

The Constitution of the University of Toronto at Mississauga Athletic Council

Article 1 – The Inauguration

It is hereby established that the organization formerly known as the Erindale College Athletic and Recreation Association, The E.C.A.R.A., will now be recognized as the University of Toronto at Mississauga Athletic Council, The U.T.M.A.C. The new title of the Council will be adopted as of the 2000-2001 academic term of the University of Toronto at Mississauga and thereafter, notwithstanding amendments made in accordance with this constitution.

Article 2 – The Mission

To act on behalf of its members to assist the University of Toronto at Mississauga Centre for Physical Education in the delivery of a variety of athletic and recreational programs, encouraging the widest possible range of participation and enjoyment.

To promote participation in recreation, general fitness and athletic excellence among its members, contributing to a well-rounded and integrated educational experience.

To promote the rules of fair and inclusive play, respecting the rights, needs and values of all of its members.

To assist the University of Toronto Centre for Physical Education in providing members with opportunities to develop volunteer and leadership skills.

Article 3 – The Council

Section I – The Council shall consist only of students registered as part-time or full-time Undergraduate students at the University of Toronto at Mississauga.

Section II – The Council shall consist of the following positions:

President
Vice-President Administration
Vice-President Finance
Director of Health and Wellness
Director of Intramurals and Campus Recreation
Director of Special Projects
Director of Communications and Public Relations

Article 4 – The Annual Budget

Section I – Approval and Report

SS (1) A preliminary annual budget must be prepared at the beginning of each term of office of the Council by the outgoing and incoming Vice-President Finance and brought forward to a changeover meeting by April 15 each year, involving both outgoing and incoming elected council members. The incoming council must

approve a final budget by May 31.

- SS (2) The Council's annual budget must be approved by no less than 2/3 of the entire number of officers of the Council.
- SS (3) Expenditures that are not pursuant to the approved budget and that are greater than a reasonable dollar amount but are requisite for an evolved need for emergency funding must be approved by 2/3 of the entire number of officers of the Council.
- SS (4) The Vice-President Finance must provide a report on the budget and current financial state of the Council at least three times in each annual term of the Council. One report shall be provided in October, one in December, and one in February.

Section II – The Annual Student Fee

- SS (1) As of the 2000-2001 academic term for the University of Toronto at Mississauga, the student fee for the U.T.M.A.C. will be \$8.60, established per agreement reached by vote in the summer of 2000 between the U.T.M.A.C. and the Centre for Physical Education.
- SS (2) A change in the annual student fee for the University of Toronto at Mississauga exceeding any amount greater than C.P.I. variation must be approved by a referendum.
- SS (3) Any C.P.I. variation to be accounted for in the U.T.M.A.C. student fee shall first be constitutionally validated by an initial referendum to begin accounting for C.P.I. variation upon the establishment of this constitution.

Section III – The Signing Authority

- SS (1) The following officers of the Council are the officers primarily authorized to sign cheques, and all other documentation relevant to the finances of the Council; they are:
 - A) The President
 - B) The Vice-President Finance
- SS (2) All cheques, etc., must be authorized by the two designated officers unless one is unable to sign on emergency notice, or in the case that a cheque must be written for one of the officers with signing authority, i.e. in the instance of honoraria, in which case any other officer of the Council must be designated as a signatory. All cheques and documentation requiring authorized signatures must have one of the signatures of either of the two designated officers in Article 4, Section III, SS (1).

Section IV – The Annual Audit

- SS (1) An auditor shall be appointed at the joint changeover meeting of the outgoing and incoming council members by April 15 each year.

SS (2) An audit of the Council's financial statement must be performed annually. Audited statements must be approved by 2/3 of the entire Council.

SS (3) Approved audited statements should be forwarded to the attention of Internal Audits, The University of Toronto, by September of each year.

Article 5 – U.T.M.A.C. Elections

The U.T.M.A.C. elections shall be carried out procedurally in coincidence with the election processes of the former Erindale College Athletic and Recreation Association notwithstanding any contradictions or inconsistencies that may arise between the elections procedure and this new constitution of the U.T.M.A.C. or any amendments made thereof by the Council. This constitution shall be the ultimate resource for all final actions of the U.T.M.A.C. regarding any contradiction or inconsistency in the elections procedure.

Article 6 – Amendment Procedure

Any amendments to the constitution shall be passed by 2/3 of the entire membership of the U.T.M.A.C. and shall be proposed at least 7 days in advance of any vote on the amendment.

