Mandate

This Policy shall govern the terms of office for the Executive, their composition, meeting regulations, disciplinary procedures, and authority. Following Bylaw II and the Executive Terms of Reference from the former Association policy, this Policy seeks to clearly define the role of the Executive, their responsibilities, authorized actions, and processes for discipline and performance improvement. This Policy shall be reviewed every two years by Council and the Board.

Interpretation

1 This Policy may be called the Executive Policy.
2 In this Policy, the following definitions shall apply:

“Executive Council” means the body in which the Executive power of the Association is vested

“Executive member” or “Executive officer” means a President or Vice President of the Association;

“Impeachment” means the removal of an Executive member from office for violations of conduct.

Part One — The Executive Council

Principles

3 The Executive Council shall be arranged upon the following principles:
   (a) transparency in decision-making;
   (b) democratic character and organization;
   (c) equality between its members, where the President is first among equals;
   (d) dedication and adherence to the will of Council, the Board, and the students at large; and
   (e) integrity and full faith to this Association generally.

4 The Executive Council shall be responsible to Council for all matters of policy or political stance, and responsible to the Board for all matters of fiduciary duty.
FUNDAMENTAL ORGANIZATION

Establishment
5 There is established, encompassing the executive branch for the Carleton University Students’ Association, a body called the Executive Council.

Composition
6 The members of the Executive Council shall be:
   (a) every Executive member, to wit:
       (i) the President of the Association, and
       (ii) every Vice President of the Association, and
   (b) the Senior Staff of the Association, so selected by the voting members, nonvoting; and
   (c) the Executive Assistant, nonvoting.

General Requirements for Office
7 In addition to any requirements in the Bylaws, every Executive member must:
   (a) be and remain eligible for office under all requirements properly imposed;
   
   (b) be elected to their office by proper means, not over irregularities or enough electoral violations to disqualify a candidate, or with the aid of a real or de facto slate of Executive candidates;

   (c) be a registered undergraduate student at Carleton University at the time of their election and first day in office;

   (d) not be an officer of Council, an Executive of the Rideau River Residence Association, the Carleton Academic Student Government, or the Graduate Students’ Association; nor may they be a member of the Board of Governors of Carleton University;

4 April 2022. Motion unnumbered. m/ S. Islam s/ K. Madigan

General Duties for all Executives
8 In addition to any duties and responsibilities given in the Policies or Bylaws, every Executive member shall:
   (a) deliver to Council, from time to time, information on the actions and functions of their office;

   (b) follow, to the best of their abilities, the reasonable orders and requests of Council;

   (c) serve for not less than forty hours in the Summer term and twenty-five in the Fall and Winter terms;
(d) hold and make public regular office hours, not less than five hours every week;
(e) fulfil any and all duties so assigned, permanently or ad hoc, by Council or the
   Board, including expectations in the Terms of Reference and job description;
(f) have knowledge and understanding of:
   (i) CUSA Bylaws, policies, regulations, and procedures,
   (ii) university Bylaws, codes, policies, and procedures, and
   (iii) applicable federal, provincial, and municipal legislation and regulations.
(g) strictly abstain from any act that, in truth or reasonable perception, has an
   adverse effect on the reputation or the proper functioning of the Corporation; or
   on the health, safety, or rights of any persons or groups; and

Duties of the President
9 In addition to any duties and responsibilities given in Policy or the Bylaws, the
President shall:
   (a) Address and resolve any barriers to Executive Officers completing their duties as
       assigned;
   (b) Provide each Executive Officer with adequate training, staff, support, and
       equipment in order to complete their assigned duties, in conjunction with the
       Executive Director and the management team of the Corporation;
   (c) notify an Executive Officer immediately when an issue relating to the Executive
       Officer's performance has been identified; and
   (d) alert the Chair of the CUSA Board immediately in the event that misconduct or
       other serious performance issues have been identified with an Executive Officer.

Duties of the Vice Presidents
10 In addition to any duties and responsibilities given in Policy or the Bylaws, every Vice
President shall:
   (a) notify the President immediately when an issue relating to the President's
       performance has been identified; and
   (b) alert the Chair of the CUSA Board immediately in the event that misconduct or
       other serious performance issues have been identified with the President.

