**Motion to Adopt the Revised Constitution of the Caribbean & Latin American Studies/Hispanic Studies Association (CLASHSA)**

**Whereas,** CLASHSA has submitted a revised Constitution;

**Whereas,** as an area study program, Terms Abroad are almost inherent in the program;

**Whereas,** CLASHSA has consistent problems organizing an election period for a new exec board at the end of each year due to interested students graduating/leaving for a semester;

**Whereas,** an interview/appointment period at the end of a Winter Semester allows for the new exec to begin Onboarding processes and be ready for the Fall Semester (the current system forces the President to lose the first month finding exec members);

**Whereas**, CLASHSA as an AUS Departmental Association must have the Constitution adopted by the AUS;

**Whereas,** the old constitution does not make clear that the VP External Position is intended to be CLASHSA’s representative to AUS council;

**Whereas,** the positions and responsibilities outlined in the 2007 constitution are out of date and no longer reflect the needs of the department;

**Whereas,** the changes below are in line with the Constitution of the AUS;

**Whereas,** a Quorum of the executive board of CLASHSA (as defined in its constitution) have approved and submitted this motion;

**Be it resolved** that the AUS adopted the Constitution of CLASHSA.

**Moved by:**

Vincent Simboli, CLASHSA President

Lina Alvarez, CLASHSA VP External

Constitution of the Caribbean and Latin American Studies and Hispanic Studies Association (CLASHSA) of McGill University

Submitted for approval by AUS Council, October 2014

**Title I – The Association**

Article 1 – Name

* 1. The Association shall be known as the Caribbean and Latin American Studies and Hispanic Studies Association, or by its acronym of CLASHSA.

Article 2 – Aim

* 1. The aims of the CLASHSA shall be:
1. To represent all students in the departments of Caribbean and Latin American Studies and Hispanic Studies at McGill University and to promote their welfare and interests, and
2. To provide activities and services to enhance the educational, cultural, environmental, and social aspects of the lives of its members.
	1. The CLASHSA shall be recognized by its members, the Arts Undergraduate Society, the Students’ Society of McGill University, the departments of Caribbean and Latin American Studies and Hispanic Studies and the Faculty of Arts as representative of all undergraduate students registered in the departments of Caribbean and Latin American Studies and Hispanic Studies of McGill University.

Article 3 – Membership

* 1. The membership of the CLASHSA shall include all undergraduate students currently registered at McGill University in any of the major, double major, honours, joint honours, and minor programs of the departments of Caribbean and Latin American Studies and Hispanic Studies.
	2. Membership in the CLASHSA confers the right to participate in all activities organized by the CLASHSA as well as the right to attend Council meetings.
	3. Non-members of the CLASHSA shall be known as Observers.
1. Observers may attend a meeting of Council with the assent of one member of the Executive.
2. Observers shall have full speaking rights at Council but under no circumstances may exercise a vote.

**Title II – Organization**

Article 4 – The Council

4.1 The governing body of the CLASHSA shall be known as the Council and as such shall:

(a) Recognize the supremacy of this Constitution and be bound by it.

1. Be empowered to make all decisions and take action on behalf of the CLASHSA.

4.2 The Council shall consist of:

1. The members of the Executive, as defined in Section 6.3.
2. Additional CLASHSA members appointed at the President’s discretion (‘Members-at-Large’).

Article 5 – Meetings of Council

* 1. Quorum for a meeting of Council shall be at least three Executives.
	2. The Council shall hold regular meetings at least twice a month when classes are in session.
	3. Notice of all meetings shall be given to the CLASHSA membership in general and members of Council in particular at least three days in advance.
1. In pressing and substantial cases, the Executive may decide to hold a meeting of Council as soon as possible.
2. No removal of an Executive may take place in such an ‘emergency session’.
	1. All meetings of Council shall be open to all CLASHSA members.
	2. The Council may, when it deems necessary, conduct closed meetings by excluding, individually or collectively, Observers in attendance.
3. A decision to exclude members will require a two-thirds majority vote of Council.
4. Minutes must be made available in such a situation within six (6) months.

Article 6 – The Executive

* 1. There shall be a special committee of Council called the Executive, which shall govern the CLASHSA between meetings of Council in a manner consistent with policies set out by Council.
	2. The Executive shall be a non-hierarchical body, with all members of the Executive coequal to each other.
	3. The Executive shall be composed of:
1. The President
2. The Vice-President Finance
3. The Vice-President – Internal Affairs
4. The Vice-President – External Affairs
5. The Vice-President – Academic Affairs
	1. Other positions may be created at the discretion of the President, including but not limited to:
	(a) Vice-President Events
	(b) Journal Editor (One or more)
	(d) HISP Representative Hispanic Studies)
	(e) LACS Representative (Latin American and Caribbean Studies)
	(f) The U0/U1 Representative
	(g) The U2/U3 Representative

Article 7 – Powers and Duties of the Executive

* 1. All members of the Executive shall:
1. Submit to the greater authority of Council and execute its decisions even if they conflict with the Executive’s views on matters within his or her jurisdiction.
2. Submit any actions taken or decisions made between meetings of Council to be ratified at the following meeting of Council.
3. Be members of the CLASHSA in good academic standing.
	1. The President shall be completing his or her degree as major or honours student. The President of the CLASHSA may not be registered in a minor concentration for either of the two programs represented by the CLASHSA.
4. Be responsible for the keeping of adequate records of their actions in order to ensure a smooth transition from one year to the next.
5. Commit to ensuring an equitable and reasonable distribution of work among the Executive.
6. Miss no more than two meetings of Council per semester.

a. Should a member of the Executive miss more than two meetings of Council per semester, Council must take steps to investigate and if necessary replace the Executive member.