University of Toronto at Mississauga Athletic Council (UTMAC)

By-Laws

By Law 1

Meetings of the Council

- i) All the Council meetings shall be held at UTM.
- ii) Notice of meeting, as required in Article 3, will include the agenda of the next meeting and the minutes of the last meeting.
- iii) The accidental omission to give notice of a meeting to any member of the Council, or any accidental irregularity in connection with giving of the notice, shall not invalidate the proceedings of the meeting.
- iv) Except otherwise provided, Robert's Rules of Order shall be used at all meetings of the Council.

By Law 2

Duties of Officers

- A) The general duties of all Officers consist of:
 - i) Holding regular scheduled office hours
 - ii) Having an understanding of the UTMAC Constitution and its ByLaws, UTM College Intramural and Review Board Handbooks, the Handbook for Student Societies and Robert's Rules of Order.
 - iii) Performing duties as designated by UTMAC that is not otherwise specified below.
- B) The President shall:
 - i) Chair all UTMAC meetings.
 - ii) Attend and represent UTMAC, whenever possible, at the Athletics Governing Council (AGC) meetings for the University of Toronto and any other UTM pertinent meetings. If the president is unable to attend, he or she must appoint a representative.
 - iii) Attend and represent UTMAC, whenever possible, at all other UTM meetings and functions.
 - iv) Enforce and maintain the policies and the constitution of UTMAC.
 - v) Serve as the official representative of the students on all occasions.
 - vi) Act upon the approval in addition with at least two Council members where action is deemed necessary, and a meeting of the Council can not be called, provided such action is reported as soon as possible to the Council and subject to the final restriction of five hundred dollars (\$500.00)
 - vii) Keep all UTMAC members informed of all relevant athletic information.

- viii) Have the power to call meetings of any of the Committees and ix) Be responsible for all affairs and decisions of UTMAC Committees.
- x) Know of all actions undertaken by UTMAC.
- xi) Appoint a UTMAC member to perform all the duties of the President in his/her absence.

C) The Vice-President of Administration shall:

- i) Work with the President in preparing the agendas for all Council meetings.
- ii) Prepare and maintain minutes of the Council meetings. iii) Be responsible for all Council documentation.
- iv) Maintain all the Council's files.
- v) Maintain an information binder for UTMAC.

D) The Vice President of Finance shall:

- i) Prepare a preliminary notional budget for UTMAC, to be passed by the council prior to April 15th. This budget is to be prepared by the Incoming and outgoing Vice President of Finance.
- ii) Prepare and present an operating budget for the UTM A.C.'s first semester to the Council prior to October 15th.
- iii) Prepare and present an operating budget for the UTM A.C.'s second semester to the Council prior to February 15th.
- iv) Prepare and present to the Council a monthly financial report.
- v) Be responsible for all financial matters concerning the UTM A.C.
- vi) Work with the Athletic Director and Accountant to complete the fiscal audit. vii) Be the Co-Primary Cheque Signer along with the President.
- viii) Monitor and make monthly reports to the Council on the UTM A.C. recreational programme.

E) The Director of UofT Intramurals & Campus Recreation shall:

- i) Maintain and communicate accurate up to date statistics and summaries of the UofT Intramural programme to the student body.
- ii) Act as a liaison between the Council, CPE and the UofT Intramural participants.
- iii) Attend all the appropriate University of Toronto Intramural Sports Committee Meetings, MISC
 - Men's
 - WISC -Women's
 - CISC - Co-Ed and report to the council of its decisions.
- iv) Attend, along with the coach and player(s), all Interfaculty Review Board Meetings that involve UTM players within the Interfaculty Leagues.
- iv) Promote and advertise UofT Intramural players and games.
- v) vi) Develop a feature or story on Intramurals at least monthly vi) Manage, with CPE, all Intramural Leagues and tournaments.

- vii) Attend all the disciplinary review board meetings for all Intramural Leagues and tournaments.
- viii) Maintain and communicate accurate up to date statistics and summaries of the Intramural programme to the student body.
- ix) Act as a liaison between UTMAC and Campus Rec. league commissioners.
- x) Promote and advertise Campus Rec. Intramural players and games.
- xi) Recruit and manage the incoming UTMAC volunteers.

G) The Director of Health and Wellness shall:

- i) Be responsible for the co-ordination of all health and wellness projects as designated by UTMAC.
- ii) Prepare and maintain accurate up to date files of the health and wellness programme.
- iii) Liaison between UTMAC and health-related organizations on campus eg. health services.
- iv) Liaison between students and CPE in regards to programs and operations of the Wellness Centre

H) The Director Of Communications and Public Relations shall:

- i) Coordinate advertising for UTMAC programmes in the UTM campus-based newspaper.
- ii) Maintain up-to-date advertising for UTMAC programmes on the UTM A.C bulletin boards as well as other promotional areas on campus and online.
- iii) Develop a rapport with the appropriate UTM Public Relations personnel.
- iv) Be in charge of obtaining sponsorship for UTMAC.
- v) Maintain the UTMAC web site.

