

Constitution of the Black Students' Association at the University of Toronto

Last amended March 10th 2022

Preamble: In the absence of an organization that caters to the needs of Black students, it has become imperative that the Black Students' Association should be formed to represent the above interests.

By no means is membership limited only to Black students; any member of the University of Toronto community is entitled to membership. This includes students, staff, faculty and alumni from all three campuses of the University of Toronto. The BSA is welcome to all students, but it must be emphasized in the BSA's goal to foster a safe community for its membership, opportunities, events and its space is prioritized to its Black membership *first*.

Article I – General

There shall be a body known as the Black Students' Association (BSA).

Article II – Purpose (Mandate) of the BSA

The Purpose of the BSA is ultimately to create a cohesive united community of Black students at the University of Toronto by:

- 1) Acting as a medium through which the Black students acquire beneficial services and information for academic and career development
- 2) Enriching the university experience through group interaction in athletic, social, political and educational events.
- 3) Providing venues for which Black students may address issues that are prevalent and pertinent to the black student experience

Article III – Commitment to Equity

The BSA represents a diverse membership and has an obligation to represent the values, beliefs, and promotion of it's members. Being a democratic body, it is imperative that any and all projects the association takes on reflect said values.

The BSA operates through transformative justice and its decisions must be made in alignment with and prioritize Transformative Justice. *Transformative Justice* is a political framework and approach for responding to harm and conflict. The main goal of Transformative Justice is to respond to conflict without creating any further damage or harm to all parties involved and/or engaging in harm reduction to lessen the violence and promote healing amongst all involved. The BSA will implement the process of Transformative Justice by ensuring all action will bring accountability, healing and resolution, as well as dismantling traditional forms that reinforce harmful cycles.

The BSA Executive will not engage the association in any decision that compromises its moral, political, and ethical obligations to its membership. The association is accepting of all its members, encompassing identities surrounding gender identity, race, class, sexual orientation, religion, culture, language, disability, immigration status and socio-economic circumstances. It is the association's utmost priority to make all members feel welcome, and the BSA will not engage in any activity that excludes members of the aforementioned groups.

In any partnership the association enters, the BSA is entering this project with the understanding that all other members, collaborators, and/or partners will uphold their own stated responsibilities and commitments, as well as respect the association's commitment to Equity. If any partnership results in the violation of the BSA's mandate or commitment to Equity, the association reserves the right to withdraw itself and its assets from the partnership.

In any external partnership or interaction that the BSA enters, the BSA will seek to protect the well-being and safety of the BSA Executive (Article IV). Any complaints include but are not limited to the obstruction of an Executive's physical, emotional, psychological and/or financial health. The previously stated complaints can be deemed as a violation of the Executive's well being and the BSA's mandate or commitment to Equity. In addition, the BSA's commitment to Equity provides the right to withdraw itself, its assets and resources from the partnership as they deem fit. When exploring partnerships, the BSA executive will treat these opportunities on a case by case basis to determine if said opportunity benefits the BSA and its membership.

Article IV – The Constituency, Council and Meeting Definitions

- A) The Constituency of the BSA shall be composed of students, staff, faculty and alumni from all three campuses of the University of Toronto.
- B) Accessibility is one of the core beliefs of this organization, therefore no membership fee is required to be a part of the Black Students' Association.

- C) For recognition by the University of Toronto Students' Union (UTSU), the group must maintain a minimum of 30 members, a total of 51% of membership are UTSU members. The group must also maintain recognition from the Office of Student Life. These requirements are subject to change and should be checked with UTSU annually to ensure qualifications are met.
- D) Council refers to all executive positions: President, Vice President – Internal, Vice President – External, Financial Director, Political Directors, Education & Outreach Directors, Equity Directors, Media Director, Social Media Director and First Year Representative.

Meetings:

- 1) General Meetings – refers to meetings in which all BSA members and non-members are freely allowed to attend.
- 2) Executive Meetings – are meetings intended for executive members to deal with issues pertinent to the BSA. BSA members who do not hold any position with the BSA are allowed to attend by invitation from the executive only.
- 3) Emergency executive meetings – Emergency executive meetings can be convened by at least 3 members of the executive.
- 4) Intra-Executives Meeting – Intra-executive meetings are held between smaller batches of the Council and often involve the planning of BSA initiatives. All intra-executive meetings will be summarized and logged in a formal submission form to document and disclose the content discussed within every meeting.
- 5) Education and Outreach Directors Meetings – Consists of regular sessions amongst the Education and Outreach Directors; its frequency will be determined by current position holders. These meetings are mandatory to ensure that any education-related initiatives, primarily the Annual High School Conference, are successfully executed. It is required that the President, Vice-President Internal and/or Vice-President External be present at these meetings on a monthly basis for a progress check.

