The Constitution of the Commonwealth Students' Association (CSA)

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THE CSA CONSTITUTION

Preamble

The CSA Constitution upholds the Commonwealth Charter in reflecting Commonwealth Values and the role of students in education development and driving change in society.

We the member organizations of the CSA:

ACTING IN CONFORMITY with the objectives and principles of the Commonwealth, as enshrined in the Commonwealth Charter;

RECOGNISING that young people make up over half of the Commonwealth's population, with most of them being students, and that the present and future success of the Commonwealth rests with the continued commitment and contribution of students to upholding the Commonwealth and its values, and that students have an active role in education development and driving change in society;

NOTING that the dynamics of student governance differ from country to country; that the needs of each cohort of students differ from the other and that there is a need to strengthen the global student movement;

FULFILLING the need for a Pan-Commonwealth Students body to advance a student voice in policy and decision making in the Commonwealth Education sector, as was recommended by the 17 Commonwealth Conference of Education Ministers (17 CCEM) Youth Forum held in Kuala Lumpur Malaysia in 2009;

ACKNOWLEDGING that student bodies worldwide require a platform to not only network and advocate for student rights, but to also research and disseminate best practices in student governance and participation in decision making;

RECOGNISING the important contributions by the 18 CCEM Youth Forum held in Moca, Mauritius in 2012, previous regional and online consultations, and the mandate of the CSA Steering Committee and its constituted working groups in the constitution development process;

RECOGNISING and finalising the actions of the Constitution of the CSA and the further contributions of the delegates of the 19th CCEM, Nassau, Bahamas;

UNDERSTANDING that the CSA is an independent and separate legal entity from the Commonwealth Secretariat;

AGREE to the present constitution that operationalises the Commonwealth Students' Association.

THE CSA CONSTITUTION

Article 1. Name

The name of the organization shall be The Commonwealth Students' Association. Hereinafter referred to as the CSA.

Article 2. Vision

To empower the students of the Commonwealth to influence change in education, contribute to their societies, and amplify the student voice through the collaboration between student leaders and educational stakeholders.

Article 3. Mission

The Mission of the CSA shall be:

i. To unite, build the capacities of, and provide students with opportunities across the Commonwealth to address issues within the fields of education and global development

ii. To advocate for and contribute to a world where students have meaningful opportunities to address issues within the fields of education and development

iii. To represent students on relevant platforms at local, national, regional, and international levels.

Article 4. Values

The values of the CSA shall be to:

i. Create a sense of ***unity*** which fosters collaboration amongst students that will promote mutual respect and trust on a global scale;

ii. Promote ***equity and equality*** whereby every student – regardless of ethnicity, creed, sexual orientation, gender, disability, age, or religion - be given equal educational opportunities;

iii. Uphold ***democracy*** such that vibrant debate among students and contested elections ensure that the CSA is truly representative of its membership;

iv. Promote ***freedom*** *of expression* such that students and civil society have the right to make their voices heard without fear of reprisal;

v. Be ***transparent*** as an organisation and be accountable to its members; and

vi. Defend the right to ***quality, equitable*** education for all Commonwealth students and young people.

Article 5. Aims and Objectives

The aims and objectives of the CSA shall be to:

i. promote, protect and defend the rights of all students;

ii. promote the values of the Commonwealth;

iii. create an environment for student bodies and student movements to build their respective and collective capacities, to freely express and advocate;

iv. promote student voice and participation in policy and decision making in Education;

v. promote equitable access to and opportunity to succeed in education;

vi. promote high quality student experiences and learning environments around the Commonwealth;

vii. promote equity and equality amongst students across the Commonwealth; and

viii. foster the development of students by promoting inter–Commonwealth state, institutional, cultural exchange programmes, and extra-curricular activities; promote democracy in the education sector.

Article 6. Membership and Observers

i. The CSA shall be an international confederation of student organisations and unions from Commonwealth Member Countries.

ii. Membership to the CSA shall be voluntary

iii. There shall be two types of members:

a) Full member organisations

b) Associate Member organisations

6.1 Eligibility for Full Membership

i. Full Member organisations shall be a national student organisation or union that:

a) are governed by students;

b) represent a significant number of students within their country;

c) have democratically elected leaderships;

d) formally commit to the Constitution of the CSA;

ii. The Congress, which is the supreme body of the CSA, shall have the power to admit, reject, suspend or expel members by a simple majority vote.

iii. Between meetings of Congress, the Executive Committee shall have the power to admit,

reject, suspend or expel members on the basis of a two-thirds majority vote, subject to future ratification at the next Congress.

