - v. Any other criteria deemed appropriate and reasonable by the Member Services Club Coordinators.
- c. The executives shall be voted into their positions via an election or by-election, OR through an interview process (see section 7 and section 8).
- d. Responsibilities of the executive members include, but are not limited to the following roles:
  - i. Presidential: shall conduct all executive or general meetings; is an ex-officio member of all committees within the club; is responsible for promoting the club to the campus community.
  - ii. Secretarial: shall record the minutes of all meetings; is responsible for club correspondence.
  - iii. Financial: keeps a record of allocation of club funds; periodically checks and updates the club asset list; shall give an account of the club's financial standing and make the record books open to the club or to the SFSS if requested to do so.
- e. Any executive member may be impeached from the club by a vote of the majority (above 50%) of the voters and the majority of the executives through an in-person or online vote. The duration of the penalty must be determined before the expulsion vote is conducted.
- f. An impeached executive member has the right to appeal and may rejoin the club if another vote is held and the majority of the voters and the majority of the executives permits this.
- g. The intent to impeach an executive member must be reported to the Member Services Club Coordinators through email within 48 hours of the decision being made. The reasons for impeachment will be reviewed to ensure there was just cause.
  - i. Executives must call a meeting with 1 weeks' notice to formally vote on the motion to impeach an executive member and they must record meeting minutes. These minutes must be emailed to the Member Services Club Coordinators.
  - ii. Whether or not the impeached executive may remain a general member will be decided on a case by case basis, at the discretion of the club executives and the Member Services Club Coordinators.
- h. Proper operation of a club requires that Executive Members, whether elected or appointed, be responsible to the membership. To this end, it is imperative that:
  - i. Club decisions be collaboratively made through the proper channels, and
  - ii. Elected and appointed positions are not used for personal gain.
- i. Executive Members of a SFSS club shall:
  - i. Maintain the highest ideals of honour and integrity while serving as executives of a SFSS club,
  - ii. Accept full and complete accountability for their own acts and omissions, exhibiting self discipline and the pursuit of excellence in all activities, and
  - iii. Avoid any situation that could impair their judgment in the performance of their elected duties while in office

- iv. Declare and avoid a conflict of interest at the first opportunity, as a result of their personal interests whether real or perceived, or known interests of any close relatives, acquaintances, or business partners, in any enterprise which proposes to transact business with the SFSS club,
  - v. willfully leave the meeting during any discussion or vote on a subject where such an interest exists,
  - vi. not use information designated confidential for the personal gain of themselves or any other persons, and
  - vii. Where the executive is found to have breached their duty by violating this policy, that executive may be requested to resign from their position and subject to removal as an Executive Member by the SFSS in accordance with Section 6.j. of the Clubs Terms of Reference.
- j. Removal Process for Executive Members of a SFSS Club:
- i. Member Initiated
    1. Complaint is reported to the SFSS Staff. For issues initiated by the SFSS staff, the procedure will be below.
    2. Two SFSS Coordinators will arrange for a meeting with the complainant(s) regarding the issue. One Coordinator will act as the lead, and the second will be present for support. The Coordinators will seek permission to proceed with the investigation which may include reaching out to the accused executive member.
    3. SFSS Coordinators review the information with other departmental Coordinators to update them on the findings of that meeting and the issues being raised.
    4. SFSS Coordinators will then reach out to the accused executive member to arrange for a meeting. During this meeting the concerns that have been raised to the SFSS will be brought to the attention of the accused executive member and they will be given an opportunity to respond to the complaints.
    5. If necessary, SFSS Coordinators will then have a follow up meeting with the complainant(s) regarding their findings on the matter.
    6. SFSS Coordinators will advise the accused executive member of the steps/actions that will be taken (if required)
  - ii. SFSS Staff Initiated
    1. Two SFSS Coordinators will arrange for a meeting with the complainant(s) regarding the issue. One Coordinator will act as the lead, and the second will be present for support. The Coordinators will seek permission to proceed with the investigation which may include reaching out to the accused executive member.
    2. SFSS Coordinators review the information with other departmental Coordinators to update them on the findings of that meeting and the issues being raised.
    3. SFSS Coordinators will then reach out to the accused executive member to arrange for a meeting. During this meeting the concerns of the SFSS will be brought to the attention of the accused executive member and they will be given an opportunity to respond to the complaints.
    4. SFSS Coordinators will advise the accused executive member of the steps/actions that will be taken (if required). If removal of the accused executive member is not required, a warning will be given and noted in the portal. It is recommended that the coordinators summarize the meeting in

