

Bylaw Amendments Package

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BYLAW 4: Membership & Fees

Supplemental Service Fees

IV.4 Health and Dental Plan

IV.4.1.3 The Board of Directors shall, with a two-thirds (2/3) majority vote, have the authority to increase the Health and Dental Plan fee by no more than three percent (3%) each year, as approved by referendum in the 2005 academic year. Increases greater than three percent (3%) must be approved by referendum subject to the by-laws herein. The Health and Dental plan fee is increased to the Consumer Price Index as determined by Statistics Canada each year.

IV.4.3 Transportation

IV.4.3.3 The Board of Directors shall, with a two-thirds (2/3) majority vote, have the authority to increase the Transportation fee by no more than three percent (3%) each year, as approved by referendum in the 2011 academic year. Increases greater than three percent (3%) must be approved by referendum subject to the by-laws herein. The Transit pass fee is increased to the Consumer Price Index as determined by Statistics Canada each year.

IV.6 Approval, Amendment and Removal of Fees

IV.6.1 The approval of all new fees and the amendment or removal of all existing fees must be approved by a referendum in accordance with the by-laws herein.

IV.6.1.1 The Board reserves the right to initiate referenda by two-thirds (2/3) majority vote The Board may, by two-thirds (2/3) majority vote, approve referendum pertaining to the amendment or removal of its Annual Membership Fee (By-Law IV.1) and Supplemental Service Fees (By-Law IV.4), as well as the creation of new supplemental service fees.

IV.6.1.2 The Board reserves the right to initiate referenda by two-thirds (2/3) majority vote to initiate referenda to remove the Levy Group Fee for any Levy Group who has not deposited their levy cheque for two consecutive academic years terms due to inactivity. Such referenda will include a destination for the remaining funds—in that group's University account held by the university.

IV.6.1.3 If a Levy Group provides the Board with a signed resolution proving that the group no longer wishes to receive a levy fee (due to inactivity or otherwise) the Association reserves the right to request that Trent University remove said fee without going to referenda.



IV.6.2 All referenda regarding the approval, amendment, or removal of fees, with the exception of those fees mentioned in By-Law IV.6.1.1 and IV.6.1.2, and IV.6.1.3, must be initiated by a petition requesting the said referendum in accordance with the by-laws. Herein.

IV.6.2.1 Petitions requesting a referendum to approve, amend, or remove a levy group fee must be binding on the Association as per By-Law XIV.9 Petitions.

IV.6.2.2 Petitions requesting a referendum to approve, amend, or remove a fee must be received by the Association by the close of the nomination period of the Spring General Elections.

IV.6.3 All referenda and petitions relating to fees may only refer to individual fees. The Association will not normally accept a petition or allow a referendum that seeks to create, remove, or amend multiple fees at one time.

IV.6.3.1 Referenda and Petitions will be accepted for multiple fees only if said referenda/petition relates to indexing said fees to CPI (or equivalent cost of living indicator), is the result of a contractual obligation of the University or the Association or relates to another appropriate administrative amendment made on behalf of the University or the Association.

IV.6.4 The Board may, on two-thirds (2/3) majority vote, and on the recommendation of the Operations and Services General Manager and an Association Standing Committee, request that Trent University not charge members for any fees described by section "IV.4. Supplemental Service Fees" for one academic year. This power excludes the fee corresponding to By-Law "IV.4.5 Student Centre" which cannot be altered.



By-Law 5: Board of Directors

V.2 Number of Directors

- V.2.1 The Board of Directors shall be composed of:
- i) One(1) director(*exofficio*), named the College Commissioner, or another designated position elected by the students of that residential college, who sits as a representative on that College's Cabinet.
- ii) One (1) director *(ex officio)*, named the College Cabinet President, or another designated position, elected by the students of that residential college, who sits as an executive on that College's Cabinet.
- iii) One (1) director (ex officio), named Senate Liaison, who is a student representative elected to Trent University's Senate Executive.
- iv) Four (4) directors to be elected by the general membership of the Association, who constitute the Executive, who shall hold the following titles:
 - a) President
 - b) Vice President Campaigns & Equity
 - c) Vice President University & College Affairs
 - d) Vice President Student Health & Wellness
- v) Nine (9) directors to be elected by the general membership of the Association who shall be known as Equity Commissioners, and who shall hold the following titles:
 - a) Environment & Sustainability Commissioner
 - b) Gender Issues Commissioner
 - c) Off-Campus Commissioner
 - d) On-Campus Commissioner
 - e) Part-time Students Commissioner
 - f) Queer Students Commissioner
 - g) Racialized StudentsCommissioner
 - h) Mature Students Integration Commissioner
 - i) Students with Disabilities Commissioner
- vi) One (1) director from the Trent University Native Association (*ex officio*), named Indigenous Students Commissioner, elected by and to represent students of that organization.



