

FCA Constitution 2023-2024

Article I: Name of Organization

1.1 The official name of the organization will be “Food and Culture Association”.

1.2 The Food and Culture Association may be referred to by the acronym “FCA”.

Article II: Purpose

2.1 The purpose of FCA will be to bring people together to enjoy the diversity of cuisines and cultures.

2.2 The FCA will enhance the educational, recreational, social, or cultural environment of the University of Toronto Scarborough by creating a community where everyone can grow their knowledge and appreciation of different cultures through the lens of food .

2.3 The FCA fundamentally serves a non-profit function within the University of Toronto Scarborough, and will not engage in activities that are essentially commercial in nature.

2.4 The FCA operates as an independent entity working within the University of Toronto Scarborough community subject to the values and policies of the University.

Article III: Membership

3.1 Membership in FCA is open to all students, staff, faculty and alumni of the University of Toronto Scarborough.

3.2 The term of membership for the FCA will be from September 1 – August 31 each year.

3.3 Each member shall be afforded the following rights through membership in FCA :

3.3.1 The right to participate and vote in group elections and meetings;

3.3.2 The right to communicate and to discuss and explore all ideas;

3.3.3 The right to organize/engage in activities/events that are reasonable and lawful;

3.3.4 The right to freedom from discrimination on the basis of sex, race, religion, or sexual orientation;

3.3.5 The right to be free from censorship, control, or interference by the University on the basis of the organization’s philosophy, beliefs, interests or opinions unless and until these lead to activities which are illegal or which infringe on the rights and freedoms already mentioned above;

3.3.6 The right to distribute on campus, in a responsible way, published material provided that it is not unlawful;

3.4 Each member shall possess the following responsibilities relative to participation in FCA:

3.4.1 Support the purpose of the organization;

3.4.2 Uphold the values of the organization;

3.4.3 Contribute constructively to the programs and activities offered by the organization;

3.4.4 Attend general meetings;

3.4.5 Abide by the constitution and subsequent official organizational documents;

3.4.6 Respect the rights of peers and fellow members;

3.4.7 Abide by University of Toronto policies, procedures, and guidelines;

3.4.8 Abide by the Laws of the Land, including but not limited to the Criminal Code of Canada.

3.5 The FCA may collect a mandatory membership fee from each member each year. This fee will be proposed as part of the operating budget presented to general members for approval at a valid general meeting.

3.6 The FCA values and respects the personal information of its members. The FCA secures its member's information at all times and will not supply names or other confidential information to third-parties.

3.7 The FCA will protect the privacy of member information and must use it only for the delivery of service and not for commercial gain.

Article IV: Executive

4.1 The executives of the organization shall include .

4.2 The broad responsibilities of each executive position are as follows:

4.2.1 The President is the official spokesperson of the organization and provides direction for all components of the organization in a manner consistent with the organization's constitution and policies.

4.2.3 Vice-President Public Relations acts as a liaison between the organization and other student clubs, societies, organizations, and groups on and off campus.

4.2.4 Vice-President Events is in charge of developing and enhancing the delivery of member services through events.

4.2.5 Vice-President Finance is responsible for administering cash management and reconciliation, tracking functional and event budgets, invoicing, creating funding requests, and preparing financial statements while overlooking the Finance functions.

4.2.6 Vice-President of Community is responsible for maintaining the community and media relations.

4.2.7 Vice-President of Marketing oversees the advertisements, promotional plan and strategies ensuring active presence on all social media.

4.3 Only student members of the organization may hold executive positions.

4.4 The executive positions collectively will form a committee that acts as the primary steward of the organization.

4.5 This committee is collectively responsible for the day-to-day decision making of the organization including but not limited to monitoring finances, event planning and execution, member services, and advocating on behalf of members to Administration and student government.

4.6 Any executive of the organization may resign, provided that such resignation is made in writing and delivered to the President. Unless any such resignation is, by its terms, effective on a later date, it shall be effective on delivery to the President, and no ratification by the organization shall be required to make the resignation official.

4.7 If the President resigns, notice of such resignation must be submitted in writing and delivered to the executive committee at a valid executive meeting. Unless any such resignation is, by its terms, effective on a later date, it shall be effective on delivery to the executive committee, and no ratification by the organization shall be required to make the resignation official.

4.8 Any vacancy of the President shall be filled by another executive committee member appointed by a simple and clear majority of the executive committee.