6.2 Eligibility for Associate Membership

i. Associate Member organisations shall be student organisations that:

a) are governed by students;

b) represent a significant number of students within their country, where no national student body exists

c) have democratically elected leaderships;

d) formally commit to the Constitution of the CSA;

ii. Congress shall have the power to admit, reject, suspend or expel members by a simple majority vote.

iii. Between meetings of Congress, the Executive Committee shall have the power to admit, reject, suspend or expel members on the basis of a two-third majority vote, subject to future ratification at the next Congress.

6.3 Eligibility for Observer Status:

i. Observer status shall be granted to:

a) Regional student bodies;

b) International thematic student organisations; and

c) International organisations involved in education advocacy

ii. Congress shall have the power to admit, reject, suspend or expel members on the basis of a simple majority vote.

iii. Between meetings of Congress, the Executive Committee shall have the power to provisionally admit, reject, suspend or expel members on the basis of a two-third majority vote, subject to future ratification at the next Congress.

6.4 Rights and Obligations of Members

i. Members shall have the right to:

a) Attend CSA Congress;

b) Nominate candidates for election at the CSA Congress;

c) Full speaking rights at the CSA Congress; and

d) Access all relevant information

ii. Members are obliged to:

a) Accept and abide by the Constitution and values of the CSA

b) Pay an annual CSA membership fee as determined by Congress from time to time.

Article 7. Committees and Structures of the CSA

i. The CSA's formal structures shall comprise:

a) Congress

b) Executive Committee

c) Democracy Committee

d) The Regional Working Groups

e) Secretariat

7.1 Congress

i. There shall be a CSA Congress. Congress shall be an assembly of delegates from member organisations.

ii. Congress shall be the supreme body of the CSA. It shall have the power to:

a) Elect the Executive Committee;

b) Determine organisational policy including the membership fee;

c) Determine the direction and priorities of the organisation

d) Admit, reject, suspend or expel members

e) Receive reports from the Executive Committee;

f) Amend and approve the budget;

g) Receive and approve the audited financial statements of the CSA; and

h) Amend the constitution through the process outlined in this document

iii. All members shall be invited to send two (2) delegates, one being male and one being female, and one (1) observer to Congress.

iv. Each country shall have one vote advanced by a Head of Delegation or their representative. Where there are multiple members from a country present, the

delegation must reach a consensus on how to exercise their vote.

v. No more than six (6) months shall pass between meetings of Congress

vi. The Executive Committee or the Chairperson of the Congress shall be responsible for convening Congress

vii. The quorum for Congress is fifty percent (50%) plus (1) of all Heads of Delegation present.

viii. The Chairperson of the Congress shall be elected by the delegates who will serve for a three (3) year term.

7.1.1 Emergency Congress

i. An Emergency Congress may be convened following the submission to the Chairperson of the Congress of a written request, stating the reason for the Congress, endorsed by two thirds of all members.

ii. An Emergency Congress may only be convened to deliberate on the sole matter for which it was convened to discuss.

iii. Not more than one Emergency Congress may be convened within a twelve-month (12) period to deliberate the same matter.

iv. An Emergency Congress may be held virtually.

v. The aforementioned stipulations regarding the notice of Congress under Article 7.1 will also apply for Emergency Congress.

7.1.2 Online Congress

i. An Online Congress shall take place in any calendar year where there is no physical Congress.

ii. Online Congress shall have the following powers to:

a) Receive reports from the Executive Committee;

b) Make recommendations to the Executive Committee;

c) Fill any vacancy in the executive committee; and

d) Take decisions as may be required to enable the CSA to operate, as may be determined and recommended by the Executive Committee.

iii. All members shall be invited to attend Online Congress.

iv. Each country shall have one (1) vote advanced by a Head of Delegation or their

representative. Where there are multiple members from a country present, the delegation must reach a consensus on how to exercise their vote.

v. The quorum for Online Congress is fifty percent (50%) plus (1) of all delegates.

vi. The aforementioned stipulations on the notice of Congress under Article 7.1 will also apply for Online Congress.