Duties of the whole Executive Council
11 (1) The Executive Council as a whole shall:
   (a) have and hold an open discussion amongst the Executive on the matters of
       finance, strategy, and policy;
   (b) give advice to the President on the organization and good governance of the
       Association;
(c) hear and receive information from its members on the day-to-day functions of each portfolio;
(d) execute, on the initiative of its members, any initiatives beyond the competence of any individual Executive portfolio;
(e) make decisions and render orders for the governance of the Association;
(f) make appointments to University-wide committees and give consent for pursuit of external leadership, subject to ratification or rejection by Council;
(g) consult and make recommendations to Council and the Board for each annual operating budget of the Association;
(h) collaborate with and otherwise guide Senior Staff in project management and other internal objectives of a corporate interest;
(i) render a final, year-end report on recommendations for future executives;
(j) have vested in it the duties of the responsibility for the everyday management of the Association, subject to direction from, accountability, to and approval of, the Board and Council; and
(k) otherwise act in the best interest of the Association and ensure the relevance and legitimacy of the Association in all of its operations and activities.

(2) Any guidelines, rules, regulations or policies enumerating the duties of Executive members shall be communicated in writing by President, in consultation with the Director of Human Resources. Any and all duly made changes to any governing document concerning any Executive member shall be communicated in writing to all Executive members.

Vacancies

12 (1) If the office of the President is vacant, the members of the Executive Council, shall, by resolution, appoint from among themselves an Acting President, subject to ratification or rejection by the Students’ Council. In case of any tie, the Vice President Internal shall assume all Council-related powers and duties of the Presidency, and the Vice President Finance shall assume all Board- and fiduciary-related powers and duties of the Presidency.

(2) The office of the President shall be filled following a byelection of students-at-large, held at the fixed-date election in October or January, according to the Electoral Code.

Electoral Code (X-01)

13 (1) If the office of any Vice President is vacant, the members of the Executive Council, shall, by resolution, appoint from among themselves or Councillors an Acting Vice President, subject to ratification or rejection by the Students’ Council.
(2) The office of any Vice President shall be filled following an election from Council, held at a meeting of Council not less than thirty days following the effective date of the vacancy, held in accordance with the Vice-Presidential Elections Policy.

Vice-Presidential Elections Policy (X-03)

MEETINGS
14 The Executive Council shall meet not less than twice every month. Meetings may be:
(a) Executive meetings, including only voting members and, if invited, the Chair of the Board and Speaker of Council; and
(b) complete meetings, otherwise termed ‘Executive-Management meetings’ including Senior Staff and, if invited, the Chair of the Board and Speaker of Council.

Transparency
15 (1) Every meeting of the Executive Council shall be public, and attendance may be offered to any student-at-large or invited guest at the bequest of a majority of voting members.

(2) Meeting minutes shall be taken and published for every meeting of the Executive Council in a manner analogous to minutes for Students’ Council.

Transparency and Ethical Standards Policy, s. 8

Officers
16 (1) There shall be a presiding officer for the Executive Council, styled the Chair.

(2) The President shall be the Chair, and as such, they reserve the right to preside at any meeting of the Executive Council.

(3) A Chair pro tempore may be elected by the voting members of the Executive Council, at the beginning of any meeting and for the duration of the remainder. The Chair pro tempore may be a member of the Executive Council, or the Speaker of Council. The Chair pro tempore may only vote if they were so empowered to vote before their election.

17 The Chair shall:
(a) call all meetings of the Executive Council;
(b) set the agenda of the Executive Council meetings, unless delegated to the Chair pro tempore;
(c) ensure all Executive members are informed of progress on ongoing projects of the Executive, senior staff, and the Association as a whole;
(d) recommend internal controls procedures for the Executive; and
(e) report to Council and the Board, from time to time, and including an Annual, Year-end Report, on the actions and decisions of the whole Executive Council, representing faithfully the views of the majority there.
**DECISIONS AND ORDERS**

18 Any decision made by a majority of Executive members shall be the decision of the Executive Council on any given matter.

19 A majority of Executive members, or, where delegated by Policy, any appropriate Executive member, can render an Executive order to direct staff of the Association to carry out a specific request.

