

AGSBS CONSTITUTION & REGULATIONS

Constitution of the Association of Graduate Students in the Biological Sciences

Preamble:

The Constitution of the Association of Graduate Students in Biological Sciences is intended to encourage a thoughtful, ethical and environmental approach to the governance of graduate students within the department of biology.

Article 1: Name

1. The name of the organization shall be the Association of Graduate Students in Biological Sciences hereinafter referred to as AGSBS or the Association.

Article 2: Object

1. The objective of the AGSBS is to:

- a) Foster activities and events which will enhance the department of biology experience of its members and others in the University.
- b) Assist and encourage intellectual and professional pursuits by members of the Association.
- c) Be the primary graduate Association of all registered graduate students in the department of biology through which they may collectively enter into association with other formally constitute bodies both inside and outside the University.

Article 3: Membership—Constituency

1. There shall be two categories of membership in the Association:

1.1) Regular Members:

All students registered full or part-time in the department of biology who are seeking the degree of either Master or Magistrate in biological sciences or Doctorate in Philosophy (biology) shall be deemed a Regular Member of the Association.

1.2) Honourary Members:

From time to time the Association may designate persons as Honourary Members. Honourary members may not vote for or hold Officer positions of the Association.

Article 4: Rights of Association Members

1. Regular members of the Association are entitled to:
 - a) Participate, vote and place motions on the floor of all General Meetings (GMs).
 - b) Propose amendments to the Constitution.
 - c) Nominate candidates for the positions of Association Officers.
 - d) Stand for election or hold office in the Association.
 - e) Participate in any events or activities sponsored by the Association.
 - f) Propose items for the agenda of the GM.
 - g) Equal consideration and access to Association funding programs.
2. Honorary members of the Association are entitled to:
 - a) Attend GMs.
 - b) Participate in any events or activities sponsored by the Association.

Article 5: The General Meeting

1. Guidelines
 - a) The Association shall have General Meetings.
 - b) GMs shall be called not less than three times during each of the Fall and Winter academic terms, but are encouraged to occur monthly.
 - c) Not fewer than 6 GMs shall be held per academic year.
 - d) The GM shall be conducted in a manner which encourages participation from all members.
 - e) Consensus is the preferred method of decision-making. In the event that a vote must be called, the majority 51% of members present at any GM (or in an election as outlined by Article 10) shall prevail.
2. Functions and Duties
 - a) To approve an Association annual provisional budget by April 30th for the fiscal year beginning September 1st of that year.

- b) To stand as the final decision-making body on all Association business.
- c) To approve agendas and minutes of GMs.
- d) To elect Officers, responsible to the GM, on an annual basis.
- e) To strike and elect members of committees as it deems necessary.
- f) To adopt such rules and regulations to govern the work of its committees as it deems necessary.
- g) To elect to committees of the department of biology such Association members as are required.
- h) To elect as may be required representatives to other duly constituted bodies within the University.
- i) To resolve all statutory relations with outside bodies.
- j) To elect a Returning Officer each April to conduct elections for Officers of the Association and, as necessary, referenda.

3. Calling a General Meeting

A GM may be called by:

- a) The Chair of the Association.
 - b) The Executive Committee of the Association.
 - c) Ten members of the Association, who post the call in writing to the AGSBS executive and/or Chair of the Association.
- ### 4. Notice of a General Meeting.

When a GM is called, the membership must be duly notified by, at the very least:

- a) Posting the call and a proposed agenda on the AGSBS listserv one week in advance of the meeting date.

Article 6: Quorum

1. Quorum at GMs will be 10 members of the Association.
2. If quorum is not met, no voting may occur during any GM.

Article 7: Officers

1. General

- 1.1) AGSBS shall have a Chair, Secretary, Treasurer and two executive members-at-large.
- 1.2) These Officers must be Regular Members of the Association.
- 1.3) These Officers shall be elected by the membership of the Association as outlined in Article 10.
- 1.4) The term of each Officer shall extend from September 1 until August 30 of the following year.
- 1.5) These Officers shall perform the responsibilities as outlined in Article 7(2).
- 1.6) These Officers may be impeached as outlined in Article 7(3).

