

## **Constitution of “Etherwave Performance Hub ”**

### **1. Article I: Name of Organization**

- 1.1. The official name of this recognized student group is “Etherwave Performance Hub”
- 1.2. The acronym or abbreviation of this group is: “ EPH“
- 1.3. The group may not be formally referred to in any other way.

### **2. Article II: Purpose and Objectives**

- 2.1. The purpose of EPH is to provide UTSC students with a variety of friendly and accessible performance opportunities on campus. It also strives to expose the UTSC community to a variety of live-music opportunities at minimal cost.
- 2.2. EPH operates as an independent entity working within the University of Toronto Scarborough community subject to the values and policies of the University.

### **3. Article III: Membership**

- 3.1. Membership in EPH is open to all students, staff, faculty, and alumni of the University of Toronto
- 3.2. The term of membership for EPH will be from September 1 to August 31 each year
- 3.3. Each member shall be afforded the following rights through membership in EPH
  - 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, sexual orientation, or gender identity
  - 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 EPH
  - 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. EPH values and respects the personal information of its members. EPH secures its member's information at all times and will not supply names or other confidential information to third-parties
- 3.6. EPH will protect the privacy of member information and must use it only for the delivery of service and not for commercial gain

#### 4. **Article IV: Executives**

- 4.1. The executive committee shall be comprised of the following elected positions:
- 4.2. **Co-Presidents (2), Events Director, Web Coordinator, Treasurer, Outreach Director, Marketing Director, AV coordinator**
- 4.3. If for any reason a position is not filled during the election period, it will be at the discretion of the Presidents' to take on the role themselves, or to appoint a suitable and willing member to the position. Elected officers may not officially hold more than 2 (two) positions at the same time. Under emergency circumstances (such as sudden resignation of an executive member), holding a third position is acceptable while an active search for a replacement is underway).
- 4.4. Any executive of the organization may resign, provided that such resignation is made in writing and delivered to one of the co-presidents. 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.
- 4.5. Any vacancy of executives shall be filled by one of the Co-President's or designate of the organization until such a time where a by-election is held, a permanent appointment occurs, or a hiring process is conducted.
- 4.6. Any vacancy of a President shall be filled by another executive committee member appointed by a simple and clear majority of the executive committee until such a time where a by-election is held, a permanent appointment occurs, or a hiring process is conducted.
- 4.7. If at any period the club is in a period of significant growth or transition, it remains up to the discretion of the Presidents' to choose not to elect all roles if

they remain inapplicable at the time. An election will be called as soon as the club enters a period wherein such roles become once again applicable.

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

4.9. The broad responsibilities of the executive committee members are as follows:

4.9.1. **Co-President(2):** Duties shall include but not be limited to:

4.9.1.1. Oversee and participate in the operations, management and success of the group

4.9.1.2. Provide direction for all components of the organization in a manner consistent with the organization's constitution and policies

4.9.1.3. Be the spokesperson for the group

4.9.1.4. Represent the group at U of T events and meetings

4.9.1.5. Hold signing officer authority along with the Treasurer for financial purposes

4.9.1.6. Ensure that all the activities of the club meet regulations and policies of the University of Toronto

4.9.1.7. Preside over board meetings and general meetings

4.9.1.8. Ensure transition of office of future Executives

4.9.1.9. Create and maintain a critical timeline for completion of assigned tasks

4.9.1.10. Alert the Co-President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task

4.9.2. **Executive Assistant:** Duties shall include but not be limited to:

4.9.2.1. Make a list of all registered members

4.9.2.2. Maintain the member contact list

4.9.2.3. Record notes and motions for meetings

4.9.2.4. Notify all members of meetings

4.9.2.5. Propose and maintain a critical timeline for completion of assigned tasks

4.9.2.6. Assisting the Co-presidents in reviewing the monthly newsletter before release

4.9.2.7. Alert the President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task

4.9.3. **Treasurer:** Duties shall include but not be limited to:

4.9.3.1. Record all financial transactions of the group

4.9.3.2. Hold signing officer authority along with the President and Co-President for financial purposes

- 4.9.3.3. Maintain a budget of income and expenses along with receipts
- 4.9.3.4. Advise members on financial position of the group
- 4.9.3.5. Prepare an annual budget for the group as well as budgets for specific events
- 4.9.3.6. Manage donations acquired during fundraisers as well as dissemination of donations to outside organizations
- 4.9.3.7. Propose and maintain a critical timeline for completion of assigned tasks
- 4.9.3.8. Alert the President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task