* 1. The President shall define the roles and responsibilities of each Executive position in writing prior to Elections.
	(a) Should no election take place as stated in 8.4, the President must inform the Executive members of their duties at the first Council meeting after the Executive has been set.
	2. The VP External shall be the Representative of CLASHSA to AUS Council.

**Title III – Elections**

Article 8 – General

* 1. All members of the CLASHSA shall be eligible to vote in CLASHSA elections.
	2. Elections shall be conducted in accordance with this Constitution and with any applicable CLASHSA by-laws.
	3. Elections are passed by a plurality.
	4. Elections shall not take place if there are no contested positions.
	5. In the case that mandatory or optional positions are not filled at the end of an academic year, the Executive body reserves the right to interview and appoint candidates.

Article 9 – Eligibility

* 1. Unless otherwise specified in this Constitution, all members of the CLASHSA shall be eligible to stand for election to the positions outlined in 6.3.
	2. All elected individuals must remain members of the CLASHSA throughout their mandate.

9.3 No member of the CLASHSA may accept nominations for two Executive positions in the same year.

Article 10 – Procedures

* 1. Elections for the Executive positions shall be held between March 1 and the beginning of the Winter exam period.
	2. The newly elected members of the Executive shall come into office on May 1 of the year in which they were elected and shall leave office on April 30 of the following calendar year.
		1. In the event that executive positions are not filled by elections, the Executive body should appoint new Executives adhering to the following process:
		2. Interviews shall be conducted by no less than two Executive members, one of which must be a ‘Mandatory Position’ as defined in Article 6.3.
		3. Appointments of new Executives must be approved by Quorum as defined in Article 5.1.
		4. Any appointments made must be immediately communicated to the AUS through the VP Internal of AUS.
	3. Elections procedures shall conform to all Arts Undergraduate Society by-laws.

**Title IV – Removal from Office**

Article 11 – Removal

11.1 Any member of the Executive may be dismissed from their functions for impropriety, violation of this Constitution and its by-laws, delinquency of duties, or misappropriation of funds. The preceding list of reasons for dismissal is non-exhaustive.

11.2 A motion to remove an Executive must be presented in writing to the President and signed by at least three members of Council.

1. Should the motion pertain to the President (a ‘Coup d’Etat), it shall be presented in writing to the Vice-President Finance and signed by at least three members of Council.
	1. The Executive whom the Council is seeking to remove is heretofore referred to as ‘the Executive in question.’
	2. Quorum to remove an Executive requires all Council members excluding the Executive in question.
	(a) The Executive in question may be removed *in absentia*, provided they have been notified in the presence of a witness no less than one week prior to their dismissal hearing.
	3. Passage of a motion to remove an Executive shall require a three-fourths majority vote of present Council members, excluding the Executive in question and the President.
	4. The President is encouraged to abstain from voting, unless in a case of exactly three-fourths of the council voting in favour of the motion for removal.
	5. A dismissed Executive may appeal his or her removal to the President at the next Council meeting, after which no appeals will be accepted and the Council’s decision takes effect.
	(a) The President alone may table a motion to grant a thirty (30) day reinstatement of the Executive in question.
	(b) This motion requires only a simple majority to pass, with standard quorum.
	(c) Should this motion pass, at the meeting immediately following the conclusion of the thirty (30) day period, another vote on removal shall take place, or the Executive in question will return to his or her previous duties until the end of that Executive’s previously elected term period.
	(d) Should the second motion for removal pass according to the guidelines in subsections 11.1 through 11.5, the Council proceeds to Article 12 — Succession and Replacement.
	(e) Should the dismissed Executive be President, the appeal must be made to the Acting President.
	6. Should the dismissed Executive not appeal, or unsuccessfully appeal, the Council proceeds to the rules laid out in Article 12 — Succession and Replacement.

Article 12 – Succession and Replacement

* 1. Should the office of President become vacant due to resignation, removal, incapacitation, or death, the title of Acting President and the duties of President shall devolve down the Executive list in Section 6.3, beginning with 6.3 (b), to the next available Executive.
1. The same procedure is to be followed if the office of Acting President should become vacant.
	1. Should a Vice-Presidential or Representative position become vacant due to resignation, removal, or death during the Fall semester, a replacement shall be nominated by the President and ratified by a two-thirds majority of Council.
2. The nominee must be eligible for the vacant position as prescribed by Articles 9 and 10.
3. The appointee should preferably already be a Councillor or otherwise familiar with the workings of the CLASHSA.
	1. Should a Vice-Presidential or Executive position become vacant due to resignation, removal, or death during the Winter semester, the duties of their position shall be divided among the remaining Executive to be carried out until the regularly scheduled election and accession to office of the following year’s Executive.
	2. Other than the position of Acting President, no member of the CLASHSA may concurrently hold two Executive positions.

**Title V – The Constitution**

Article 13 – Superseding Clause

* 1. This Constitution repeals and supersedes all previous constitutions.

Article 14 – Amendments

* 1. Amendments may be proposed piecemeal by individual members of Council.
	2. Quorum for an amendment to this Constitution shall be two-thirds of Council.
	3. This Constitution may only be amended by a two-thirds majority vote of present Council members.

Article 15 – Citation

15.1 The Constitution may be cited as the ‘CLASHSA Constitution’.