2. Responsibilities of Officers:

The Officers shall fulfill the following responsibilities:

2.1) Chair

The Chair shall:

- a) Uphold the Constitution and be required within reason to preside at all Association General Meetings and ensure that they are conducted in an orderly fashion.
- b) Vote only in the event of a tie.
- c) Be responsible for assembling the proposed meeting agenda and posting it one week before the meeting.
- d) On the advice of the General Meeting or one or more of the Association's Officers, invite AGSBS non-members to the GM.
- e) Conduct all elections for Officers of the Association and shall assist other University bodies requiring graduate student representatives from the department of biology.
- f) Write a final report for the purpose of assisting the incoming Chair of the Association.
- g) Have signing authority over the AGSBS bank accounts (as a co-signee).
- h) Must not be Chair of the AGSBS Symposium Committee.

i) Must not chair any other committees in the AGSBS unless the positions are vacant or require temporary or emergency representation.

2.2) Secretary:

The Secretary shall:

- a) Be the custodian of the records of the Association, its committees and task forces.
- b) Take the minutes at all GMs and Executive meetings and keep a legible and permanent record of those meetings.
- c) See that minutes are posted no later than two weeks after the GM on the AGSBS website.
- d) Provide access to these records, when requested to by any Regular Member of AGSBS.
- e) Follow all communication policies as established by the GM.
- f) Write a final report for the purpose of assisting the incoming Secretary of the Association.
- g) Shall be co-signee of all accounts when either the treasurer or chair is unavailable due to emergency or resignation. This shall be temporary and only used with the expressed consent of the AGSBS at a GM.

2.3) Finance officer:

The finance officer shall:

- a) Have signing authority over the AGSBS bank accounts (as principle signee).
- b) Prepare an annual budget for the fiscal year beginning September 1st for the Association's consideration and approval no later than April 30th of that year.
- c) Establish a central service, available to all committees of the Association for raising cheques, preparing statements and controlling expenditures, and will maintain the Association's books or accounts.
- d) Arrange for custody and disbursement of the funds pursuant to appropriate direction from the Association.
- e) Submit upon request the Association statements to be audited by an accountant where necessary.
- f) Be responsible for the AGSBS symposium finances, wherein the treasurer will prepare, review, approve, and manage all budgets and finances pertaining to the symposium.

- g) Write a final report for the purpose of assisting the incoming Treasurer of the Association.
- h) Act as Co-Chair of the AGSBS when matters arise where the Chair of the Association is in conflict or unavailable.
- i) Administer the endowment fund of the AGSBS ensuring that the principle of this fund does not decline in any given year to ensure the continued longevity of this fund.

2.4) Officers-at-large:

2.4.1. (#1) Faculty of Graduate Studies Representative:

- a) Fulfill those duties determined by the executive committee.
- b) Represent the AGSBS and the department of biology at the Faculty of Graduate Studies Council and carry out all duties and responsibilities of that position as directed by FGS Council.
- c) Assist the incoming Officers-at-large (FGS Representative) of the Association.
- d) This is a June-June position as the FGS Council often sits during summer months.

2.4.1 (#2) Senator (where applicable) or Department Representative:

a) The AGSBS encourages its membership to run for the Senator position but recognizes that there is only a small likelihood that the AGSBS will be represented at Senate, and that this requires a member to be proactive in running for nomination and election for the senate position as outlined by the Graduate Students Association. There is no requirement that any AGSBS member run for senate, but the executive designation will fall to any member successfully elected or appointed to senate in order to fully represent the importance of such a position within the AGSBS.

a.1) The Senator position at York University is an elected position where the department representative must be elected to Senate during the Graduate Student Association (GSA) elections held in March of an academic year.

a.2) If elected, the Senator will represent the all graduate students at York University, the AGSBS and the department of biology at Senate and carry out all duties and responsibilities of that position as directed by Senate.

b) If no AGSBS member holds a Senate position, the Officer-at-large (#2) will fall to the Department Representative position as outlined in Article 9 section 1.

3. Impeachment of Officers

3.1) An Officer of the Association may be removed from office by a two-thirds affirmative vote of the GM (minimum quorum applies).