Article V: Removal of Members and Executives

5.1 The process for removing a member or executive may be initiated when a committee of no less than four (4) senior executives investigate a complaint determines that:

5.1.1 A member or executive has engaged in unlawful actions or activities;

5.1.2 A member or executive has violated the constitution;

5.1.3 A member or executive has violated University of Toronto policies, procedures, or guidelines;

5.1.4 A member or executive has violated the rights of a fellow member;

5.1.5 A member or executive has not fulfilled their organizational responsibilities;

5.1.6 Other criteria deemed to be appropriate by the Executive Committee in consultation with and approved by a majority of the executive and Board of Director members.

5.2 The removal of members and executives will be facilitated by a three tier procedure which operates as follows:

5.2.1 First Tier:

The executive or member will be warned both verbally and in writing that their behavior constitutes grounds for removal from the organization and that it should cease effective immediately.

5.2.2 Second Tier:

Initiated because the member or executive has violated section 5.1 after receiving a first tier warning relative to a particular action or behavior.

The President will be responsible for contacting the executive or member and facilitating training or suggesting best practices on how to correct the issues of concern.

The President must address all complaints in writing by formulating an action plan and timeline to correct any issues involving executives or members within fourteen (14) calendar days.

The executive or member accused of violating section 5.1 will be given fourteen (14) calendar days from receiving the President's written response to demonstrate progress or correction of behavior.

5.2.3 Third tier:

Initiated because the member or executive has violated section 5.1 after receiving second tier warning relative to a particular action or behavior.

The removal vote must take place at a general meeting. A representative supporting the motion for removal and the executive or member facing removal (or an individual they designate), may speak for up to five minutes each.

The removal of an executive or member requires a majority vote (>50%) of all of the members present at a general meeting. The executive or member facing removal is entitled to vote on the motion.

Article VI: Finances

6.1 All Budgets shall be prepared by the Vice Presidents in accordance with the organization's priorities as determined by the Executive Team.

6.2 An annual budget proposal shall be submitted to the President(s) from the Vice Presidents for approval by June 30. The annual budget must be finalized by July 31.

6.3 All budgets must ensure that the greater of ten percent (10%) of the cash inflows from the current academic year or five hundred dollars (\$500) is available in the FCA bank account at April 30 for the incoming Executive Team.

6.4 The outgoing Vice President Finance shall prepare a Balance Sheet, Statement of Revenues and Expenses, and Cash Flow statement due within one (1) month of the fiscal year end. When an audit is required, Audited Financial Statements must be prepared within six (6) months of the fiscal year end.

6.5 The fiscal year shall be from May 1 to April 30.

6.6 The Vice President Finance shall be held responsible for the accuracy of the financial statements.

6.7 The President shall sign cheques requiring the signatures of FCA. In the case of where only one President exists, the President plus Vice President Finance shall sign cheques requiring the signatures of FCA. Both signatures are required for a banking instrument to be considered valid.

6.8 FCA will accept full financial and production responsibility for all activities it sponsors, plans, or executes.

Article VII: General Meetings

7.1 The purpose of General Meetings is to provide a forum for executives to overview the activities of the organization and solicit feedback from members, to engage in policy-making, to propose amendments to the constitution, and to report on the financial status of the organization.

7.2 The Chairperson shall be responsible for:

7.2.1 Formulating and distributing an agenda for each meeting no later than one (1) day before the meeting;

7.2.2 Ensuring appropriate conduct and leading the meeting in an efficient, reasonable manner;

7.2.3 Moderating the discussion at meetings according to the agenda;

7.2.4 Suspending members from participating in meetings for constitutional or procedural violations.

7.3 The procedure at meetings of members shall be governed in accordance with the process outlined in Appendix A.

7.4 There shall be a minimum of one (1) general meeting held each month. The date of each subsequent general meeting will be confirmed at the preceding general meeting and will be reiterated to members via email/social media a minimum of one (1) calendar days prior to the meeting.

7.5 General meetings may be called to order by the President, through a petition signed by three (3) executive members.

7.6 All executives are expected to make brief progress reports on their activities at every general meeting.

7.7 Minutes of all general meetings must be recorded and maintained for reference purposes.

7.8 Members must contact the Chairperson a minimum of 48 hours before a general meeting to inform them of new business they wish to discuss. The Chairperson will then add the discussion item to the agenda.