20 Executive Orders shall be catalogued and published clearly on the CUSA website and appropriate social media. No Order from the Executive Council is valid unless authorized by Policy. Executive Orders shall be numbered according to the following format: Executive Order No. (First year of term)-(Number starting from 001).

    e.g. Executive Order No. 2022-001 or Executive Order No. 001 for short

**Part Two — Discipline**

**GENERAL PRINCIPLES**

21 Executive members are responsible to both the Board and Council for the performance of their duties and responsibilities.

22 The success of the Association is greatly dependent on the performance of its Executive officers.

23 Discipline is not punitive in nature, but a procedure to strengthen and ensure the transparency and accountability of Executive members and to improve and correct performance of assigned duties and responsibilities.

24 Council, the Board, or both chambers, have authority to discipline an Executive member and either can affirm the action of the other in the same regard.

**DISCIPLINE PROCESS AND PROCEDURES**

25(1) A disciplinary process shall be initiated upon receipt of a written complaint in relation to an Executive Officer’s conduct, where by act or omission, they violate their terms of reference or any requirements in this Policy.

    (2) A written complaint in relation to an Executive Officer’s conduct should be directed to the Chair of the Board or the Speaker of Council, as might be deemed appropriate.

26 Upon receipt of a complaint, the Chair shall prepare a written outline of the complaint setting out the particulars of the Executive Officer’s conduct. The written particulars shall be provided to the Executive Officer for their response.

27 Following the receipt of a complaint, the appropriate chamber shall, by simple majority, determine whether the disciplinary process will be initiated, having regard to the nature and seriousness of the allegation(s) of misconduct, the Executive Officer’s response and the need for further investigation.
DISCIPLINE COMMITTEES

28 If the chamber determines that the disciplinary process shall be initiated, the chamber may constitute an ad hoc Discipline Committee to consider the complaint, setting out particulars of the Executive Officer’s conduct.

29 The Speaker or Chair shall, on behalf of the Disciplinary Committee, notify the appropriate Executive member that a Discipline Committee has been constituted.

30 The Executive member may offer an oral or written statement for the Committee in advance of any investigation.

31 The Director of Human Resources

32 (1) A Discipline Committee may only investigate the conduct of the Executive Officer for which it was formed.

(2) The creation of a Discipline Committee to investigate an Executive Officer’s conduct does not preclude the creation of another Discipline Committee to investigate the conduct of a separate Executive Officer.

(3) No Discipline Committee may be constituted by a Chamber while another one is active due to resolution of the other.

Mandate for a Discipline Committee

33 This part of this Policy shall make up the Mandate Letter for every ad hoc Disciplinary Committee.

34 Upon receipt of the particulars of a complaint, the Disciplinary Committee shall:
(a) initiate an investigation to determine whether the matter warrants any form of discipline if it is determined such an investigation is required;
(b) recommend an informal form of response as may be appropriate;
(c) discuss the matter if no further investigation or discipline is warranted; and then
(d) receive and consider the result of any investigation and determine if discipline is warranted.

35 The Discipline Committee shall be permitted to engage an external investigator where required, to conduct a fact-finding investigation in relation to any alleged misconduct outlined in the particulars of a complaint at any time.

36 For the purposes of the Conflict of Interest Policy, every Discipline Committee shall be an applicable body, and its members, applicable members.

Composition of a Discipline Committee

37 If constituted by the Board, a Discipline Committee shall be comprised of:
(a) three Directors, voting
(b) the President, ex-officio, voting
(c) the Director of Human Resources, ex-officio, non-voting
If constituted by Council, a Discipline Committee shall be comprised of:
(a) two Councillors, voting;
(b) two Directors, voting;
(c) the President, *ex officio*, voting
(d) the Director of Human Resources, *ex officio*, non-voting

If the President is the subject of or a witness to the investigation of the Discipline Committee, the Vice President Finance shall sit on the Discipline Committee.

If the Vice President Finance is the subject of or a witness to the investigation of the Discipline Committee, the Speaker of Council shall sit on the Discipline Committee.

Quorum shall be more than half of all voting members of the Discipline Committee.

The Committee shall elect, from among their members, a Chair, Vice-Chair, and Secretary. None of these officers shall be the President, Vice President Finance, or Chair of the Board.

_Preliminary Investigation_

When a Discipline Committee commences an investigation under section. X (a), no one shall obstruct or delay the proceedings of the Committee.