Article V – Executive Council Membership

- A) The Executive Council shall be composed of fourteen (14) members of the Constituency.

The following positions shall be filled at the general election by the Constituency and shall have the right to vote at meetings of the Executive Council and general meetings:

- President
 - Vice President: Internal
 - Vice President: External
 - Financial Director
 - Political Directors (2 positions)
 - Education & Outreach Directors (3 positions)
 - Media Director
 - Equity Directors (2 positions)
 - Social Media Director
 - First Year Representative
- B) All positions of the Council shall have a term of one (academic) year, beginning May 1st and ending on April 30th of the following year. The outgoing executive shall complete their existing duties for the year. Each member of the executive shall proudly represent BSA. Each member of the Executive shall volunteer at the High School Conference, except in unexpected circumstances. Executive members with voting privileges shall be currently registered students of the University of Toronto.
- C) Staff, faculty, or alumni members may hold non-voting executive positions. These nonvoting executive positions shall be limited to a maximum of one (1) or ten per cent (10%) of the full executive body, whichever is greatest. Persons holding these nonvoting executive positions cannot serve as an officer (including financial signing officer) or contact person of the Student Group.
- D) Non-voting membership may be extended to interested staff, faculty, and alumni, or persons from outside the University, without restriction on those grounds outlined by the Ontario Human Rights Code's Prohibited Grounds of Discrimination. However, these members do not hold the aforementioned rights.

Members must register with a designated executive by submitting their full name and a valid email address.

Article VI - Executive Council Roles & Responsibilities

A) President:

Is the Chief Executive Officer of the Council.

Has the capacity to speak on the council's behalf.

Shall be responsible for calling general meetings of the Executive council.

Will obtain the approval of the Financial Director and the Vice President – Internal for any proposal upon providing appropriate receipts. This shall be reported to Council at its next meeting.

Amendment to President's Role (2018):

The President shall be responsible for overseeing the process of Black Graduation and ensuring it is planned for June of their given year.

Amendment to President's Role (2021):

It is mandatory for the President to conduct regular and frequent check-ins on the well-being of their Executive Team to ensure that every member is able and at the capacity to perform their duties.

The President shall keep the well-being and all personal matters of their fellow co-Council's confidential. This is to ensure a level of comfortability and safety when sharing information may be private and sensitive to the individual's current state. Members should feel as though they can confide in the President in full confidence that the exchanged dialogue will stay amongst both parties.

- i) In the case that this is violated, the Vice-Presidents and Equity Directors will be required to review the credibility of the President's actions in an equitable and appropriate manner.

B) Vice President – External:

Primary responsibility is to promote the BSA at U of T in order to attract members and community collaborators.

Shall be responsible for networking with community organizations to find opportunities for the BSA executive team and the general membership to be engaged in different community initiatives through volunteerism and partnership.

Shall be the liaison between Executive Council and general membership.

Will Coordinate frosh and club week events.

C) Vice President – Internal

Shall be responsible for the recording and publishing of proceedings of all general BSA meetings.

Shall be made available to all members of the executive council, a copy of the agenda and the minutes of each general BSA meeting and the general members upon request.

Will conduct and file all correspondence of Council.

Shall schedule Executive meetings and Office Hours.

In BSA executive elections, the Vice-President Internal shall be the Chief Electoral Officer, if they are not running for a position. If this is the case, a Chief Electoral Officer shall be appointed by the Executive Council.

In the fall of each year, the Vice-President Internal shall take an inventory of the property of the Council and shall ensure that all BSA property is present and accounted for.

With assistance from the President, the Vice-President Internal shall be in charge of directors and committees established over the course of the academic year.

Takes meeting minutes and serves as the lead respondent for emails.

D) Vice President Internal & External:

Other than the President, the Vice-Presidents are the only Executives with the authority to publicly comment on behalf of BSA, primarily in meetings and in partnership negotiations.

If necessary, along with the Financial Director, the Vice-Presidents will lead fundraising events to aid BSA.

In the case of more specific initiatives, such as the High School Conference, the Education and Outreach Directors, alongside the President, Vice-Presidents and Financial Director will be the primary points of contact.

The President, Vice-Presidents and Equity Directors will work together to write and publish statements on behalf of the association.

Both Vice-Presidents are allowed to conduct executive check-ins during executive meetings, in the situation that the President is not available to cover check-ins at that very moment.

E) Financial Director:

Shall act as the Treasurer of the BSA. They shall make bi-monthly reports of BSA's financial condition to the executive.