7.9 Each member of the organization shall be entitled to one (1) vote at a general meeting except the Chairperson who shall only vote in the event of a tie.

7.10 Any question at a general meeting shall be decided by a show of hands.

7.11 Whenever a vote by show of hands occurs, a declaration by the chairperson that the vote upon the question has been carried, carried by a particular majority, or failed shall be recorded in the minutes of the meeting.

7.12 In case of an equality of votes at a general meeting, the Chairperson of the meeting shall have the deciding vote.

7.13 The Chairperson presiding over a meeting of members may, with the consent of the majority of members, decide to adjourn these meetings from time to time.

Article VIII: Executive Meetings

8.1 The purpose of executive meetings is to provide a forum for the organization's executives to discuss and make decisions on day-to-day matters affecting the organization.

8.2 Executive meetings will be facilitated by the President of the organization. The President shall be responsible for:

8.2.1 Formulating and distributing an agenda for each meeting;

8.2.2 Ensuring appropriate conduct and leading the meeting in an efficient, reasonable manner;

8.2.3 Moderating the discussion at meetings according to the agenda;

8.3 There shall be a minimum of one (1) executive meeting held every two (2) weeks during the period September 1 to April 30. The date of each subsequent executive meeting will be confirmed at the preceding meeting and will be reiterated to executives via email a minimum of two (2) calendar days prior to the meeting.

8.4 The frequency of executive meetings occurring between May 1 and August 31 will be left to the discretion of the executive committee.

8.5 Executive meetings may be called to order by the President or through a petition signed by three (3) executive members.

8.6 Executive meetings are restricted to executive members only. Quorum will be established by the presence of a simple and clear majority of the total executives for the organization.

8.7 Minutes of all executive meetings must be recorded and maintained for reference purposes.

8.8 Executives must notify the President a minimum of six (6) hours before an executive meeting to inform them of new business they wish to discuss. The President will then add the discussion item to the agenda.

8.9 Each executive member of the organization shall be entitled to one (1) vote at a valid executive meeting.

8.10 Any question at an Executive Meeting shall be decided by a show of hands.

8.11 Whenever a vote by show of hands occurs, a declaration by the President that the vote has been carried, carried by a particular majority, or failed shall be recorded in the minutes of the meeting.

8.12 In case of an equality of votes at an Executive Meeting, the motion will be recorded as having failed.

8.13 The President may, with the consent of the majority of executives, decide to adjourn these meetings from time to time.

Article IX: Emergency Meetings

9.1 Emergency meetings can be called for extenuating or unforeseen circumstances that may arise from time to time.

9.2 These meetings must abide by the respective rules outlined in sections VII and VIII depending on the nature of the meeting.

9.3 Notice of these meetings must be provided a minimum of 24 hours in advance through email.

9.4 Less notice for emergency meetings may be provided at the discretion of the President in agreement with a minimum of five (5) general members.

Article X: Amendments

10.1 The organization may make, amend or repeal the constitution or certain sections therein.

10.2 Notice of a meeting called to consider such a resolution shall be given as follows:

10.2.1 Notice of the full text of the proposed constitutional amendment shall be given to each member at least fourteen (14) days prior to the date of the meeting called to consider the change;

10.2.2 A summary of the rationale for the proposed amendment shall be given to each member at least fourteen (14) days prior to the date of the meeting called to consider the change.

10.3 Amendments to the constitution require the approval of two-thirds of the members present at a valid general meeting.

Article XI: Transition

11.1 All outgoing executives are required to transfer all organizational resources used relative to a particular role over the course of the preceding year to new executives upon leaving the position.

11.2 All outgoing executives are responsible for providing a detailed report to incoming executives that stipulates the status of ongoing projects in their portfolio and evaluations of previous projects and programs that they lead.

11.3 All outgoing and incoming executives will participate in a joint training session occurring no later than the end of May each year to assist with the transition between new executive teams.

Article XII: Emergency Powers

12.1 In the case of extenuating circumstances, the executive shall be afforded the ability to act without direction from the organization's members.

12.2 An extenuating circumstance is defined as any instance that may jeopardize the immediate functioning of the organization including but not limited to: executive vacancies, unexpected cancellations, removal from position, or lack of response from members.

12.3 Emergency powers may only be used for such a period of time as is needed to address an extenuating circumstance.

Article XIII: Food Handling on Campus

13. We will conform to Provincial and Municipal Health Regulations when events which include the sale and/or service of food products are held on the University of Toronto Scarborough campus.