- an email with the accused executive member so that all parties have documentation of the meeting
- iii. Notification of Member Services Advisory Committee (MSAC)
    1. If immediate action is not required, the SFSS Coordinators will bring the complaint(s) or issues to the MSAC so that they are made aware of the situation. If needed, they will obtain the opinion of the committee. If immediate action was required, then the coordinators will update the committee on the actions that were taken.
    2. The MSAC will have the ability to confirm the actions taken or to suggest other measures to be taken and pass this information to the Board/Council
  - iv. Appeal of Decision
    1. If the executive member does not agree with the decision that is made, they will have the opportunity to submit their reasoning to the MSAC. The MSAC will then review this appeal and submit it to the Board/Council, in an in-camera session, the decision that was made against the executive, the reasons for the decision, and appeal submission from the executive.
    2. The Board/Council will strike up a committee in which this appeal will be reviewed. The committee must be comprised of Council members who are impartial and have no current or past relationships with executive or the club
    3. The committee will then gather information required for the review from SFSS staff in the original decision and arrange for a meeting with the executive to gather information.
    4. The committee will then deliberate for their independent findings and bring their recommendations to the Board/Council. The Board/Council will then confirm the decision and recommendations from the committee and direct the committee to submit their findings to the executive as well as notify the staff involved of their decision.
    5. The judgement will be final with no further appeals.

## 7. Elections and By-Elections:

- a. If using an election process, executives must be elected by the club and SFSS membership with a majority vote. An election must be held at least once per year at a regularly scheduled time.
- b. The results of any election are recorded and emailed to the SFSS Student Centre Administrative Assistants (studentcentre@sfss.ca) within 1 week of the election closing.
  - i. FIC students are unable to hold executive positions, as they are not SFSS members.
  - ii. FIC students who are transferring to SFU and who can provide their letter of acceptance to SFU can run for executive positions.
- c. In-person votes may be cast by secret ballot or a simple show of hands. Majority vote wins. In case of a tie, the chair casts the deciding vote, or the member with the least votes drops out and votes are recast.
- d. For positions where only one person is nominated, a yes/no vote shall be held.
- e. If for any reason an executive position becomes vacant, a by-election for that position will be held. This is not required if less than one month is left before the next scheduled election; instead, a member may be appointed to the position temporarily by the executive. Meeting minutes must be given to the SFSS Student Centre Administrative Assistants, detailing the meeting and the voting results.
- f. Candidates may campaign and are allowed to promote themselves on social media but they may not solicit people for votes in a manner deemed aggressive or bothersome as they may face disqualification if there are multiple complaints.