3.2) A notice of impeachment must be announced at the GM preceding the meeting at which it will actually be moved.

3.3) The impeachment of a Senator position must be done through the rules and guidelines as set out by the GSA and/or the Senate. The AGSBS has no authority with regard to the elected position of University Senator.

Article 8: Executive Committee

1. The Association shall have an executive committee composed of the Officers of the Association.

2. Duties and Responsibilities

The Executive Committee shall:

a) Administer financial policies as established by the GM.

b) Promote the interests of the AGSBS to external bodies.

c) Indicate and propose policies, programs and projects to the GM to further the Objects of the Association.

d) Carry out other duties as assigned by the GM.

Article 9: Committees

1. Outline

1.1) AGSBS shall elect (or appoint where necessary) members to various departmental and university committees where required and available.

1.2) Those holding committee appointments must be Regular Members of the Association.

1.3) These members shall be elected by the membership of the Association (as outlined in Article 10) when contested unless these positions become available due to the removal or the resignation of a current appointee.

1.4) The term of each appointment shall extend from September 1 until August 31 of each year where applicable.

1.5) These appointees shall perform the responsibilities as outlined of the respective committee as outlined in Article 9.

1.6) These appointed members may be impeached as outlined in Article 7(3).

2. Responsibilities of Committee appointees:

The appointees shall fulfill the following responsibilities:

2.1) GSA Representative (x2 or more as directed by the GSA)

- a) The GSA representative(s) shall sit on the Graduate Students Association to represent the department of biology.
- b) The GSA representative(s) shall be required to attend all GSA council meetings and abide by the rules and regulations of the GSA council as outlined by the GSA.
- c) The GSA representative(s) shall make themselves available to the incoming GSA representative to assist in the transition.
- d) The GSA representative shall not also hold the position of Senator as the Senator position also holds a seat on the GSA Council. However, the Senator position will assume the role of a GSA representative for the AGSBS and department when no other GSA representative is available.

2.2) Department Representative

- a) The department representative shall sit in on department meetings to communicate between the department and the AGSBS and its membership.
- b) The department representative shall assume the Officer-at-large (#2) position and responsibilities as outlined by Article 7 section 2.4.2 when no AGSBS member holds the position of University Senator.
- c) The department representative shall assist in communicating problems, issues, and concerns to the department from the AGSBS and membership.

2.3) CUPE 3903 Stewards (x2)

- a) The CUPE 3903 Steward shall represent the department of biology and the AGSBS at CUPE Steward's council.
- b) There shall be two members of the AGSBS appointed as CUPE3903 Steward's when possible.

Note: These are time-demanding positions that require a large commitment on the part of the appointee.

2.4) Biograd committee

- a) The biograd committee member shall sit on the department of biology graduate committee and represent the AGSBS and its membership.

b) The appointee shall conduct all responsibilities and requirements of the biograd committee, including and not limited to; scholarship ranking, graduate program meetings, liason with graduate program director to the AGSBS.

c) The appointee shall be an upper year PhD graduate student where possible, as requested by the biograd committee.

2.5) Tenure and Promotions Committee

a) The tenure and promotions committee member shall sit on the department of biology tenure and promotions committee.

b) The appointee shall conduct all responsibilities and requirements of the tenure and promotions committee when meetings and/or hearings are called.

c) The appointee shall be a upper year graduate student where possible.

d) The appointee shall not conduct pizza lunches for candidate searches; the AGSBS deems this a GA position.

2.6) Hiring Committee (However many members as directed by the department).

Note: The biology department no longer supports graduate students on the departmental hiring committee.

a) The hiring committee member shall sit on the department of biology hiring committee.

b) The appointee shall vote on all hires, and hiring criteria, brought forward by the department of biology.

c) The appointee shall be an upper year graduate student where possible.

d) The appointee must communicate between the hiring committee on all matters and the AGSBS membership to encourage student participation in the hiring process and allow input from the membership to be directed to the hiring committee.

e) The appointee shall not conduct pizza lunches for candidate searches, the AGSBS deems this a GA position.

2.6) Teaching Committee (However many members as directed by the department).

Note: The biology department no longer supports graduate students on the departmental teaching committee.

