

## Bylaw I: Interpretation and Definitions

1. In these Bylaws, unless the context otherwise requires, expressions defined in the Societies Act, as amended from time to time, shall have the meanings so defined under the Societies Act. Words imparting the singular shall include the plural, and vice versa.
2. In these Bylaws, unless the context otherwise requires:
  - a. "The Phoenix" shall mean The Phoenix News;
  - b. "University" shall mean The University of British Columbia Okanagan;
  - c. "SUO" shall mean the Students' Union Okanagan;
  - d. "Governing Committee" shall mean the governing body of The Phoenix;
  - e. "Students' Union Okanagan Representative" shall mean the Director serving on the Governing Committee in an ex officio capacity as a result of their election to the Students' Union Okanagan Board of Directors;
  - f. "Bylaws" shall mean the bylaws of the Phoenix News;
  - g. "Governing Principles" shall mean the Governing Principles document of The Phoenix;
  - h. "Faculty Representative" shall mean the faculty member from the University of British Columbia Okanagan who is invited to sit in an ex officio capacity on the Governing Committee;
  - i. "Staff Member" refers to a team member of the Phoenix who is receiving honouraria
  - j. Editor in Chief shall mean the Editor in Chief of The Phoenix;
  - k. "Ordinary Resolution" shall mean a resolution requiring a simple majority vote to pass;
  - l. "Special Resolution" shall mean a resolution requiring a vote of more than two-thirds ( $\frac{2}{3}$ ) majority to pass;
  - m. "Not in good standing" means anyone who has engaged in academic or non-academic misconduct, or has been deemed not in good standing by the Governing Committee;

- n. “Academic misconduct” shall mean, but is not limited to, any action that has been found to have violated any section of the University of British Columbia’s academic calendar’s section on academic misconduct, or as defined by the Office of the Provost and Vice-President Academic;
- o. “Non-academic misconduct” shall mean, but is not limited to, any action that has been found to have violated the non-academic misconduct section of the universities student code of conduct;
- p. “Student Money” shall mean any monies that have been collected via the media fund levy, or have been collected directly or indirectly from members of The Phoenix

#### Bylaw II - Membership

1. The Members of The Phoenix shall be any student currently registered in at least one credit course at the University and who has been assessed the Media Fund fee for the current University semester.
2. Membership in The Phoenix shall cease three months (3) after the end of the last semester in which a Member has registered in at least one credit course at the University.

#### Bylaw III - Governance

1. The Governing Committee has the power and the duty to oversee the operations of The Phoenix, including but not limited to:
  - a. Review and approve the annual budget;
  - b. Review and approve the annual strategic plan;
  - c. Review and approve a proposed succession plan for the position of Editor in Chief;

- d. Review and approve proposed amendments to the bylaws
- 2. The Governing Committee shall consist of
  - a. The Editor in Chief of The Phoenix;
  - b. The Operations Manager of The Phoenix;
  - c. One (1) additional Staff Member of The Phoenix chosen randomly;
  - d. One (1) former Editor in Chief chosen by the current Editor in Chief, or if none are available, one (1) additional Staff Member of The Phoenix chosen randomly;
  - e. One (1) Director from the SUO (ex officio);
  - f. One (1) Student at Large;
  - g. One (1) Faculty Representative (ex officio)
- 3. The Editor in Chief shall serve as chair of the committee.
- 4. The Governing Committee can meet at any time, yet shall meet at least twice annually, and shall hold at least one (1) meeting in the month of December, and at least one (1) meeting in the month of April.
- 5. The Editor in Chief shall be responsible for setting the meeting, and giving proper notice to all committee members.
- 6. The Editor in Chief shall inform all Governing Committee members of, and announce publicly, the date, time, and location of each Governing Committee meeting, and shall distribute the agenda no later than two (2) weeks prior to the meeting. Amendments to the date, time, and location of the meeting can take place at any time prior to the meeting if quorum will not be met otherwise.
- 7. The Editor in Chief shall convene a meeting of the Governing Committee without delay if a meeting is requested by:
  - a. More than three (3) members of the governing committee;