- vii) One(1) director from the Trent International Student's Association(*exofficio*), named International Students Commissioner, elected by and to represent students of that organization.
- viii) One(1) director from the Trent Association of Black Students(*exofficio*), named Black Students Commissioner, elected by and to represent students of that organization.
- ix) The Speaker, who shall be appointed by the Board on the recommendation of the Executive Committee normally be the Association Resource Manager, shall have no vote. The Association shall also recognize the following:
 - a) The President shall be the Deputy Speaker when required.
 - b) In circumstances where it is advantageous to do so the Board may appoint an Acting Speaker at a meeting of the Board of Directors by two-thirds (2/3) majority vote.
- V.2.2 A position on the Board shall be held by no more than one (1) person at any given period of time. V.2.3 A director shall hold no more than one (1) office at any one (1) time except as an emergency replacement as authorized by the Board and until such time as a replacement is elected. Such a director shall only have one (1) vote, regardless of the number of offices held.

Speaker

- V.6.1 It shall be the duty of the Executive to appoint, subject to Board ratification, a Speaker. The Speaker shall act as Chairperson of the meetings of the Board, or other such meetings provided by the by-law herein, or other such meetings as determined by the Board.
- V.6.2 The person appointed as Speaker need not be a member of the Association at the time of appointment but by the act of appointment becomes a member of the Association for the duration of their time as speaker, pursuant to the by-laws hereof.
- V.6.3 The Speaker is required to provide no public comment of personal belief on matters before the Board while serving as speaker. They must remain impartial at all times on matters before the Board and its committees while acting as Speaker of the Board.
- V.6.4 The Association Resource Manager shall be the Interim Speaker until one is appointed
- V.6.5 The President shall be the Deputy Speaker when required.
- V.6.6 The Board may appoint an Acting Speaker.
- V.6.7 A 2/3rds majority vote is required to remove the Speaker.



V.7 Length of Term and Date of Transition

The official date of transition to the newly elected Board shall be the first (1st) Saturday after the final day of classes in April. No director shall serve beyond this point, with exception of ex-officio directors those re-elected to an additional term by the membership and those reappointed from their organization residential colleges.

V.8 Miscellaneous

V.8.1 Each voting director's right to vote is granted on the condition that they have been duly elected to the office that they hold. In the case of College Commissioners and Cabinet Presidents ex-officio directors, confirmation of election and the appointment to the Board by their college organization must be received in writing bythe Association from the College Cabinet organization President prior to being acknowledged as a director.

V.8.2 Directors shall perform their duties prescribed by the by-law hereof and by the parliamentary authority designated in by-law IX.4 hereof, by any policy or operating resolution, or by any other such lawful resolution or any revision thereof that is adopted by the Board.

V.9 Vacant Positions

- V.9.1 Should the position of President become vacant at any time; it shall fall to another member of the Executive to act in the capacity of President. The Acting-President shall be remunerated accordingly until such time as a new President can be elected.
- V.9.2 Should any of the positions of Vice President become vacant at any time, it shall be at the discretion of the Board to appoint a current director to act in that capacity with appropriate remuneration until such time as a new Vice President can be elected.
- V.9.3 Should any other "at large" position of the Board become vacant at any time, it shall be at the discretion of the Board to call a by-election, provided the by-election is concluded no later than the first (1st) day of December or the end of classes in the fall term or whichever comes first. After this date the said position shall remain vacant for the remainder of the Board's term.
- V.9.4 Should any ex-officio position filled by an College Cabinet or Council organization become vacant it shall fall to that Cabinet or Council group to fill that vacancy and to provide written notice of such to the President Association Resource Manager on letterhead of the College Cabinet or Council Organization.