- a) The teaching committee member shall sit on the department of biology teaching committee.
- b) The appointee shall vote on all items brought forward by the department of biology teaching committee.
- c) The appointee shall be a upper year graduate student where possible.

Article 10: Elections and Referenda

1. The elections shall be administered according to the following regulations:
 - a) An election to determine the Officers for the AGSBS shall be held during the month of September of each year, unless positions are left vacant – in which case an election during the October GM will occur in conjunction with the election for committee appointments.
 - b) Nominations shall close a week prior to the first day of the election.
 - c) No candidate may accept nomination for more than one executive position in any given year.
 - g) If only one person is nominated for a particular position that person shall be acclaimed.
 - h) Any other necessary regulations and the polling procedure shall be determined by the GM.
 - i) By-elections for vacant positions will be held at the discretion of the GM.
 - j) Voting can be either done in person or through the @yorku email address. *Revised 09/09/13*
2. Referenda shall be administered according to the following regulations:
 - a) The printed text of the referendum question and all background materials shall be distributed to each graduate mailbox at least ten days prior to the first day of the referendum.
 - b) The referendum shall be declared approved if it receives fifty-percent plus one vote of the votes cast.

Article 11: Amendments to the Constitution

1. The Chair of the Association shall give members of the Association ten days notice of a proposed amendment to the Constitution.
 2. Amendments to the Constitution may only be approved by referendum as in Article 10(2).
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Article 12: CONSTITUTIONAL PROVISIONS

1. Rules governing the AGSBS

- a) Students wishing to run for an AGSBS committee/sub-committee/external York University body representation, that are unable to attend a GM for purposes of getting elected, may write to the chair or the executive to declare their intention to run for said position. The student shall state their credentials and experiences which qualify them for the position. It is incumbent on the Chair to read out such declarations in relation to their nomination and carry out elections as if the student were at the GM in person.
- b) If an elected or confirmed student representative cannot continue to represent the AGSBS, he/she shall inform in writing, the chair and external bodies as soon as possible. The position shall immediately be deemed vacant upon such notification. The chair may then for the sake of representing the interests of the AGSBS attempt to fill the said position pursuant to procedures laid out in this regulation. A failure to notify the AGSBS in writing and the absence of the representative for his/her said position 2 or more consecutive times will result in the said position to be deemed vacant (Pursuant to clause D of this Regulation).
- c) All AGSBS committee/sub-committee/external body representatives shall provide an update to the GM in person or in writing informing the GM of their role and the ‘happenings’ of the respective committee(s). This update should be at least once a term. If the committee in question has not met all term, then it shall be communicated to the GM. If an update is not received once a term, the chair shall send a warning to the student representative to update the GM. If the warning is still not heeded the said position shall be deemed vacant.
- d) Any student positions on AGSBS appointed committees/sub-committees/external body at York University shall be immediately deemed vacant if the elected student representative is absent 2 consecutive times for the committee/sub-committee/external body the representative sits upon unless procedures are followed in clause H of this regulation.
- e) Any student may table a motion in a AGSBS GM challenging the continued representation of a student on an AGSBS committee/sub-committee/external body at York University for incompetence and/or failure to abide by the direction and order of the AGSBS GM. Such a motion, if carried by the GM, shall denote an immediate vacancy in the said position.
- f) The Chair or finance officer (acting as co-chair as set out in Article 7 subsection 2.3) can, by the authority conferred by this regulation and the GM direct, instruct, and charge any individual representatives on any committees/subcommittees/ or AGSBS representatives on external university bodies with specific instructions, duties, charges and instructions to meet and safeguard the interests of the AGSBS.
- g) All AGSBS representatives shall abide by all regulations, rules, code(s) of conduct, instructions, and codes governing matters that require confidentiality, on the respective external assemblies and committees they represent AGSBS upon, insofar as they do not contravene the Constitution.

h) All student representatives, once elected, are considered to have taken the following oath by placing and undersigning their signature on the following:

“I, _____ solemnly swear that I will abide, adhere and carry out my duties, as a representative of the AGSBS, to the best of my abilities in representing the graduate students of the department of biology, as directed, instructed and charged by the GM and as set out in this regulation and the constitution of the AGSBS.”