- b. More than six (6) staff members of The Phoenix;
  - c. The Editor in Chief determines that a meeting of the Governing Committee is necessary.
- 8. Meetings of the Governing Committee shall be open to the membership unless the Governing Committee resolves, under a special resolution, to move in-camera.
- 9. The Editor in Chief shall be responsible for overseeing any proposed amendments to the bylaws of The Phoenix and present these amendments to the Governing Committee.
- 10. The Governing Committee may approve amendments to the bylaws via a special resolution.
- 11. Quorum at Governing Committee meetings shall be set at fifty percent (50%) plus one (1) of the seats filled on the Governing Committee, with either the Editor in Chief or Operations Manager present.
- 12. Members of The Phoenix are ineligible to hold seats on the Governing Committee if they:
  - a. Have been deemed 'not in good standing'
  - b. Have been placed on academic probation by the University
  - c. Are an executive of a student association consisting of greater than twenty-five (25) members
  - d. Have been previously disciplined by the Governing Committee and deemed ineligible by the Editor in Chief
- 13. The Editor in Chief, in consultation with the Operations Manager, shall be responsible for the following:
  - a. Human resources within The Phoenix;

- b. Training of new staff members and volunteers;
- c. Overseeing and determining the suitability of new articles

14. The Advertising Specialist, in consultation with the Operations Manager and Editor in Chief, shall oversee all external media requests.

15. The Operations Manager shall:

- a. Act as a point of contact for any staff members in need of assistance;
- b. Assist the Editor in Chief
- c. Track and report all staff contributions to The Phoenix and:
  - i. Report them to the Editor in Chief to ensure all staff members are fulfilling their responsibilities;
  - ii. Report them to the Governing committee twice per year

16. The Editor in Chief shall step down from their position on either January 1st or May 1st, after one year (1) in the position if an eligible replacement is deemed suitable by the Governing Committee.

17. The Governing Committee shall seek the appointment of a new Editor in Chief each April, or immediately upon the resignation of the current Editor in Chief, subject to the following stipulations:

- a. The new Editor in Chief must be a current member of The Phoenix, and must declare at the time of their appointment that they intend on being a current member for the entirety of their term
- b. Preference shall be given to an individual deemed suitable for the position by the current Editor in Chief
- c. The individuals must be in good standing with The Phoenix and the University
- d. If the current Editor in Chief so chooses, they may seek reappointment prior to the posting of the vacancy, and if the Governing Committee so chooses, may reappoint the existing Editor in Chief, assuming that all

other conditions have been met.

#### Bylaw IV - Finances

1. The Phoenix shall not budget a deficit.
2. The Phoenix shall not utilize funds collected directly or indirectly from its members for the following purposes:
  - a. One-time honoraria increases
  - b. Food, drink, and alcohol
  - c. Social events restricted entirely to staff members
3. The Phoenix shall ensure proper tracking of all expenditures, and shall post the annual budget in a conspicuous place on its website.
4. The following individuals shall act as signing authorities on behalf of The Phoenix:
  - a. The Editor in Chief;
  - b. The Operations Manager
  - c. The Faculty Representative
  - d. The Advertising Specialist
5. The Advertising Specialist or Editor in Chief must obtain the signature of at least two signing authorities prior to requesting the disbursement of funds.
6. Honoraria shall be disbursed on a bi-weekly schedule.
7. Honoraria shall be tracked by the Operations Manager, and submitted for disbursement by the Editor in Chief, subject to the provisions in these Bylaws and any other Regulations.

8. From time to time, the Editor in Chief, along with the Operations Manager may enter into contracts in the name of The Phoenix, provided that the amount has been budgeted for, and that the amount does not exceed \$10,000.00 in value;
  - a. If the contract exceeds \$10,000.00 in value, the Governing Committee shall be required to approve the contract.
9. Duly approved contracts shall be executed by two signing authorities.
10. Staff members can only receive honouraria for one (1) position at a time.
11. Each staff member shall submit a monthly report to the Editor in Chief detailing their activities for that month. This report shall be used to determine the following:
  - a. If the individual fulfilled their required duties
  - b. If the individual is working towards the common goals of The Phoenix
  - c. Identify any ongoing issues
  - d. Show progression and improvement in the individual's work

#### Bylaw V - Code of Conduct

1. In this bylaw, unless context otherwise requires:
  - a. "Perceived conflict of interest" means a private interest that a reasonable person would think could lead to professional judgement being compromised;
  - b. "Conflict of interest" means a private interest which, contrary to the obligation and duty to act in the best interest of The Phoenix, exploits relationships or privileges for personal gain;
  - c. "Private interest" means an interest, including but not limited to financial interest, whereby an individual would gain a benefit, privilege, exemption, or advantage from the action of The Phoenix which is not available to the members;