7.2 Executive Committee

i. The Executive Committee shall comprise:

a) The President, who shall chair the committee

b) The Vice President for Advocacy and Partnerships

c) The Vice President for Democracy and Participation

d) The Vice President for Communications and Research;

e) The Africa Regional Representative;

f) The Asia Regional Representative;

g) The Caribbean & the Americas Regional Representative;

h) The Europe and Canada Regional Representative;

i) The Pacific Regional Representative.

j) Representative for Special Interest Groups

ii. The Executive Committee, acting consistently with the decisions of the Congress, shall have the power to:

a) Implement organizational policy;

b) Implement the political direction and priorities of the organization

c) Admit, reject, suspend or expel members;

d) Speak on behalf of the CSA;

e) Propose a budget to Congress;

f) Make recommendations to Congress;

g) Act on Congress resolutions;

h) Form subcommittees and working groups;

i) Employ staff; and

j) Allocate roles to Committee members.

iii. The Executive Committee shall be elected at each Congress in accordance with the CSA constitution and electoral rules which may be developed from time to time by the Congress.

iv. In the spirit of regional equity, the position of the President of the CSA shall rotate in alphabetical order among the regions of the Commonwealth to include Africa; Asia; The Caribbean; Europe and Canada; and the Pacific.

v. In the spirit of gender equity, one of each Region's representatives shall be filled by persons of different genders.

vi. The Vice-President for Democracy and Participation shall also chair the Democracy Committee.

vii. In the absence of the President, the Vice-President for Advocacy and Partnerships will fill this role.

viii. Any vacant seats on the Executive Committee shall be filled by election at the next available Online Congress, or as determined by the election schedule.

ix. The CSA Executive Committee shall meet regularly, at such time and place and by such means as the Executive Committee determines from time to time, whether physically or virtually.

x. The quorum of the CSA Executive Committee shall be by consensus in the spirit of the Commonwealth, or otherwise fifty percent (50%) plus (1) of all executives.

xi. The Executive Committee may invite other individuals and organisations to attend Executive Committee meetings in a non-voting capacity.

7.3 The Democracy Committee

i. The Democracy Committee shall be chaired by the Vice-President for Democracy and Participation

ii. Democracy Committee members shall be appointed at the discretion of the Executive Committee, RWGs, and Members which shall ensure regional and gender balance.

iii. The powers of the Democracy Committee shall be:

a) To lead consultations with the membership to produce recommendations for amendments to the constitution

b) To submit constitutional amendments for discussion at Congress

c) To advise the Executive Committee on matters relating to democracy

d) The Committee shall also review applications in case of any mid-term vacancy in the Executive Committee.

e) To act as a Disciplinary Committee when the need arises

f) To assume any other functions as determined by the Executive Committee

7.4 The Regional Working Groups

i. There shall be five Regional Working Groups, with each one corresponding to a Region of the Commonwealth.

ii. The Co-Chairs of each Regional Working Group shall be the Regional Representatives on the Executive Committee.

iii. Its other members shall be appointed at the discretion of the Executive Committee, with consideration given to gender, sub-regional representation, and the various regional student associations, where they exist.

iv. Their mandate shall be reviewed and renewed on a quarterly basis by the Executive Committee.

v. i)At least one country representative shall be appointed to the Regional Working Group on the recommendation of the relevant line Ministry or National Authority such as the Ministry of Higher Education, Education Youth

(ii) The Chairperson of the Congress shall support the Regional Representatives in soliciting the appointment of the country representative recommended by domestic Governments

7.5 Permanent working groups

i. There shall be seven thematic Permanent Working Groups of the CSA namely; Basic Education, Secondary Education, Tertiary Education, TVET and Skills, Young Professionals, Children out of school

ii. At the Congress, the Coordinator of each Permanent Working Group shall be appointed by the Executive Committee accounting for regional balance.

iii. The Coordinator shall be any CSA Member.

iv. The tenure of the Coordinator shall be for one year.

v. The mandate of the Permanent Working Group shall be determined by the Coordinator in consultation with the Congress Chair and the Executive Committee

Article 8. Policy

i. Full member organisations and delegates can submit policy proposals or motions to the Executive Committee for discussion at Congress, to be adopted by the CSA.

ii. Where possible, the policy shall be approved via a democratic process as a national student body/council before being sent to the Executive Committee. The Regional Council and /or

Regional Working Groups shall advise the Executive Committee accordingly.

iii. Efforts shall be made to ensure that policy is based on evidence and research and is widely discussed.