In addition, a written version of this oath shall be signed and dated by the student representative and witnessed by an Executive officer.

i) All the rules and procedures set out above shall be ratified by the GM by a majority vote. Once ratified, these rules and regulations shall be followed and adhered to by all. These rules and procedures represent the will and order of the GM and become a part of the AGSBS Constitutional document with immediate effect.

Article 13: Procedural Regulations

Procedural Regulation A:

Expenses by AGSBS Executive Officers:

All expenses, courtesy account payments, and payments that appear as fixed payments on the AGSBS budget (already approved by the GM), must be approved by a majority vote in the executive before the finance officer or any other signing officer can release funds for such payment. The amount(s), date(s), estimate(s)/invoice(s) and the corresponding motion(s) and vote(s) shall be reflected in the minutes of a meeting prior to said expense(s) being incurred. The officer applying for the expense(s) shall submit an itemized breakdown (estimates/invoices) of the expense(s) to be incurred (to the executive) and then submit it (the itemized list of expenditure) to the financial officer of the AGSBS. After the said expense has been incurred, the officer that applied for the expense shall produce original receipts to the finance officer for the release of funds.

Procedural Regulation B:

Conflict of Interest:

When deliberating contentious issues of funding, endorsement or policy direction or concerning a relationship (financial or otherwise) with an external person or organization, there may be a “Conflict of Interest”; whereas one or more officers maybe involved in the operation or have a relationship (financial or otherwise) with an external person or body beyond his/her duties as an officer of the AGSBS. It is incumbent on such (an) officer(s) of the AGSBS (one that is aware of such a “Conflict of Interest”) [whether to his/her own person or other persons] to bring forth all relevant details of such a ‘Conflict of Interest’ before the executive.

Once the executive is made aware of a possible ‘conflict of interest’, the executive shall immediately follow and table the under-mentioned procedures and motions in the presence of the officer(s) that are allegedly in a ‘conflict of interest’:

1. Motion: “Given all the facts: can the committee establish with reasonable justification that there exists a “‘conflict of interest’”, such that it can potentially put the reputation of the AGSBS in disrepute and hinder the committee in pursuing the short and long term interest(s) of its constituents? Is the ‘conflict of interest’ grave enough to hinder the decision making process of the executive? ”

This motion is to be voted upon by the executives that are not allegedly themselves in a ‘conflict of interest’.

If the committee denies the above motion, the meeting shall proceed as normal with the due participation of the Executive Officers that were allegedly under a ‘conflict of interest’.

If, however, the motion is upheld, then the executive shall order the said Officers ‘out of quorum’ (out of the meeting or the right to participate) and deliberate the subsequent motion:

2. Given the established ‘conflict of interest’; the executive shall deliberate on all submitted details of the said ‘conflict of interest’ without the participation of the officer(s) in question and in a separate and new motion determine the continued quorum and conditions of participation of the Officers in question on issues that have been established as being in ‘conflict’.

Procedural Regulation C:

I. Resignations of Officer(s):

In the event that an officer of the organization decides to relinquish his/her responsibilities and duties as an officer of the AGSBS, the resigning officer must present to the executive a statement to that effect, either as an addendum or notice on the agenda. In addition, the resigning officer must produce a written and signed communication available to the secretary for safekeeping. If the resigning officer cannot be available in person, the signed and written statement shall be forwarded to the Chair, or in the event that the Chair is not available, to the finance officer or Secretary of the AGSBS.

After delivery of such notice the remaining executive shall hold a motion, where the question or issue before the committee to consider shall include but is not limited to the following: “Are by-elections necessary for the vacated positions? Given the resignation, is the smooth operation and the functioning of the AGSBS in jeopardy? Are the remaining members of the executive able to carry out their duties?”

In the event that the executive cannot reach unanimous agreement by method of vote on the motion above (not a majority vote, but in full quorum with every remaining officer in attendance and in unanimous agreement), a separate motion calling to hold by-elections shall be forwarded to the GM within 21 days. Full quorum of the executive does not include officers that have been deemed suspended as a result of an extended absence (as stated in Regulation C.2 for Extended Absence of Officers).