I) The Director of Special Projects shall:

- iii) Be responsible for the co-ordination of all special projects as designated by UTMAC.
- iv) Prepare and maintain accurate up to date files of the Special Projects programme.

By-Law 3

Election/Referendum Rules and Procedures

A) Election Committee

The election Committee shall be appointed annually for the purpose of conducting the UTMAC elections/Referendum.

i) Membership

Non-voting membership of the Election Committee shall be:

- 1) The Chief Returning Officer (CRO), who shall chair the Election Committee.
- 2) The Deputy Returning Officer (DRO), who shall be vice-chair of the Election Committee
- 3) The President of UTMAC, provided he/she is not seeking re-election, in which case, this seat will be left vacant.

Voting Members of the Election Committee shall be:

- 4) Two (2) UTMAC members, who are not seeking re-election. In the event that the entire council is seeking re-election, members of the general membership will fill these seats.

- 5) Three (3) UTMAC (student) members from the general membership. ii) Quorum

50% of voting members plus either the CRO or the DRO shall constitute a quorum.

iii) Duties of Non-Voting Members

1. Chief Returning Officer (CRO) shall:

- a) Be hired or appointed by a Committee of UTMAC created for this purpose.
- b) agree not to run in an election or endorse a candidate in an election and/or a position in a referendum during his/her term of office.
- c) Make reports regularly during each campaign period to UTMAC. The CRO shall hire poll clerks before each election/referendum

2. Deputy Returning Officer (DRO) shall:

- a) Be hired or appointed by a Committee of UTMAC created for this purpose. The DRO must agree not to run in an election or endorse a candidate in an election and/or a position in a referendum during his/her term of office.
- b) Report to the CRO. He/she shall assist the CRO with the running of election/referendum. Failure to perform these duties will result in disciplinary action from the Elections Committee.

iv) Duties of the Election Committee The Election Committee shall:

1. Adjudicate and advertise elections of UTMAC and the UTMAC Referendum
2. Be responsible for conducting all elections/referendums of the general membership of UTMAC, using guidelines established in the UTMAC ByLaws and other procedures established in By-Law 3 and other policies of UTMAC.
3. Advertise for the UTMAC student member positions on the Election Committee by way of the UTM campus-based newspaper and any other means deemed necessary by the Election Committee three (3) weeks preceding the 1st of March.
4. Advertise for poll clerks prior to each election/referendum and assist in their hiring. Wage to be determined by the Election Committee.

5. Report to the Council before each election/referendum as to the election procedure and timetables.
6. Report to the Council on the results of each election/referendum and present any recommendations of the Election Committee.

v) Conflict of Interest

1. Any member of this Election Committee who declares intention for any office, whose election is administered by this Election Committee, shall be considered to have a conflict of interest.
2. By a two-thirds (2/3) affirmative vote, the Election Committee shall be empowered to suspend speaking/voting privileges of a member deemed as having a conflict of interest.
3. Any member of the Election Committee who becomes a candidate or endorses such a position in an election/referendum, whose election/referendum is administered by this Election Committee, shall automatically be removed from the Election Committee. This vacancy shall be filled according to By-Law 3 (A)(i).
4. No member of the Election Committee shall be employed as a poll clerk.

B. Election Schedule

- i) The election will take place on three (3) consecutive days prior to the Athletic Banquet). ii) Any vacancies on UTMAC during the term of the Council shall be filled through a by-election.

C. Proceedings Preliminary to Election/Referendum

i) Nomination Period-Elections

- a) Nominations will be opened three (3) weeks prior to the election and cease to be accepted two (2) full weeks before the election.
- b) Nominations will be opened for duration of at least seven (7) business days for vacant positions. If there remain any open positions after this time, a period of at least three (3) business days will be used for the reopening of these positions. If there remain any open positions after this time, by-elections will be held during the upcoming fall session. Those acclaimed after the Council will accept this time as elected members.
- c) Nomination forms for the UTM A.C. general election shall be made available and accepted by the Election Committee, through the Department of Athletics' office, room 1114 of the South Building.
- d) Eligible nominations must be supported by the signature of the nominee and fifteen (15) other student undergraduate members of the UTM A.C., each of whom has paid his/her UTM A.C. fee.
- e) The nomination shall be validated solely by the CRO who shall not reveal the names and number of nominees until the close of nominations. Following the close of nominations, candidates shall be informed of the validity of their nomination papers within 48 hours. Any candidate whose form does not meet validation requirements shall be given a further 24 hours to amend and re-submit the said form for final validation.