The Director of Human Resources may act as a resource to the Executive Officer or any parties involved in the investigation.

Every employee and elected official of this Association shall, to the best of their abilities, aid the Disciplinary Committee in their investigation.

_Preliminary Resolution_

The Committee may close their investigation after the gathering of sufficient evidence, and decide by majority resolution, whether disciplinary action would be reasonable on the evidence.

The Committee shall, if it decides to pursue disciplinary action, give notice to the Executive Officer in writing both by electronic means and physical mail, to the most recent and accurate address on file with the Association.

_Hearing_

_Preliminary Resolution_

The Executive officer may, within fourteen days, inform the Committee of their desire for a Hearing, or in lieu of a Hearing, submit a written statement.

If the Executive Officer elects to respond to the notice by way of written submissions, the Discipline Committee shall render a decision on the basis of the investigation report and other such submissions.
If the Executive Officer elects to have a hearing, the Discipline Committee shall hold a hearing as soon as is practical.

The Discipline Committee shall have the power to determine procedures of the hearings as appropriate. Notwithstanding this power, the Executive Officer shall be entitled to call witnesses and make oral submissions before the Committee.

Upon receiving all the investigation reports and hearing the submissions of the Executive Officer, the Discipline Committee shall determine where the member committed any misconduct. The Executive Officer will have the opportunity to make submissions as to the nature and extent of the disciplinary action to be taken against them.

Should the Discipline Committee find disciplinary action appropriate, the Discipline Committee may, by a majority, vote, communicate a recommendation to the relevant chamber that the Executive Officer undergo such discipline as it considers just. Such recommendations of discipline may include:

(a) a reprimand; and/or
(b) a censure; and/or
(c) a suspension (with or without pay), lasting no longer than 10 business days; and/or
(d) a recommendation of removal to Council; and/or
(e) dismissal for cause

Disciplinary Action Against an Executive Officer

Pursuant to the ByLaws of the Corporation, the Board and/or Council shall have the authority to enforce disciplinary action against an Executive Officer, up to and including removal from office, by a two-third ($\frac{2}{3}$) supermajority vote of either or both entity or entities, with or without a recommendation from the Discipline Committee.

Discipline Committee Considerations

Upon receiving a complaint, an investigation should investigate the conduct of the member involved and such investigation should include:

(a) determining relevant witnesses;
(b) meeting with relevant witnesses; and
(c) meeting with the Executive Officer whose conduct has been the subject of complaint.

Considerations when determining appropriate level of discipline:

(a) previous record of Executive Officer;
(b) whether or not the incident is isolated;
(c) whether or not the member was provoked or provoked others;
(d) seriousness of the offense; and
(e) other mitigating factors (age, disability, illness, etc.)

57 Other considerations:
(a) to the extent possible all investigations shall be kept confidential.
(b) the Discipline Committee may consult with a lawyer in the process. It is particularly recommended if allegations are serious.

IMPEACHMENT
58 Council may Impeach an Executive Member for any cause, whether on the recommendation of a Discipline Committee or otherwise.  

Bylaws s. 3.5

59 If there is an enumerated cause for Impeachment, the motion before Council shall clearly state the grounds upon which it seeks Impeachment.

60 No Executive Member may be Impeached while a Recall Election is pending.  

Referenda and Recall Policy (X-03) ss. XX–XX

61 The Board shall withhold from removing any Executive Member without the express assent of Council, by means of a motion of Impeachment. The Board may, however, suspend an Executive Member until the time when Council will consider a motion of Impeachment.

Bylaws s. 3.4

SCHEDULE OF AMENDMENTS

<table>
<thead>
<tr>
<th>DATE AMENDED</th>
<th>MOVED</th>
<th>SECONDED</th>
<th>SUMMARY</th>
</tr>
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<tbody>
<tr>
<td>Time Immemorial</td>
<td>N/A</td>
<td>N/A</td>
<td>Formerly Bylaw II (Executive)</td>
</tr>
<tr>
<td>4 April 2022</td>
<td>S. Islam</td>
<td>K. Madigan</td>
<td>Motion against concurrent office adopted by Council. Motion required inclusion of a certain provision (s. 7 (d)) in any future Executive Policy.</td>
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