## 8. Interview Process

- a. As an alternative to elections, clubs can choose executives based on an a fair interview process that adheres to the following set of rules:
  - ii. A minimum of 2 current executives must conduct the interviews.
  - iii. The executive positions shall be open to all SFSS members in good standing, and not limited to only club members.
  - iv. A job description shall be developed for each executive position, based on the required knowledge, skills, and abilities for that role.
  - v. The posting for the executive positions be must be shared with the SFU community (through the club website, social media, posters, etc.) at least one week before the application deadline, and before interviews are scheduled with the candidates, giving them enough time to apply and prepare for interviews. The postings must indicate that they are unpaid volunteer positions, and that executives will not receive compensation for their work.
  - vi. The applications must be screened based on the job description and the candidate's ability to meet the requirements of the job application. The most qualified candidates must be chosen for interviews and must be notified of their scheduled interview at least 48 hours before it takes place. The same set of interview questions must be used for all candidates; interviewers may ask follow-up questions based on candidates' answers, provided that they are not unreasonably difficult. The interview questions must be prepared in advance and must be related to the job description and the relevant knowledge, skills, abilities, and experience required for the role. The interview questions may not be provided to any of the candidates ahead of time, or shared with anyone other than the executives conducting the interviews.
  - vii. During the interviews, all candidate's answers must be documented by the interviewees. The interview documentation must be kept on file for by the club at least one year following the interviews, and must be made available to Member Services Club Coordinators at any time they are requested.
  - viii. Interviews must take place, with ensured privacy of the interview. If the interview location is on campus the location must be reasonably comfortable and private where other candidates cannot overhear the questions or answers of the interviews that are occurring, so as not to negatively impact the interviewee's performance. The interview location must also be clearly marked with signage so that candidates can easily find it.
  - ix. Member Services Club Coordinators have the right to audit the interviews at any time by sitting in on interview sessions.
  - x. The successful candidates must be selected within a week after the last interview and must be notified within 48 hours of the decision being made. Unsuccessful candidates must be notified that they were not selected for the role within 48 hours of the decision being made.
  - xi. If an unsuccessful candidate wishes to dispute the outcome of the interviews based on the claim that the interview and selection process were unfair, they must do so within 5 business days of the date that they were notified of the interviewers' decision. All disputes must be handled by the SFSS and an executive representative from the club. A request for an appeal must be sent through email to Members Services Club Coordinators. The interviewers must provide documentation of the job description and interview records for the applicant who is appealing, within 1 week of being asked to provide the documents, or the club will face suspension. SFSS will review the circumstances and make a final decision.

## 9. Meetings

- a. For clubs with an active membership base where general meetings are held, the quorum for a club meeting is two executives and at least 30% of confirmed members.
- b. The membership base should be informed at least a week in advance of the details of general meetings (date, time, location) using electronic mail, club websites, posters, etc.
- c. Meeting minutes should be sent out to club members within a week after the meeting.
- d. For clubs that do not have general meetings that include official members, at least the majority of executives must attend the executive meetings.

## 10. Finances and Ownership of Assets

- a. Club finances and assets shall be overseen by the SFSS.
- b. All funds and monies received by the clubs must be deposited through their club trust account.
- c. If a club chooses to open an external bank account, the SFSS takes no responsibility over the account and the club executives shall jointly be responsible for the management of the account and is liable to all outstanding fees, charges, debits.
- d. All clubs shall be non-profit and self-sustaining
- e. Assets refer to anything of monetary value. Assets can be, but are not limited to, capital/fixed, and they can be tangible or intangible.
- f. All assets that are purchased using funding provided by the SFSS belong to the SFSS. Clubs may use the assets until the club dissolves or expires.
  - i. If a club dissolves or expires, the assets must be brought to the Student Centre and returned.
- g. No student is allowed to keep club assets as their own personal property. If a student ceases to be a member or executive of a club, they must return the assets to the current executives of the club or to the SFSS within 14 days of ceasing to be a member. Failure to do so constitutes theft and such actions will be reported to the appropriate authorities.
- h. The SFSS will not be liable for lost or stolen personal items
  - i. Clubs are expected to take reasonable measures to ensure the safety and security of their own assets, including but not limited to locking up belongings, refraining from sharing passwords, lock combinations and keys, avoiding keeping valuables and money in shared office spaces, etc.
  - ii. If items are lost or stolen the SFSS is under no obligation to replace those items or reimburse the clubs for the replacement costs.
  - iii. If a theft does occur, the incidents must be documented (photographs, details of dates and times of incidents) and immediately reported to the SFSS and SFU Security. Clubs should keep receipts, photographs, serial numbers, and any other records of all SFSS purchased assets valued at \$100 or over.