By-Law 7: Termination from Office

VII.1 Resignation of Office

Directors resign their office by the submission of a signed letter to the Association Resource Manager. The resignation may take effect at such time as specified in the letter of resignation, or when the Executive Committee has accepted the letter from the Association Resource Manager, whereupon the office shall become vacant. Until such time, the director remains responsible for all duties, obligations and tasks resulting therefrom. Resignations of office are to be reviewed by the Board of Directors at duly constituted meetings.

VII.1.1 If there are more than three (3) documented absences for any meetings, committees or director-related obligations and regrets or notice is not received by the Association Resource Manager, President or relevant Committee Chair, the Association will assume immediate resignation.

VII.2 Termination of Office

VII.2.1 Any director who has been elected by the members may be impeached removed from the Board and shall cease to be a director in the event that the members have passed an ordinary resolution (a simple majority) to impeach remove the director at a meeting of the members called and held for that purpose.

VII.2.2 Prior to the vote being held to removal impeach the director, the director shall have the opportunity to address the meeting of the members for the purpose of giving reason for opposing their removal impeachment from the Board. In addition to addressing the meeting of the members, the director may, at any time prior to the meeting of the members, provide the Association with written reasons for opposing their removal impeachment and the same shall be circulated to the members as soon as possible following receipt of the written reasons by the Association.

VII.3 Removal from Office

VII.3.3 If the Director Review Committee determines a director is in violation of the Director Code of Conduct, the committee may bring a request to the Board to have the director removed by a two-thirds (%) majority secret ballot in closed session. Prior to the vote the director shall have the opportunity to address the board for the purpose of giving reason for opposing their removal.

VII.3.3 If a director has been impeached or removed from office, they will be ineligible to run for office in TCSA elections for one (1) academic year.



By-Law 9: Meetings

IX.1.2 **Voting;** All directors of the Board shall have the right to vote except where removed in the by-law hereof. In the event of a tie vote, the President shall break the tie.

By-Law 13: Elections of Directors

XIII.1 Candidate Eligibility

XIII.1.1 Only an eligible member of the Association who has paid the membership fee shall be allowed to run for a position on the Board of Directors. To be considered an eligible member of the Association for Elections, the member must meet the following criteria:

- I. No member of the Association who has been removed from office with the Association in the last academic year shall be eligible for election.
- II. The member must be in Good Academic Standing during the electoral nomination period.
- III. The member must not have any unresolved Student Charter complaints at the time of nomination.

XIII.1.2 Only eligible members of the Association shall be allowed to vote in the Association's elections and referenda.

XIII.1.3 Honorary members and those who otherwise pay the Association's membership fee shall not be eligible to run for positions on the Board of Directors or vote in the Association's elections or referenda.

XIII.1.4 No member of the Association who is under the age of eighteen (18) after the date of elections ratification shall be allowed to occupy a position on the Board of Directors.

XIII.1.5 No member of the Association who has declared bankruptcy shall be allowed to run for a position on the Board of Directors.

XIII.1.6 A member of the Association who has been found incapable (or incapable of managing property) by a court in Canada or elsewhere shall be ineligible to run for a position on the Board of Directors.

XII.1.7 The President shall not be enrolled in no more than three (3) full credits between the months of September and April of their term.

XIII.2 Elections Committee

XIII.2.1 Membership;



An Elections Committee shall be comprised composed of three (3) directors in accordance with operating policy. In addition, there shall be a Lead Chief Electoral Officer who shall act as Chair of the Committee, and a Deputy Electoral Officer, both appointed for a term coinciding with that of the Board in accordance with operating policy, subject to revision as required.

XIII.2.2 Powers of the Elections Committee for the Election of Directors;

the Elections Committee is authorized to:

- i. Set guidelines for campaigning and approve campaign materials.
- ii. Select elections staff.
- iii. Impose disciplinary actions to be taken against candidates, in the event of election infractions.
- iv. Determine voting and counting mechanisms for the election of Directors.

XIII.2.3 Responsibilities of the Elections Committee for the Election of Directors:

- i. Ensure that elections are conducted in accordance with the by-laws and any resolutions.
- ii. Recommend an elections schedule to the Board.
- iii. Consider complaints from and against candidates.
- iv. Produce a report on each set of Director Elections.
- XIII.2.4 Misconduct by the Committee or a committee member therein shall be investigated by a Special Committee called for that purpose by the Board.
- XIII.2.5 The Board reserves the right to review all operations of the Elections Committee or the Lead Chief Electoral Officer at its discretion

XIII.3 Timing of Elections

XIII.3.1 Spring General Elections; The voting period for the spring general election shall be held during the month of March for the purpose of electing all at-large positions.