Article 9. Elections

i. The process for the election of the Executive Committee of CSA shall be outlined in the Electoral Regulations Schedule to be developed and approved by Congress and in accordance with the CSA constitution

ii. To be eligible to contest for any office in the CSA, candidates must be between 18 and 29 years of age

iii. A Returning Officer shall be appointed by the Executive Committee in advance of the call for nominations.

iv. The Returning Officer:

a. Must not be a part of the Executive Committee, RWG, or a candidate and must not express any opinions about candidates in the elections

b. Shall generally do all things required, expedient or advisable for the proper conduct of the election and consistent with these rules and any schedules

v. Every Commonwealth student within the specified age bracket is eligible to be nominated by any student organization within their regions for positions on the Executive Committee.

vi. A Commonwealth member state can only nominate representatives for two positions on the Executive Committee from member organisations as outlined in the election schedule.

vii. Regional Representatives shall be nominated by student organisations from their respective Regions.

viii. The Returning Officer shall inform all official delegates and members of the names of all the candidates after the close of nominations as determined by the election schedule.

ix. The voting process shall be a system that is recognised and transparent according to international practices and shall be guided by the election schedule.

x. If any dispute arises regarding the election such a dispute shall be settled in accordance with the ruling of the appointed Returning Officer

xi. Candidates may appeal the decision of the Returning Officer to an Independent Appeal Board which has been established in consultation with the Commonwealth Secretariat Youth Affairs Division (Commonwealth Youth Programme). This ruling shall be final.

xii. The installation of office shall take place before the official end of the meeting of Congress.

xiii. The official assumption of office shall be thirty days after the installation of office.

xiv. The Executive shall comprise persons who are within the Commonwealth youth age bracket. I.e. 18-29 years of age. Anyone within this age bracket is qualified to vie for any position on the Executive Committee.

Efforts shall be made to ensure gender balance in the composition of the Executive Committee.

Article 10. Finance and Budget

i. The CSA shall administer its own budget and may receive input from the Commonwealth Youth Programme.

ii. Each candidate is limited to the equivalent of GBP 200 (or the equivalent in local currency) to be spent on campaign materials.

iii. The CSA shall have the power to provide funding to regional student associations and student projects where this is deemed appropriate.

iv. The Vice President for Advocacy and Partnerships will be responsible for all financial matters

v. The Executive Committee, with the approval of Congress shall designate signatories from among the Executive Committee to the CSA bank account

vi. The Executive Committee shall publish and send out to stake holders annual financial reports.

Article 11
11A.Removal of an Executive Member

i. An elected executive member may be subject to removal for the following reasons:

1. Gross Misconduct: Engaging in actions or behavior that seriously undermines the mission and objectives of the organization.

2. Neglect of Duties: Failing to fulfill the responsibilities and duties associated with the elected position.

3. Criminal Activity: Being convicted of a crime that is incompatible with the organization's values or mission.

4. Violation of Bylaws: Breaching any of the organization's bylaws.

ii. Any member of the organization may initiate the removal process by submitting a written petition to the Executive Committee. The petition must specify the grounds for removal and be signed by at least 30% of the voting members.

iii. Alternatively, a minimum of three elected executive members may initiate the process of removal by submitting a written petition to the Executive Committee.

iv. Upon receiving a valid petition, the Executive Committee will review it and confirm its validity within 10 business days.

v. If the petition is deemed valid, the Executive Committee shall refer the petition to the Democracy Committee to review the petition.

vi. Vi. A valid petition must contain the name(s) of the complainant, the grounds for removal and the signature(s) of the member(s).

vii. A special meeting of the Democracy Committee to discuss the removal of an elected executive member shall be scheduled within 30 calendar days from the confirmation of the petition's validity. If the Democracy Committee is not constituted then its role shall be assumed by the Executive Committee.

viii. The elected executive member facing removal must be provided with written notice of the meeting and the specific charges against them at least 7 days in advance.

ix. The elected executive member will have the opportunity to present their response at the meeting.

x. The Democracy Committee shall present a written report to the Members which shall

include the complaint, facts in issue and its recommendation.

xi. The removal decision will be determined by a vote of the membership present at the next Congress, Online Congress or Emergency Congress.

xii. A two-thirds (2/3) majority vote is required for removal.

xiii. If the elected executive member is removed, a vacancy in the position will be declared. The organization will follow its regular election procedures to fill the vacancy as soon as practicable.

xiv. An elected executive member who has been removed has the right to submit a written appeal within 10 days of the vote of removal to the Chairperson of the Congress. The Chairperson of the Congress must convene an ad hoc committee to review and return a decision on the appeal within 21 days of receiving the appeal.