Article XIV: Precedence of University Policies

14.1 will abide by all pertinent University of Toronto policies, procedures, and guidelines. Where the University's policies, procedures, and guidelines conflict with those of , the University's policies, procedures, and guidelines will take precedence.

Article XV: Legal Liability

15.1 The University of Toronto Scarborough does not endorse the 's beliefs or philosophy nor does it assume legal liability for the group's activities on or off campus.

Article XVI: Banking

16.1 FCA agrees to provide the name of the bank, the branch number and address, transit number, bank account number, and a list of all signing officers for all bank accounts opened in the organization's name to the Department of Student Life, University of Toronto Scarborough.

Appendix A: General Meeting Rules of Order

I. Call to Order

1. The (Co)President(s) may call the meeting to order only if a quorum of executives is present in person. If a quorum does not exist, the meeting is not qualified to conduct business. A general member may not appear by proxy or mail ballot.
2. The meeting must be open to all applicable general members. General members must receive notice of the meeting in accordance with the constitution.

II. Review of the Agenda

1. The first draft of the agenda is prepared by the (Co)President(s) prior to the meeting. Agenda items should ordinarily appear in the order set forth in these rules of order.
2. The agenda belongs to all general members. The agenda may be modified only by a majority vote. This power should only be used when necessary as proper functioning of meetings and the organization requires advance planning.
3. At this point in the agenda, members may add or delete items from the agenda and may change the order of presentation.
4. When possible, changes to the agenda should be done by acquiescence of all members. Formal voting on the agenda is only necessary where it appears to the (Co)President(s) that there is a disagreement.

III. Approval of Previous Minutes

1. The minutes need not be read aloud but they should be entered into the organization's official minute ledger upon approval by the members.

2. The minutes are prepared by either the secretary or some other individual appointed by the members to act as recording secretary. Any member may suggest changes to the minutes before the members adopt them. The suggested changes should be set forth in the minutes for the record, and then the general membership should adopt or reject such changes.
3. Minutes should state precisely each motion considered by the members, and identify the members voting in favor, against, or abstaining, and whether the motion was carried. Minutes need not reflect the comments made except in those instances when the member desires to make his/her comments recorded.
4. When possible, changes to the minutes and adoption of the minutes should be done by acquiescence of all members. Formal voting on the minutes is only necessary where it appears to the (Co)President(s) that there is a disagreement.

IV. Executive Reports

1. Executives may report their findings or recommendations to the members and Board of Directors at this point of the agenda.
2. The full report should be presented and then members, in turn, may ask questions or comment. It is not appropriate to make motions or discuss items of business during this portion of the meeting.
3. This time should also be used for any presentations to be made to the Board of Directors.

V. Motions and Deliberations

1. When an item of business is to be discussed, the Chairperson announces the item to be discussed and opens the floor to discussion.
2. No general member may speak until recognized by the Chairperson. No executive member or Board of Director member may interrupt the speaker who has the floor.
3. The Chairperson may impose reasonable time limitations. All time limitations must be uniformly imposed upon all of the executive or Board of Director members. The speaker shall be given a one-minute warning before time runs out. By vote of a majority of the members, time limits may be extended.
4. The Chairperson is to recognize each member in turn. Discussion shall be limited to the item of business at hand, and the Chairperson shall have the authority to take the floor from a speaker who does not limit discussion to the item of business at hand.
5. No member may speak to an issue for a second time until all other members have had the opportunity to speak to it for the first time. Likewise, no member may speak to an issue for a third time until all other members have had the opportunity to speak to it for a second time.

6. When it appears to the Chairperson that all members have had the opportunity to fully discuss the matter at hand, the Chair should announce that the item of business is ready for a vote.

VI. Voting

1. There are 3 basic motions for each item of business:

A motion to adopt a specific action by the board.

A motion to postpone the item to another meeting (including fact-finding assignments to a person or committee).

A motion to remove an item from consideration

2. The members are limited to discussing one item of business at a time, but there are no limits to the number of motions that may be considered as to how to dispose of that item of business.

3. After the members have had the opportunity to discuss each motion presented for consideration, the Chairperson will call each motion presented to a vote.

4. The fact that a motion has been adopted or failed does not prevent the item of business from being added to the agenda in the future and all motions may be reconsidered at any time.