- d. "Impaired" means under the influence of a recreational drug or alcohol.
- 2. Staff Members of The Phoenix shall conduct all business in accordance with the laws of the Province of British Columbia and Canada, as well as the Governing Principles, Bylaws, Regulations, and policies of The Phoenix. This commitment requires that editors, managers, and writers of The Phoenix act ethically, professionally, and with proper decorum as individuals and as a group.
- 3. Staff Members of The Phoenix shall:
  - a. Act in accordance with the University of British Columbia's student code of conduct;
  - b. Respect the professional and intellectual work of others, giving those others full credit and citations when reproduced in any form;
  - c. Respect and apply the principles of confidentiality when dealing with issues of a sensitive nature;
  - d. Sign and acknowledge with the agreement to act in accordance with this set of Bylaws;
  - e. Encourage constructive criticism and make themselves open to suggestions for improvement;
  - f. Seek clarification from the Editor in Chief in any situation where the individual is unsure of the applicable Bylaws or Regulations.
- 4. Staff Members of The Phoenix shall not:
  - a. Attempt to exercise individual authority over The Phoenix, except where set forth explicitly in these Bylaws;
  - b. Store recreational drugs or alcohol on premises held by The Phoenix;
  - c. Be impaired while conducting business or acting on behalf of The Phoenix;
  - d. Engage in any sort of sexual activity on premises controlled by The Phoenix;
  - e. Use confidential or privileged information for personal gain;



- f. Disclose any information discussed in an in-camera meeting without the express permission of the Governing Committee.
- 5. Staff Members of The Phoenix may answer any questions pertaining to a perceived conflict of interest, when directed via a resolution from the Governing Committee.
- 6. If a Staff Member of The Phoenix has a real or perceived conflict of interest, while chairing a meeting, they shall relinquish the chair while the issue for which they have a conflict of interest is being discussed.
- 7. If a Staff Member of The Phoenix is uncertain whether or not they are in a conflict of interest, they shall inform the Editor in Chief who shall convene an emergency meeting of the Governing Committee if deemed appropriate.
- 8. If a Staff Member uses equipment belonging to The Phoenix, they must return the equipment to the Phoenix office and inform the Editor in Chief or Operations manager of the return of equipment prior to their last day as a Staff Member.
- 9. No Staff Members of The Phoenix may accept a fee, gift, personal benefit, or hospitality that is offered or tendered by virtue of their position, unless authorized by the Governing Committee to do so:
  - a. This shall not apply to a gift or personal benefit that is incidental to the protocols or social obligations that normally accompany the responsibilities of an individual's usual role, unless
  - b. The gift or personal benefit exceeds \$150 in value, in which case the individual must immediately disclose to the Governing Committee:
    - i. The nature of the gift or benefit
    - ii. The value of the gift or benefit
    - iii. The circumstances under which it was given and received

- c. Upon disclosure of the gift or benefit, the Governing Committee shall decide a proper course of action

10. No Staff Member shall create and publish media containing:

- a. False or misleading information
- b. Content that may be considered slander or libel
- c. Needlessly inflammatory statements

11. Any Staff Member of The Phoenix who fails to meet their expected performance targets may be subject to disciplinary action, as laid out in these Bylaws.

12. Pursuant to Bylaw IV, Section 12, the Governing Committee may impose disciplinary action on a Staff Member including, but not limited to:

- a. The issuance of a written or verbal warning or reprimand
- b. Suspension of the following months' honoraria
- c. Suspension of one's position for a period determined by the Governing Committee
- d. Removal from one's position
- e. Be declared "not in good standing" with The Phoenix

13. The Governing Committee may also, after the conclusion of an investigation into the actions of a Staff Member recommend disciplinary action on any of the following grounds:

- a. Failing to adequately fulfill one's duties and responsibilities
- b. Failing to adhere to any section of these Bylaws
- c. Engaging in professional misconduct when acting or perceived to be acting on behalf of The Phoenix
- d. Failing to disclose a conflict of interest
- e. Failing to respect confidentiality
- f. Inappropriately using one's position for personal gain

- g. Engaging in willful deceit, including, but not limited to, knowingly publishing false statements, or making false statements to the Governing Committee
- h. If a complaint brought forward to the Governing Committee is determined to have merit, and warrants disciplinary action
- i. Failing to respond to the Governing Committee

#### Bylaw VI - Publishing standards

1. The Phoenix shall not publish any content or advertisements that
  - a. May be considered slander or libel
  - b. Are unduly offensive to the membership of The Phoenix
  - c. Do not meet the quality standards of The Phoenix
  - d. Are deemed unpublishable by the Editor in Chief for whatever reason
2. Staff Members shall
  - a. Conduct proper research and due diligence prior to writing or publishing content
  - b. Refer work to another editor or writer where a perceived conflict of interest is present
3. The Phoenix shall not publish any content, including articles, op-eds, or advertisements, that are, or may be seen as, campaigning or otherwise supporting a political party or political candidate.
4. The Phoenix shall not accept advertisements from political parties or candidates.
5. The Editor in Chief may refuse or override the approval of any advertisement.