11B.Voluntary Resignation

i. An executive member who wishes to resign shall submit their resignation in writing by letter to the Congress through the Executive Committee.

11C.Suspension of an Executive Member

ii. Where a ⅔ majority of the of the Executive Committee determines that it would be prejudicial against the interest of the organization for an executive Committee member against whom a petition has been filed for removal, to continue actively in their executive role, that member may be suspended for a period of no longer than 60 days or until the determination of the petition by the Members.

iii. During the period of suspension, that Member shall not be authorized to represent the CSA in any capacity and their role shall be assigned temporarily to an individual to be appointed by a ⅔ majority of the Executive Committee and approved by the Chairperson of the Congress.

11D:

i. The portfolio of any EXCO Member who is subsequently elected to another Commonwealth Youth Network while still in office shall be deemed vacant on the date that the election outcome is published.

11E:

i. At the sitting of any Congress any member may move a motion for a vote of no-confidence against any Executive Committee Member.

ii. During that sitting the Chairperson of the Congress shall facilitate the tabling of the motion and the vote of the Members.

iii. The vote of no-confidence shall pass by a two-thirds majority vote of the members present.

11F:

i. After the resignation or removal of any member of the Executive Committee, the remaining Executive Committee members may appoint a person to act in the vacant portfolio for a period of no more than six months.

ii. At the next Congress following the resignation or removal of a member, a motion shall be tabled to ratify the appointment or call for an election.

iii. The appointment shall be ratified by a simple majority of the members of the Congress present.

Article 12. CSA Headquarters

i. The CSA's Headquarters shall temporarily be based at the Commonwealth Secretariat in Marlborough House, London, United Kingdom, up until such a time that either the CSA Congress or the Commonwealth Secretariat decides otherwise.

Article 13. CSA's Legal Status

i. The CSA shall be a separate and distinct legal entity from the Commonwealth Secretariat.

ii. The CSA shall be a non-profit organisation and none of its income or assets (physical, financial or intellectual) shall be used for the personal benefit of its members.

iii. The CSA shall be incorporated under the relevant laws of the country where its office is located, and its membership and activities shall be international in scope.

Article 14. Affiliations with other Organisations

i. The CSA Executive shall establish and adopt additional by-laws, memorandum of understanding, protocols, and other legal instruments in conformity with the values and principles of the Commonwealth under this constitution, and with the applicable laws for the purpose of incorporating or registering the CSA in the Commonwealth country where it is set to be headquartered.

ii. The CSA shall enjoy consultative status with the Commonwealth Secretariat and other Commonwealth institutions in matters affecting students and education at all levels, and it may apply for formal Commonwealth accreditation.

iii. The CSA shall seek and make grants from and to, and cooperate with, other specialised organisations and agencies; enter into agreements and contracts, acquire consultative status or Observer Status through accreditations with United Nations agencies including the Economic and Social Council, UNESCO, UNEP along with other national, regional and international bodies worldwide, for purposes of mutual recognition, partnership and programme design and delivery.

Article 15. Interpretation and Amendment of the Constitution

i. Any question or dispute concerning the interpretation of the Constitution shall be referred to Arbitrators or legal experts for resolution as appointed by the CSA Congress.

ii. Only Congress shall have the power to amend the Constitution. The Executive Committee, working with the Democracy Committee, shall prepare documents of amendment before presenting the same to Congress

iii. Proposed amendments to the constitution may be by either:

a) submission of a resolution with a majority vote of the Democracy Committee

b) endorsement by at least 50% plus 1 of Full member organisations

iv. Proposed amendments that receive a two-thirds majority vote at Congress shall be accepted and included in the constitution.

v. Proposed amendments to the Constitution shall be the first item of debate in the CSA Policy debate.

vi. The rules herein bind CSA members and elected leadership in a relationship based on mutual trust and respect. To ensure that all the rules remain understandable, accessible, and are not self-contradictory, the Vice President, Democracy and Participation, shall be responsible for keeping all the rules, and their numbering under review.

Article 16. Adoption of the Constitution

THE CSA CONSTITUTION

i. This Constitution shall be subject to adoption.

ii. The CSA Constitution shall come into force by a simple majority vote of all head delegates present at the 2024 Online Congress.

iii. The CSA Executive Committee shall send certified copies of the texts to each of the country delegations, members, and observers of the CSA upon coming into force of the Constitution.