At the end of the Executive's term in office, the Financial Director shall see that the books and financial statements of the Council are audited.

The Financial Director must be in possession of all current financial records, such as books of account, bank statements, paid cheques, deposit books or slips, payment authorizations, invoices and correspondences, on hand at every executive and general meeting. Any member of the BSA may inspect all financial records upon request.

- i) To maintain integrity with the Financial Director's role, three (3) Executive members (including the member making said request) must agree on the request to check the financial records.

Shall see that the auditor's report is presented to the Council at the earliest opportunity.

The Financial Director is responsible for ensuring that the BSA has various fundraising capabilities and multiple streams of income. This will ensure the financial health of the organization

The Financial Director shall be responsible for the formulation of a complete Budget of Operation for the Executive, based in part on budgets submitted by individual directors. The budget shall be submitted to the Executive Council to be approved at the director's earliest convenience and shall be approved at the meeting following its proposal at the latest.

Requests for any monies from the BSA account shall be approved by the Director and accompanied by the appropriate financial request form.

F) Education & Outreach Director(s):

The Education Director shall be primarily responsible for the various community educational projects which the BSA runs, namely:

- 1) The High School visits which are conducted a few times a month at various high schools throughout the GTA.
- 2) The Annual High School Conference.

Shall deliver to BSA members job, scholarship, financial, career and academic related services and information available at the University of Toronto, in some cases working in conjunction with College representatives.

Shall act as the leads of Black Study Hall, however the entire executive is expected to attend and assist with black study hall events.

Shall lead and train volunteers for the High School Conference with assistance from the Equity Directors

G) Political Director(s):

Shall be responsible for all politically motivated initiatives pertaining to the BSA.

Shall be responsible for providing political awareness through various political panels, workshops, etc.

Shall aim to get students involved in college, faculty and university student government.

Will lead any advocacy campaigns or political action supported by the BSA.

Will assist the Equity Director with any equity-related initiatives involving politically marginalized groups and movements.

H) Equity Director(s):

Shall advocate for equity issues on campus, in the GTA, and generally.

Shall schedule Equity Training for all members of Council. The Equity Director shall also assist in the execution of all BSA initiatives by facilitating Equity Training for participating members that stand to represent the association in public (ie. High School Conference Volunteers).

Will ensure BSA members are trained in equity through coordinating an interactive workshop that results in members planning and approaching events in an inclusive anti-discriminatory lens.

Evaluates all event proposals with the President, Financial Director and Vice-President Internal from an Equity lens.

Works with Vice-President External to outreach to groups underrepresented in BSA membership.

I) Media Director

Shall create promotional graphics, posters, and promotional material for the BSA.

Shall oversee the maintenance of the official BSA website. This includes but is not limited to website photos, visuals, overall aesthetic, and event registration set-up and flow.

Held responsible to document any BSA public gatherings (ie. community events). The format of documentation must be in the form of photography or video recording.

J) Social Media Director

Posts and shares content on BSA social media profiles.

Lead responder to messages directed to BSA social media profiles.

Responsible for public visual representation of BSA

Shall review any social media dialogue between external organizations with the President and the Vice-Presidents regarding any major decisions involving/speaking on behalf of the association.

K) First Year Representative

Will act as the representative for the First Year Body of Black Students at UofT.

Responsible for creating an event during the academic year for the First Year Body, with intentions of creating a space for first year students to meet and interact.

This role is to be fulfilled only during by-elections held in the Fall, to ensure the role gets filled by an incoming first year student.

L) All Roles

Executive members shall request the assistance of their co-Council's when executing any initiatives pertaining to that member's position and duties. In addition, executive members can also form subcommittees for their event using the assistance of general members through a call-out to support their event.

Shall act as the primary contact regarding any initiative orchestrated by a member. The President and/or Vice-Presidents shall aid in communication if the need arises.

Article VII – Finances

- A) The finances of the BSA shall consist of all funds collected on its behalf by the University of Toronto and incidental monies.
- B) All monies collected by the BSA from its various functions shall be immediately presented to the Financial Director for deposit in the BSA account.
- C) Two of the following Executive Members: President and the Financial Director, must sign on all cheques drawn on council funds.
- D) The Financial Director and the President are the only two Executive Members permitted access to the BSA account, and shall be the only two in possession of the association's debit card.
- E) In the event that a purchase is made on the debit card and after proper investigation the individual responsible for the purchase is left undetected, the Financial Director and President shall be held accountable for the transactions to the fullest extent possible. They shall not be made to reimburse the transactions, however, they shall provide a detailed explanation of every transaction on the BSA account to the fullest extent possible.
 - i) In the event that there is a misuse of funds and the Council Member responsible is identified, the Executive Council shall conduct a review to assess appropriate action while using a Transformative Justice lens.
- F) The Financial Director shall present the budget for Executive Council approval.
- G) Council members may be reimbursed for all expenses incurred while validly executing Council business if authorized by the Executive. This shall be at a rate to be determined by the Executive Council.
- H) The Financial Director is required to post Bank Statements of the BSA on a monthly basis, along with a log of those responsible for each purchase. This information shall be made available to the Executive Team.

