



Brock University Graduate Students' Association

Document 010C

The Graduate Students' Association Legislative Framework Policy

Name:

1. This document shall be referred to as the "Legislative Framework Policy".

Types of Legislation:

2. The following types of legislation shall govern the Brock University Graduate Students' Association (GSA). All legislation listed below is in hierarchical order, therefore no piece of legislation may contradict a piece of legislation ranked above it. Should any conflict arise, the higher-ranking legislation shall always take precedence.
 - a. Federal, Provincial, Regional, Municipal laws as well as relevant campus documentation.
 - b. Organizational Contractual Agreements.
 - c. A motion or question along with all associated documentation as passed by the membership of the Corporation through a referendum, General Meeting, or Special General Meeting.
 - d. The Brock University Graduate Students' Association Bylaws
 - e. The Brock University Graduate Students' Association Pursuant Schedules.
 - f. Documents relating to the incorporation and registered status of the organization.
 - g. GSA Standing Orders of the Board of Directors.
 - h. GSA Policies, as passed by the Board of Directors.
 - i. GSA Procedures, as passed by the Executive Committee.
 - j. GSA Terms of Reference.

Organizational Contractual Agreements:

3. Such documents are those that are binding on the GSA in partnership with other organizations. Such documents must follow the provisions outlined in the GSA Bylaw. These may include but are not limited to:
 - a. Transit Agreement(s),
 - b. Omnibus Agreement(s),
 - c. Partnership Agreement(s).

GSA Bylaw:

4. The Bylaws of the GSA is its highest piece of legislation.
5. Article Twenty-Two of the GSA Bylaws shall provide the process for which the Bylaw may be amended.
6. The Governance, Elections and Nominating Committee shall be responsible for ensuring that the Bylaws continually complies with all Federal, Provincial and Municipal Legislation, and may make clerical and grammatical changes to ensure the Bylaws is clear in its meanings.



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7. Any changes proposed by the Governance, Elections and Nominating Committee are to be reported to Board in their entirety and may be rescinded by a simple majority of Board if it is believed that such changes change the intent of the Bylaw.

Documents Relating to Incorporation/Registered Status:

8. Such documents may include but are not limited to: Articles of Incorporation, Letter's Patent, and Charitable Status. Which may be amended, from time to time, through the appropriate channels as legislated. Decision to seek amendments must receive approval of two-thirds (2/3) of both the executive and the board.

Standing Orders of the Board of Directors:

9. Standing Orders are motions passed by the Board that remain in effect after the adjournment of the meeting in which they are made. Standing Orders are given a place among the hierarchy of the GSA's legislation, as they have a role in governing the business of the organization and the effective management of Board meetings.
10. Standing Orders automatically expire at the end of the term of the Board that made them, or when the duties and/or actions mandated by a standing order have been completed by the appropriate body in full and it remaining as a standing order would serve no purpose.
11. Recording and maintaining the Standing Orders of the Board shall be the responsibility of the Board Chair and the Vice-President, Communications and Advancement, with support from the GSA Executive Director.
12. It shall be the joint responsibility of the Chair of Board and the Vice-President, Communications and Advancement to ensure that Standing Orders of the Board of Directors are followed and/or carried out as mandated.

GSA Policies:

13. The Policies of the Corporation shall be governed by Document 010.
14. Subject to Document 010, the GSA Board shall have the power to enact, amend, or rescind any policy that it deems necessary so long as it does not conflict with any documentation higher than it.
15. The procedure for the creation of new policies is as follows:
 - a. Any proposals for new legislation shall be forwarded to the Chair of the Governance, Elections and Nominating Committee, to be presented in a report to Board for first reading. Notice of motion for this must be given five (5) days in advance of the meeting.
 - b. Board shall debate the essential merits of the proposed policy, then the proposed policy shall be subject to a vote to refer to the Governance, Elections and Nominating Committee.