ii) Qualification for Election

- a) All candidates must be members of the UTM A.C. in good standing (i.e. must have paid the UTM A.C. incidental fee).
- b) All candidates must be familiar with the UTM A.C. duties of the position he/she is running for. The positions and duties are stated in the UTM A.C. Constitution. Candidates must also abide by all election rules and procedures, as stated in By-Law 3 of the UTM A.C. Constitution.
- c) Candidates for President are strongly urged to have been full members of the UTM A.C. for at least six months prior to the date of opening of nominations.
- d) Candidates for Vice President of Finance are strongly urged to have a Commerce background, or to be enrolled in the Commerce programme at UTM prior to the date of opening of nominations.
- e) Candidates can only hold one student government position to ensure balance in academics, student leadership experience and athletics, so as to maintain a commitment to the organization.

iii) Grant of Poll

- a) Upon the granting of poll, the Election Committee shall designate placement of polling stations for each election/referendum
- b) Before granting of poll for a referendum, the election Committee shall, through the CRO, notify the general membership through the UTM campus-based newspaper.

iv) Qualification of Voters

- a) Voters must be members of the UTM A.C., enrolled as a full-time or parttime undergraduate student at UTM.
- b) The UTM A.C. members must present a valid University of Toronto at Mississauga identification card in order to vote.

D. Custody of Election Papers

- i) Records of each election/referendum must be retained in a secure place for a period of at least three years.
- ii) Records kept shall include but not necessarily be limited to:
 - a) a list of members of the Election Committee
 - b) a log of poll clerks hired, detailing which polling station they were assigned to and the number of hours they worked
 - c) a log sheet for each ballot box
 - d) a log sheet covering distribution of ballots
 - e) a final report from the CRO including the statement of the results of poll and any problems or irregularities encountered in the running of the election/referendum

E. Candidates' Meetings

- i) There will be one (1) mandatory Candidates' Meetings. The date and time of the meeting will be listed in the Candidates' Election Package.

At the Candidates' Meeting, the ballot will be drawn. Names will be drawn so that they appear randomly on the ballot (i.e. the first name drawn will appear first on the ballot in that position, the second name drawn will appear second etc.) The Candidates will verify the ballot. Election rules and regulations according to By-law 3(section K) will be outlined. Candidates will also have the opportunity to ask further questions of the CRO and/or the DRO, prior to the polling dates. ii) All candidates, or a designate (who must be a UTM A.C. member in good standing) from their campaign team must attend the mandatory Candidates' Meetings prior to the elections.

- iii) Each candidate is required to leave a twenty-five dollar (\$25.00) cash deposit in order to enter the elections. This deposit will be collected by the CRO at the first Candidates' Meeting. This deposit will be returned to each candidate provided he/she has not been found guilty of any violation of election rule(s), the Election Committee. If a candidate withdraws from the election he/she will not be refunded the twenty-five dollar (\$25.00) deposit.

A public campaign forum will be held, at which each candidate will have the opportunity to deliver a three-five (3-5) minute speech as to why he/she is running for the UTM A.C. Council and what he/she hopes to accomplish if elected. A question period will follow the candidates' speeches. Acclaimed candidate(s) if any, will also be required to present a speech at the public forum. Time and date of the forum will be announced at the first Candidates' Meeting.

F. Campaigning

- a) Definition and General rules
 - i) Campaigning is defined as, but not necessarily limited to: the distribution and posting of campaign materials, production of media ads, and speaking to classes, residences, other student groups and other individuals to identify yourself as a candidate and/or represent a platform or opinion in a referendum/election.
 - ii) Printed campaign material must be of good taste and good appearance. It may not be posted or publicly visible in the offices of UTM A.C., or any of the Department of Athletics' permanent offices.
 - iii) Employees or volunteers of the UTM A.C. services may not personally display or distribute campaign material during their regular business hours. Only under extenuating circumstances shall the facilities of the UTM A.C. offices be used for the production of campaign material.
 - iv) If the Election Committee receives or initiates a complaint that a volunteer or staff member of any of the UTM A.C. services, is using their position to promote or downgrade a candidate in an election or a position in referendum, they may appeal the appropriate service manager/board for the removal of the staff member for the duration of the campaign and /or levy fines.