XIII.3.2 Fall Elections By-Elections;

The voting period for the Fall By-Election shall occur before the fall reading week for any vacant positions created by resignation, removal or those not otherwise provided for in the Spring General Election.

XIII.3.3 Special Elections; The office of any director, where said office is held by and for the Association and is not ex officio, that becomes vacant pursuant to the terms of the by-laws hereof



may be filled by a Special Election to be held on a timeline as determined by the Board of Directors. Special elections shall not take place in the winter term.

XIII.3.3.1 If a director currently holding a seat on the Board wishes to declare his/her candidacy in the Fall By-Election or a Special Election, it shall be mandatory for the Director to take a leave of absence from the Board once their candidacy is confirmed.

XIII.3.4 Selection of Ex Officio Directors;

Appointment of all ex officio Directors shall be conducted in accordance with the electoral procedures of the organizations appointing them to the Board, where possible.

XIII.4 Notice of Elections and the Registration Period for Candidates

- XIII.4.1 Notice of the Spring General Elections and the registration period for candidates shall take place over four (4) weeks coinciding with the month of February.
- XIII.4.2 Notice of Fall By-Elections and the registration period for candidates shall take place following Labour Day, through the remainder of the month of September.
- XIII.4.3 No less than one (1) teaching week may be designated as the registration period for candidates for any Special Election after notice has been given.
- XIII.4.4 Candidacies received after the registration period has ended will not be accepted. The deadline to become registered as a candidate shall be decided by the Elections Committee so long as it does not take place outside of the months indicated as registration periods.

XIII.5 Campaign Period and Campaigning for Candidates

- XIII.5.1 The campaign period shall be from the point at which the nomination period closes until the close of the voting period.
- XIII.5.2 Candidates shall not begin actively campaigning until they have met all conditions required by the Elections Committee to participate in elections. Candidates shall only campaign during the official campaign period pursuant to the by-laws hereof.
- XIII.5.3 All campaign materials must conform with the standards expected by the Elections Committee. Candidates shall endeavour to have their materials approved by a member of the Elections Committee prior to use.



XIII.5.4. Candidates shall adhere to a campaign spending limit set by the Elections Committee

XIII.6 Voting

XIII.6.1 Voting will be conducted as determined by the Elections Committee for a period of not less than five (5) days and for a period not exceeding seven (7) days.

XIII.6.2 The voting mechanism for all eligible members shall be determined by the Elections Committee.

XIII.7 Interpretation of Results

A candidate achieving the greatest share of votes cast will be determined to be the winner of that election. In the event of a sole candidate, the candidate must receive a majority of affirmative votes, fifty percent (50%), plus one (1) vote, in a ratification election to be deemed the winner. If two (2) candidates are tied for a position a revote will take place within 14 days following the close of the original voting period.

XIII.8 Ratification of Results

Results of all elections remain unofficial until such time that the Board has, upon reviewing the report of the Elections Committee and finding acceptable adherence to the by-laws and policy, ratified the results. Ratification shall occur at the next meeting of the Board following the close of the voting period as defined in the by-laws hereof pending successful completion of any recounts, investigations, etc.

XIII.9 Electoral Disputes

Any member who believes there may have been an infraction of voting rules may inform the Elections Committee of this alleged infraction. The Committee shall investigate the charge and take such action deemed appropriate. In the event of a complaint against the Committee or any member thereof, the infraction shall be referred to the Board. It is the right of any candidate determined to have lost by less than five percent (5%), and without specific charge, to request an official recount within two (2) week days of the notification of results.



By-Law 14: Referenda and Petitions

XIV.1 Purposes of Referenda

A referendum of the members may be called for the following purposes:

- i) To determine the stance of the membership on issues of major importance.
- ii) To determine membership in, or commitment to pay any corollary Association or University fees, or fees of other organizations.
- iii) To overturn decisions of the Board; and
- iv) To enact or amend the by-laws of the Association.