Article VIII – General Election: General Information

- A) All candidates for council positions shall be members of the Constituency (as per Article IV) and must remain so during their term in office.
- B) The Nomination Period and Nomination interviews must be held and conducted before the 30th of March, before the voting period. The voting period will commence immediately after.
- C) The council shall call upon the Vice-President Internal to be The Chief Electoral Officer (CEO), as well as two (2) Scrutinizers. Together these three (3) persons are known as the Electoral Committee.
- D) The Electoral Committee shall be responsible for publicizing the opening of nominations for general elections, so as to give aspiring candidates sufficient notice. All members of the Elections Committee shall be unbiased in the results of the election and shall be required to disclose any and all conflicts of interest in the election.
- E) There will be no discrimination for the voting or filling of any positions.
- F) For the positions of President and Vice President – Internal, it is mandatory that individuals who run for those roles have at least one (1) year of experience on BSA.
- G) The Chief Electoral Officer shall not have a vote in the BSA elections except in the case of a tie.
- H) Vacant Executive posts not filled by BSA during the elections shall be filled in by a by-election.
- I) If less than two months remain in a position's term in office when it becomes vacant, the Executive Council may appoint a successor without a by-election. This is done by holding a separate application for the position to allow potential candidates to apply until that position is no longer vacant.
- J) No candidate may run for more than one BSA executive position.

Article IX – General Elections: Process

- A) The CEO shall select three (3) election dates before March 30th for the voting period. These dates will be announced to the general membership in a minimum of two (2) weeks prior to the election dates and must fall on weekdays.
- B) The posts to be filled in the spring elections are all the executive positions (Article V).
- C) Upon applying for the desired position, candidates are to formally meet with their selected nominators. The nominators shall be members of the Council as described in Article V.
- D) Nomination meetings will consist of an interview between the two executive members and will allow Executives to familiarize themselves with the applicant. Though interview questions will be assessed on an individual basis, the dialogue must align with and evaluate the candidate's potential in their applied position.
- E) Nomination forms bearing the name, address, phone number, year course, signature and University of Toronto student number of the candidate, must be signed by the two nominators who will affix their printed name, student number and signature to the nomination form. The nominations shall be dropped off at the BSA office, then delivered to the Chief Electoral Officer.
- F) In addition to the nomination form, the nominee must submit a short statement involving any information that the current Executive Council deems necessary in assessing one's qualification for a position. This statement will be distributed on the website and all social platforms to every BSA member by the Chief Electoral Officer.
- G) The CEO and Scrutinizers shall provide each voting U of T registered student with a paper ballot on the voting dates and ask the student to place their ballot in an enclosed box.
- H) The Chief Electoral Officer and Scrutinizers shall accept nominations only from executive members that are registered U of T students for voting positions, and staff, faculty, or alumni members for non-voting executive positions or subcommittee positions before the beginning of March. Candidates have to be members in good standing and be part of the Black Students' Association for at least one month prior to the nomination period.

- I) Registered U of T students may not vote by proxy. Non-registered students may not nominate or vote in elections. Only registered U of T students that have been a member in good standing for 30 days prior to election dates are eligible for voting. If any of these conditions are not met, the vote will be considered void.
- J) In preparation for a tie, the CEO shall select a U of T registered student executive from amongst the executive committee, to cast their ballot and seal it in an envelope. In the event of a tie for an executive position, one of the two Scrutinizers shall break the seal and count the ballot in order to break the tie. After the election is over, the CEO and Scrutinizers shall count the ballots. The candidate with the most votes shall be elected to the position. The CEO and Scrutinizers shall submit a report of the results of the elections to the Executive Committee and general members.
- K) In light of the COVID-19 Pandemic, the following is a contingency plan in the situation that the election must be run online.
- L) All nomination forms shall be delivered to the Chief Electoral Officer via email. The CEO will then take each nomination form to secure a copy within the organization's online drive. The CEO and Scrutinizers will provide an online voting platform for registered members of the organization to vote on.
- M) In the event of a tie, the process will follow the same procedure as in section J). The CEO will prepare for the possibility of a tie by selecting an executive member to cast their vote to break the tie. To break the tie, the CEO and Scrutinizers will re-open the online voting platform for the selected executive to vote, close the platform once the vote has been casted and count the votes to resolve the tie. The candidate with the most votes shall be elected to the position. The CEO and Scrutinizers shall submit a report of the results of the elections to the Executive Committee and general members.
- N) Terms of executive positions shall be from May 1st to April 30th.