b) Specific Rules

- i) Candidates must have all election posters down by 12:01 a.m. Monday morning the week of election days. The CRO and or the DRO will remove and discard all election posters that any candidate(s) fail to remove by the above mentioned time. The CRO and DRO will make note of the candidate(s) that have failed to remove election posters and the candidate(s) will face disciplinary action by the Election Committee.
- ii) Candidates must cease to campaign at 12:01 a.m. Monday morning the week of election days. Candidates that fail to comply will face disciplinary action by the Election Committee. Campaigning is defined in By-Law 3, Section K (a)(i).
- iii) The CRO and/or the DRO will explain where and how candidates can place campaign material at the first Candidates' Meeting.
- iv) Each candidate is responsible for all of his/her own campaign paraphernalia, which cannot exceed the 'valued' sum of fifty dollars (\$50.00). All receipts must be submitted to the CRO and/or DRO by 4:00p.m., two business days following the close of the polls.
- v) Only the candidates themselves, their campaign team, the CRO and/or the DRO can move or take down their campaign material during the campaign period. If the CRO and/or DRO move or remove a candidate(s) campaign material during the campaign period, the CRO or DRO will inform the candidate(s) that are affected.
- vi) During election polling days a candidate may place his/her vote, after doing so he/she must then leave the polling station immediately.
 - 1. A candidate cannot be on the same floor within two hundred (200) feet and /or within view of any polling station. Candidates may be in North and or South Buildings on election days for the purpose of academic reasons only. Loitering in view of any polling station will not be tolerated.
 - 2. A candidate, a candidate's scrutineer, or anyone from a candidate's campaign party (or anyone who is affiliated/identified with a candidate or supporter of a referendum position) may NOT tell students to vote, or ask students if they have voted, on polling days.
- vii) All candidates must adhere to and abide by all decisions of the CRO.

G. Violations of Campaign Regulations and Election By-Laws

- i) In the event of non-compliance with any of the regulations listed in By-law 3 or any supplementary rules or procedures issued prior to the election/referendum, the Election Committee shall assess the nature of the violation and determine whether to levy a fine or disqualify a candidate or a position in the referendum or recommend to UTM A.C. the suspension of UTM A.C. privileges for an individual(s), or recommend invalidation of the election.
- ii) Written complaints about illegal campaigning and other election violations must be submitted in writing to the CRO or DRO of the Election Committee within two business days of the close of polls. The Election Committee shall, when necessary, levy fines against the candidate or persons involved.
- iii)
 - a) Fines or specific election/referendum violations, as assessed by the Election Committee during the election/referendum period, shall be not be greater than twenty-five dollars (\$25.00), with the exception of fines for exceeding campaign expenditure ceiling.
 - b) Fines established should be levied for, but not necessarily be limited to, the following violations:
 - i) not having all posters down as specified
 - ii) campaign material which has not been posted according to the rules
 - iii) failure to attend a mandatory Candidates' Meeting
 - iv) campaigning or any campaigning violations

H. Procedure for Invalidation of an Election/Referendum

- i) The Election Committee shall determine whether the quantity of violations and improprieties in the running of an election/referendum conducted during the Election Committee's term of office warrants the invalidation of the election/referendum.
- ii) If the Election Committee concludes that the election/referendum should be declared invalid the Election Committee shall so recommend to an Election Review Board whose membership shall consist of:
 - a) The CRO, or if the CRO declines, another member of the Election Committee.
 - b) a member of the UTM A.C., appointed by the Council;
 - c) an impartial and unbiased member of the Erindale College community.
- iii) The Election Review Board shall review the evidence for the invalidation of the election/referendum and declare the election valid or invalid.

I. Other Appeals

- i) All decisions and rulings of the Election Committee not previously covered in By-law 3 may be appealed within three (3) days of the ruling, first to the Election Committee, and if the complaint is not satisfactorily resolved, it may be appealed within three (3) days of the Election Committee's subsequent ruling to the Council.

By-law 4

Termination of Office

An officer of the Council shall be terminated from holding office by the Disciplinary Board comprised of the UTM A.C. President and three appointed Council officers (if the President is pursuant to disciplinary action the Disciplinary Board will not include the President) when:

- i. The Officer ceases to be a full or part-time student at UTM
- ii. The Officer does not fulfill the duties of his/her office as outlined in the UTM A.C. Constitution.
- iii. The Officer does not attend three (3) Council or Committee Meetings without a reasonable excuse.

Replacement of an Officer

An officer who has been terminated for any reason is to be replaced by a Hiring Committee consisting of three (3) or more current council members. Candidates for the position may be chosen based on an interview process held by the Hiring Committee. The Hiring Committee is to advertise the position to all students for a minimum of one (1) week, in order to give students an equal opportunity.