XIV.2 Initiation of Referenda

XIV.2.1 The membership may initiate a referendum through the presentation of a petition to the Board. Such a petition must be supported by not less than five ten percent (510%) of the membership to be deemed valid and considered by the board. A petition should state the reason for the referendum and suggest wording of the question.

XIV.2.2 The Board may, at any time, initiate a referendum by a two-thirds (2/3) majority vote, except for referenda pertaining to the initiation, removal, or specific charges of Levy Group Fees (described in By-Law IV.5), which must be initiated by petition in accordance with By-Law IV.6 Approval, Amendment and Removal of Fees.

XIV.2.3 All referends concerning Levy Group Fees shall coincide with the Spring General Elections of the Association.

XIV.3 Supervision of Referenda

XIV.3.1 It shall be the duty of the Elections Committee to supervise referenda subject to the general rights, terms and conditions of the by-laws hereof.

XIV.3.2 Powers of the Elections Committee over Referenda; the Elections Committee is authorized to:

- i. Determine the exact wording of referendum questions that appear on the ballot.
- ii. Set guidelines for campaigning and approve campaign materials.
- iii. Select staff for referenda.
- iv. Impose disciplinary actions to be taken against referenda committees, as deemed necessary.
- v. Determine voting and counting mechanisms for referendum.

XIV.3.3 Responsibilities of the Elections Committee toward Referenda:



- i. Ensure that Referenda are conducted in accordance with the by-laws and any resolutions.
- ii. Ensure proper notice for the registration of referendum groups is given.
- iii. Consider complaints from and against referenda groups.
- iv. Produce a report on referenda processes and outcomes at the conclusion of the voting period.

XIV.4 Notice of Referenda

Public notice of referenda must be issued at least not less than one (1) teaching week fourteen (14) days prior to the Election Committee's registration of deadline for referendum committees. Where possible the Association will endeavor to have referenda coincide with the regular usual electoral periods of the Association.

XIV.5 Debate of the Question(s)

If a referendum is called pursuant to the by-laws hereof, whether initiated by the Board or by petition of the membership, the Association shall hold at least two (2) meetings one (1) Meeting of the Membership for the purpose of debate and discussion, if opposing referendum groups register themselves with the Elections Committee to debate the issue(s) to be decided by referendum.

XIV.6 Interpretation of Results

A majority decision, fifty percent (50%), plus one (1) vote, of those votes cast toward a in the referendum question shall be binding upon the Association, provided that the total number of votes cast represents more than fifteen percent (15%) of the total membership of the Association.

XIV.7 Ratification of Results

Results of all referenda remain unofficial until such time that the Board has, upon reviewing the report of the Elections Committee and finding acceptable adherence to the by-laws and policy, ratified the results. Such consideration should occur at the next meeting of the Board.

XIV.8 Referenda Disputes

Any member who believes there may have been an infraction of voting rules may inform the Elections Committee of this alleged infraction. The Elections Committee shall investigate the charge and take such action deemed appropriate. In the event a complaint against the Elections Committee or any member thereof, the infraction shall be referred to the Board. It is the right of any referendum committee whose position has been determined to have lost by less than five



percent (5%), and without specific charge, to request an official recount within two (2) weekdays of the notification of results.

XIV.9 Petitions

XIV.9.1 Petitions are requests by the membership for the Board to act on a particular problem matter. They may be binding or non-binding on the Board according to the terms and conditions of the by-laws.

XIV.9.2 Members who wish to petition for a new levy fee or to amend the terms of an existing levy fee must make an application give notice to the Association by the first day of February Board of Directors before the start of the Spring Electoral Period. The application notice must contain include:

- i. Why the levy fee is being requested or amended, including its intended use(s) of additional funds.
- ii. Suggested wording of the question to appear on the ballot.
- iii. A list of three (3) two (2) officers (individuals and their positions) responsible for the organization group's activities during the referendum process.
- iv. If applicable, instigators should confirm that the existing levy group which the petition concerns has been contacted. Not doing so does not invalidate the requirement to give notice to the Association.

XIV.9.3 Registered TCSA Clubs or Groups seeking a levy group fee are subject to the additional requirement of having clubs or group status with the Association for the two (2) previous calendar years.