## 11. Turnover

- a. It is the responsibility of the current/outgoing club executives to ensure the proper turnover of their club to new executives; they must train the incoming executives to ensure that they are proficient in their role and understand what is expected of them in order for the club to function. This includes but is not limited to:
  - i. Updating the executive list in the Club Portal (see 11 b).
  - ii. A club training procedures document on what the executive roles entail.
  - iii. Training on the SFSS Club Terms of Reference.
  - iv. Passing on social media accounts and external bank accounts.
- b. The SFSS Student Centre should be notified of executive changes within 1 week of the changes being made. This can be completed by emailing [studentcentre@sfss.ca](mailto:studentcentre@sfss.ca) and requesting to update the information in the executive database listing.



- i. Only current club executives can add new executive members or remove old ones.
- ii. For each person added to the executive list, they must provide their: full name, SFU email, phone number, club position title and club position authorities.
- iii. Only 3 executives can have room booking authorities; 2 executives can have fund/facilities authorities, and 1 executive can have club email account authorities, and all executives can have membership authorities.

## 12. De-constitution/Dissolution

- a. The SFSS Member Services Coordinators and General Manager may de-constitute a club on the basis of any of the following:
  - i. violation of the SFSS Clubs Terms of Reference, SFSS Constitution, SFSS Bylaws, or BC Society Act or University Act;
  - ii. failure to have any activity in the club portal for one year (e.g. room booking requests, executive changes, or financial transactions)
  - iii. having less than ten (10) confirmed members, and/or having less than 2 confirmed executives;
  - iv. a history of poor financial management, history of poor governance, poor punctuality in communication of required documents, and/or behavioural concerns;
  - v. failure to renew the club;
  - vi. failure to adhere to its mandates and goals;
  - vii. suspicion of interference from an external organization;
  - viii. promoting discrimination, contempt, or hatred, of any group or person based on their sex, sexual identity, gender identity or expression, racialization, age, family status, marital status, religion, faith, ability, disability, national or ethnic origin, Indigeneity, immigration status, socio-economic status, class, language, political affiliation, social affiliation, other personal characteristics, or any other similar factor; and
  - ix. other reasons as determined by the SFSS Member Services Coordinators and General Manager.

## 13. Co-Curricular Record

- a. Club executives who complete a minimum of 10 hours per semester of club related activities such as event planning, club administration, tabling, or equivalent activities are eligible for their club involvement to be listed on SFU's Co-Curricular Record (CCR). They must also be listed as a club executive in the Club Portal, and they must complete the SFSS Canvas course training.
- b. To get their club executive role listed on the CCR, club executives must fill out the CCR request survey that is emailed out by the specified deadline each semester and answer it with accurate and honest information.
  - i. The Member Services Club Coordinators reserve the right to audit the information provided by club executives to verify their listed activities. If it is found that a club executive does not meet the eligibility requirements, they will not be provided with CCR credit for that role.
- c. Club executives who are executives of multiple clubs must submit a separate request for each role and club.

## 14. Expiration

- a. After a club is inactive or "Awaiting re-registration" status for 1 year from the club turnover date (September 1), the club will be deemed expired.
- b. When a club has expired, the executives will be notified. The trust account funds and assets shall become the property of the SFSS at that point.

#### 15. Agency

- a. The SFSS welcomes club's diverse views and beliefs, but clubs are not an agent of the SFSS.

#### 16. Controlled Substances

- a. All Clubs must adhere to the [SFU policies around Selling, Serving, and Advertising of Controlled Substances \(AD 1.12\)](#), in addition to municipal, provincial, and federal laws and regulations.
- b. Clubs may not have sponsors affiliated with any controlled substances (as defined in SFU's Policy AD 1.12)
- c. Failure to abide by these terms will result in disciplinary action(s) at the discretion of the Member Services Coordinators and/or the SFSS Board/Council.

#### 17. Review and Approval

- a. The SFSS reserves the right to amend this document at any time and we will notify club executives of any changes that are made through email. The SFSS Club Terms of Reference will always include the last revision date. If a club wishes to govern the club in a way that conflicts with the SFSS Club Terms of Reference, the executives can bring forward a request to review the terms they wish to add or change, which will be subject to the approval of the Member Services Club Coordinators.

\* General meetings are meetings that include members and executives

\*\* Executive meetings are meetings with only executives