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- c. If approved at first reading and referred to the Governance, Elections and Nominating Committee, the committee shall conduct a review taking no longer than two (2) regularly scheduled meetings of Board. Where necessary, meetings shall request the presence of the Chairs of other committees to assist discussion.
 - d. After the referral stage, the proposed policy shall return to Board for a second reading, where it may be debated.
 - e. The motion to approve new legislation at a second reading must be approved by a two-thirds (2/3) majority of Board at consecutive regularly scheduled meetings.
16. The general procedure for the amendment of a policy is as follows:
- a. Any amendment to policies must be directed to the Chair of the Governance, Elections and Nominating Committee, or come from the Governance, Elections and Nominating Committee which shall coordinate a review of the amendment to determine its soundness.
 - b. The Governance, Elections and Nominating Committee will then make a recommendation to Board regarding the amendment.
 - c. Board may then pass the amendment at two (2) consecutive regularly scheduled meetings of Board by a two-thirds (2/3) majority.
 - d. Notice of motion may be given to Board for policy amendments five (5) days prior to their first reading to gather feedback and input.
 - e. "First reading" shall consist of an introduction of the proposed amendment(s) to Board. Discussion will focus on the overall merits and essential ideas of the said proposed amendment(s) and will be subject to a two-thirds (2/3) majority vote to move the amendment forward to second reading.
 - f. Any suggestions or changes made during first reading will be referred to the Governance, Elections and Nominating Committee and resubmitted to Board for second reading. The proposed amendment(s) need not be identical in first and second reading.
 - g. "Second reading" shall consist of an overall debate on the amendment(s) and will be subject to a two-thirds (2/3) majority vote.
 - h. All Policies (except Position Policies) must be reviewed every four years, the Governance, Elections and Nominating Committee shall be responsible for developing and maintaining a tracking sheet to account for which Bylaws need to be reviewed and when.
 - i. All Policies (except Position Policies) shall not expire upon failure to review every four years, they shall remain in effect until a review and subsequent renewal is undertaken.
 - j. Prior to repealing any policy (except Position Policies) the Board shall, through the use of the Governance, Elections, and Nominating Committee, review the impacts of repeal ensuring that the content of the policy is not required by additional relevant legislation or corresponding contractual obligations.



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- k. Upon review and recommendation by the Governance, Elections, and Nominating Committee of the Board at the end of their four-year cycle policies may be renewed by a single vote of the board of directors with a two-thirds (2/3) majority in favour.

GSA Position Policies:

17. Policies may also be used as a statement to provide Board an opportunity to take a stance on an issue that affects graduate students, but one in which it is felt that a piece of policy passed by Board would have a greater effect as opposed to a simple motion.
18. "Position Policies" are written statements or stances held by the GSA on any issue that falls within its mandate, as outlined in relevant GSA Legislation.
19. Position Policies are the responsibility of the Executive Committee, who may create, uphold, and pursue them but Board reserves the authority to review and advise on all Position Policies.
20. Unlike all other policies, which are reviewed but remain in effect until they are amended or redacted by Board, any Position Policy shall expire (3) years from the day it is passed, at which time they can be renewed. Position Policies may be rescinded prior to the three (3) year term.

GSA Procedures:

21. The Procedures of the Corporation shall be governed by Document 010.
22. Subject to Document 010, the GSA Executive Committee shall have the power to enact, amend, or rescind any Procedure that it deems necessary so long as it does not conflict with any documentation higher than it.
23. Procedures are normally operationally focused, allowing greater specificity and clarity to organizational activities that Bylaws or Policies may be unable to provide.
24. Procedures may be revised and enacted at any meeting of the Executive Committee, the need for such action may be brought forward by any member of the committee.
25. Procedures require a two-thirds (2/3rds) majority vote, through a single (1) reading of the Executive Committee to be enacted.
26. Procedures shall be reviewed by the Executive Committee every four (4) years, or sooner if necessary, but remain in effect until they are amended or redacted by Executive Committee.

Terms of Reference:

27. Terms of Reference are internal governing documents pertaining to the work of individual committees, appointed boards, commissions, departments, task forces and any other group that may be created under Article 7.4.2 of the GSA Bylaw.



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Indexing of Legislation:

28. Legislation shall be indexed according to the following system to ensure accuracy and accountability while maintaining ease of understanding.
- a. Any document whose number is in the single digits (e.g. 001 through 009) refers to documents related to the incorporation of the organization, letters patent, the Bylaw and any other status which has been given by a governing body higher than the GSA.
 - b. Any document whose number is in the double digits (e.g. 010 through 099) refers to organizational bylaws. More specifically, each group of numbers shall be used to represent related bylaws. These groups are given below.
 - i. 010-019: Policies pertaining to the legislation, organization, Board of Directors and governance of the organization.
 - ii. 020-029: Policies pertaining to the Executive of the Organization.
 - iii. 030-039: Staff/Employee/Operations of the Organization
 - iv. 040-049: Elections/Referenda and General Meetings as well as Recruitment/Appointment and related Policies.
 - v. 050-059: Committee Policies
 - vi. 060-069: Additional Policies
 - vii. 070-079: Position Policies
 - viii. 080-089: Position Policies
 - ix. 090-099: Position Policies
 - c. Any document whose number is in the triple digits (e.g. 100-999) refers to organizational procedures, whose number shall normally correspond to a specific bylaw group, where applicable.

Versions of Legislation:

29. All Legislation shall be accompanied by a letter (e.g. A) to indicate their version. Upon review by the appropriate body, if the document in question should have any changes its letter must change to the next letter, in descending order (e.g. a reviewed and modified document ending in **A** would now end in **B**).