- XIV.9.4.1 Petitions must contain the following information fields:
 - i. "NAME (printed)"
 - ii. "SIGNATURE" (may be excluded or incomplete if petition is digital)
 - iii. "STUDENT NUMBER"
 - iv. "TRENT UNIVERSITY EMAIL ADDRESS"
- XIV.9.4.2 Petitions must also comply with the following format:
 - i. All petitions must be addressed to the Board of Directors.
 - ii. Petitions must be written in clear language.
 - iii. The subject matter of the petition must be indicated on every sheet, if printed.



Iv. If the petition is being conducted digitally, the form shall be created in consultation with the Association Resource Manager and shared with the referendum initiators.

XIV.9.5 It is the responsibility of the instigator(s) of the petition to ensure the following:

- I. That the petition is undertaken in good faith for a legitimate reason.
- II. That each person filling out the petition is clearly informed of what they are signing, by the instigator(s) of the petition.
- III. That, to the best efforts of the instigator(s) of the petition, each signatory is of sound mind (i.e., not under the influence of drugs or alcohol) and that said signatories are capable of understanding what they are signing.
- IV. That the instigator(s) ensure that each signatory is a Peterborough campus undergraduate student at the University and therefore, a member of the Association (includes School of Education).
- V. That any petitions are submitted in a timely manner, in the original format, so that they can be verified by the Association through membership records, as necessary.
- VI. That each signatory has clearly and legibly submitted their information under each required heading, with the exception of those entries under the signature heading.
- VII. That no false, incomplete, or duplicate entries are made on the petition.

XIV.9.6 Action called for within petitions must be within the jurisdiction of the Board.

XIV.9.7 Petitions must be first sent to the Association Resource Manager who will certify the petition, confirming that the conditions required herein are met and will present the petition to the Board for its consideration or action.

XIV.9. 8 Completed petitions requesting a referendum to approve, amend, or remove a fee must be received by the Association Resource Manager before the close of the nomination period of the Spring General Elections.

XIV.9.9 Unless otherwise defined in the by-law hereof, a binding petition must contain the valid signatures of no less than ten percent (10%) of the members of the Association as of the date of submission.



XIV.9.109 Instigator(s) of the petition are responsible for the conditions as detailed in the by-laws hereof. Failure to comply with any of these conditions shall invalidate the entire petition.

XIV.9.11 Once a petition is submitted, the Association Resource Manager is responsible for keeping it on file, in the original format, with the Association until the ratification of referendum results by the Board of Directors.

IX.5 Meetings of the Membership

- IX.5.1 Meetings of the Membership are open to any person who wishes to attend.
- IX.5.2 All members of the Association have the right to speak at a Meeting of the Membership or General Meetings. Members may endorse non-members to receive speaking rights.
- IX.5.3 Only members of the Association have the right to vote at a Meeting of the Membership or General Meeting.
- IX.5.4 The Speaker of the Board or any other person determined by the Board will chair Meetings of the Membership and General Meetings. They will be referred to as the Chair.
- IX.5.5 The Association will have two (2) General Meetings each year. One (1) will occur in the Fall Semester, and one (1) will occur in the Winter Semester. These meetings will abide by the following guidelines
 - i. The Fall General Meeting of the Association must be held prior to November 1st the start of the fall term reading week of each academic year.
 - ii. The purpose of the Fall General Meeting is to appoint an auditor for the Association if required and consider any proposed by-law amendments or policy resolution amendments that have been served with due notice.
 - iii. The Winter General Meeting of the Association must be held prior to March 1st. the start of the winter term reading week of each academic year.
 - iv. The purpose of the Winter General Meeting is to receive audited financial statements appoint an auditor for the Association if required and consider any proposed by-law amendments or policy resolution amendments that have been served with due notice. At the Winter General Meeting all Directors of the



- Association shall present a report on their activities during their term in office. Director reports will be included in the appendices of the meeting's minutes.
- v. There will be at least ten (10) days' notice, but not more than fifty (50) days' notice for any General Meeting of the Association. The Association Resource Manager will ensure notice of the meeting is posted widely throughout the university community.
- vi. General Meeting documents will be made available seven (7) days prior to any General Meeting.

IX.5.6 In addition to General Meetings, a Meeting of the Membership can be called by the Association Resource Manager, the President, or by a petition signed by five (5) voting board members, or fifty (50) members of the Association provided that there is at least ten (10) days' notice, but no more than fifty (50) days given before the meeting is held.