Article X – Removal from Office

- A) Any council member may be removed from office by the Council for a clear violation of the Constitution, failure to perform tasks and uphold responsibilities associated with their role, for unauthorized financial transaction, or for using the name or facilities of the Council for personal ends.

- B) A member of Council may be removed from office by a vote of Council. A member shall be declared removed from office by a motion securing a two-thirds majority of the voting membership of the Council present. Such a motion must be tabled at, at least, one regular meeting prior to the vote.

- C) The meeting to determine the member's removal from office shall be in the form of **an internal trial**. This trial between the member in question and the remaining Executive Council shall evaluate the matter at hand using Transformative Justice prior to the petition being presented to the General Membership. Following the completion of the private trial, the petition process, referenced in section D shall commence. Throughout the petition process, anonymity regarding the identity of the potential resigning member must be maintained (Article XV).
 - i) In the situation of an Executive member disclosing the identity of the potential resignee at any time during the process, please refer to Article XV, section A.

- D) Any member of Council may be asked to resign from the BSA Executive by the Constituency upon presentation of a petition containing signatures of twenty-five (25) members of the Constituency calling for such a resignation. The member shall resign, and a by-election shall be held as soon as possible to fill the vacant position. The resigning member may run for election again.

Article XI – Joint Meetings of Council

- A) The joint meeting of the incoming and retiring council shall be held no later than the third Sunday in April.

- B) The present Council shall present complete year end reports and transition documents of their respective functions at this meeting.

- C) The retiring executive shall advise the incoming Council in matters concerning the affairs and operations of Council.

- D) Both the Outgoing and Incoming Executive Teams are present at the High School Conference, with Incoming members shadowing outgoing members.

Article XII – Referendum

- A) Any member of the BSA Constituency can propose a BSA referendum. This referendum will be voted on, under normal circumstances, during the BSA general election. Any referendum proposal should be presented at a BSA general meeting on or before the last meeting prior to the general elections.

Article XIII – Amendments to the Constitution

- A) Amendments to the constitution can be proposed by any voting member of the council at any meeting of the council.
- B) Proposed amendments shall be presented to the Council and all discussions shall be deferred until the membership at a general meeting of members.
- C) There shall be a constitutional review every year by the new executive.
- D) BSA Executive Council as a whole shall be the sole author and the final interpreter of this Constitution.
- E) Amendments to the constitution can formally commence during either Spring elections or during By-Elections in the Fall. This is to ensure that as many general members of the BSA are able to read and understand the changes made to the Constitution.

Article XIV - Memorandum of Agreement

- A) In respect to the BSA's Memorandum of agreement, signed January 2020 in partnership with the University of Toronto Students' Union (UTSU), the BSA executive members are to re-sign the memorandum every three years, given the original terms are still being met by both groups.

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Article XV - The Executive Council's Code of Conduct

While in office, all members of Council are expected to uphold the following Codes of Conduct. Maintaining these codes will ensure a safe environment for both trust and a professional relationship to flourish:

- A) Confidentiality – All matters discussed amongst the BSA Executive Team, including but not exclusive to dialogue exchanged during Executive meetings, Intra-meetings etc. shall be kept confidential and remain amongst BSA Executive Members unless given permission to by the President and Vice-Presidents.
- i) The disclosure of confidential information between the aforementioned individuals shall be resolved by the remaining Council Members using interventions of Transformative Justice that they deem fit to amend the violation.
- B) Intra-Communal Conflicts – Disputes to any degree amongst any members of the Executive Council must be dissolved as soon as possible.
- C) Order of Professionalism – Executive Members shall maintain a level of professionalism throughout their duration in office by upholding all values of the BSA as described in Article III. Social dynamics amongst all members of Council must uphold a professional demeanor throughout the duration of time in office.
- i) It is required that all members of the BSA are respected and treated in an equal and equitable manner during any and all moments of interaction with Council.
 - ii) Unless there has been correspondence between the Executive and the President about arrival after the start time of a meeting, all executives are required to arrive at executive meetings in a timely manner. This is to ensure every meeting is maximized and all executive's time and energy are being respected. All executives are expected to be punctual.