The resigning officer [within a time frame determined by the Executive] shall immediately transfer and make all information, documents, emails, receipts, correspondences, keys and proposals available to the Secretary/finance officer that were pertinent to his/her duties and

responsibilities as an officer of AGSBS. Furthermore, the resigning Officer may not run for the same position within the same election cycle (by-election) or another executive position.

2. Extended Absence of Officers:

If an Officer on the executive cannot be 'in quorum' for an extended period of time (two months or more), he/she shall inform the executive 14 days prior and furnish the executive with the dates and length of the absence. Upon such notice, the officer shall be deemed suspended for the purposes of a headcount for quorum at executive meetings; such that his/her presence or absence would not count toward fulfilling quorum. The executive will then elect an Officer amongst themselves to fulfill the duties and responsibilities of the absent and 'out of quorum' officer till his/her official return.

If any Officer is of the opinion that the absence is unacceptable, they may table and move a motion, upon notice of the extended absence from the Officer in question and before his/her leave of absence, that such a leave is unacceptable to the AGSBS operation and demand a resignation from the soon to be absent officer. Such a motion shall not be tabled or moved if the absence is less than three months and/or in the summer term.

If the motion demanding the resignation carries, the executive will follow the regulations set out in the regulation: "Resignations of Officer(s)"; if the person applying for leave of absence tenders his resignation.

If an Officer refuses to tender a resignation letter to the executive, impeachment proceedings will be followed at the next available GM pursuant to Article 7 Section 3 of the AGSBS constitution.

Article 14: AGSBS Sponsored Items

1) AGSBS Symposium

1.1 Regulations of the Symposium

- a) The AGSBS Symposium is a sponsored event by the AGSBS. The AGSBS Symposium will be conducted by the AGSBS Symposium committee.
- b) The AGSBS Symposium shall maintain balanced budgets and not run a deficit at any time.
- c) All other decisions are up to the symposium committee, with the expectation that they will conduct the symposium in the best interests of the AGSBS and its members.

1.2 Committee Members

1.2.1 Chair

- a) The chair of the symposium committee maybe any member of the AGSBS, with the exception of the chair or treasurer of the AGSBS.
- b) The chair of the symposium committee will act as a liason to the AGSBS executive and the symposium committee.

- c) The chair of the symposium committee has the authority to set the direction of the symposium after consulting the symposium committee.

1.2.2 Treasurer

- a) The AGSBS Symposium Budget and finances will be maintained by the finance officer of the AGSBS. The finance officer of the AGSBS will remain the single authority for all symposium finances, accounts, and budgets.
- ~~b) The symposium treasurer will be a co-signee on the symposium accounts with the chair of the symposium committee.~~ Symposium accounts now managed under the AGSBS operating account. *Revision 10/04/2009*
- c) The treasurer is responsible for maintaining a balanced budget for the symposium

Article 15: AGSBS Endowment Fund

The AGSBS endowment fund was created from a one-time donation to the AGSBS from the late Dr. Peter Moens. These funds were part of an operating York University 900 series courtesy account (closed Oct, 2009) and the Alterna 3562520-1 account (closed Oct, 2009).

1.1 Regulations of the Endowment Fund

- a) The AGSBS Endowment Fund was donated in the original amount of: \$17074.56 and interest accrued to the date of closure of \$174.99. Therefore the total original endowment fund amount is \$17249.55.
- b) The AGSBS Endowment Fund shall maintain a balance of more than the original endowment (\$17249.55) in any given year.
- c) The principle interest of any given year for the endowment fund may be used by the AGSBS for graduate student awards or proposed activities in accordance to the bi-laws of the AGSBS.
- d) The finance officer shall ensure proper management of the Endowment Fund for its continued existence for the benefit of the graduate students in the department of biology indefinitely.
- e) A portion of the Endowment Fund may be borrowed for capital expenses or projects (e.g. AGSBS Symposium), but funds are required to be replenished before the close of the year (January of any given year).
- f) Misuse or misrepresentation of the AGSBS Endowment Funds is considered a criminal act and shall be subject to prosecution as applicable by law.