**4.9.4. Web Coordinator:** Duties shall include, but not be limited to:

- 4.9.4.1. Manage updating the website with pictures, events, and any additional applicable information in a timely manner as required
- 4.9.4.2. Manage updating the official Instagram and Facebook page with pictures, events, and any additional applicable information in a timely manner as required
- 4.9.4.3. Propose and maintain a critical timeline for completion of assigned tasks
- 4.9.4.4. Alert the President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task

**4.9.5. Outreach Director:** Duties shall include but not be limited to:

- 4.9.5.1. Act as a liaison between the organization and other student clubs, societies, organizations, and groups on and off campus
- 4.9.5.2. Professionally represent the club in soliciting and managing communications with external individuals (by phone and or email) and organizations for the purposes of, but not limited to:
  - 4.9.5.2.1. Seeking presenters from aforementioned appropriate organizations
  - 4.9.5.2.2. Investigating partnerships with various external organizations for the purposes of buying materials, requesting sponsorships, or holding fundraisers
- 4.9.5.3. Work closely with the Co-Presidents regarding successful partnerships
- 4.9.5.4. Propose and maintain a critical timeline for completion of assigned tasks
- 4.9.5.5. Alert the President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task

**4.9.6. Events Director**

- 4.9.6.1. Brainstorm potential future events for the club + present their ideas at club meetings
- 4.9.6.2. Be responsible for receiving, managing, and reporting on member feedback from events: findings shall be reported at the next meeting
- 4.9.6.3. Propose and maintain a critical timeline for completion of given tasks
- 4.9.6.4. Alert the President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task
- 4.9.6.5. Manage creation and dissemination of tickets if relevant to the event
- 4.9.6.6. Delegate tasks to other executives to ensure event planning and execution runs efficiently

**4.9.7. Creative Director:** Duties shall include but not be limited to:

- 4.9.7.1. Work closely with the Marketing Director and Web Coordinator for the purposes of creating promotional materials for dissemination online, and in paper format
- 4.9.7.2. Assist the Marketing Director in coming up with engaging and informative social media/website posts
- 4.9.7.3. Produce official EPH U of T merchandise, in cooperation with the Treasurer
- 4.9.7.4. Propose and maintain a critical timeline for completion of given tasks
- 4.9.7.5. Alert the President(s) in as timely a manner as possible if for any reason they are unable to complete an assigned task

**4.9.8. Marketing Director:**

- 4.9.8.1. Come up with engaging and informative social media/website material
- 4.9.8.2. Work closely with the Web Coordinator to guide dissemination of marketing materials through the club website
- 4.9.8.3. Responsible for designing and maintaining a communications/social media strategy
- 4.9.8.4. Seek out marketing opportunities on campus including within specific departments. E.g. ACM newsletter
- 4.9.8.5. Propose and maintain a critical timeline for completion of given tasks

4.9.8.6. Alert the Co-Presidents in as timely a manner as possible if for any reason they are unable to complete an assigned task

**4.9.9. AV Coordinator**

4.9.9.1. Become an authority on AV equipment available for student/club use/rental

4.9.9.2. Be aware of how to use available AV equipment (training may need to be sought out from technical staff)

4.9.9.3. Coordinate and manage recruitment and training of volunteers to assist at various performance events

4.9.9.4. Propose and maintain a critical timeline for completion of given tasks

4.9.9.5. Alert the Co-Presidents in as timely a manner as possible if for any reason they are unable to complete an assigned task

**Article V: Termination of Executives or General Members**

4.10. Any member of the club who commits an act negatively affecting the interests of the club and/or its members, including non-disclosure of a significant or continuing conflict of interest, may be given notice of removal.

4.11. The member up for removal shall have the right to defend his/her actions.

4.12. A two-thirds majority vote of the current general members present in favor of removal is required.

4.13. The member will be removed from the club's membership and will lose any privileges associated with being a member of the club.

4.14. Executive members are subject to the same termination or impeachment process and, as determined by the vote, may lose their executive position along with their membership to the group.

5. **Article VI: Finances**

- 5.1. The funds of the organization shall be expended pursuant to the operating budget approved by the general membership at a valid general meeting
- 5.2. Notwithstanding section 6.1, the executive committee may not approve any unbudgeted expenditure of the organization's funds above \$100.00 without the approval of the general members at a valid general meeting.
- 5.3. The Treasurer shall keep records of all income and expenses. The Treasurer shall present the group's financial health at the annual general meetings. They shall present a proposed operating budget for the next fiscal year to the general members at a valid general meeting.
- 5.4. The operating budget shall be approved by a majority vote of the general members present and voting at a valid general meeting
- 5.5. The banking business of the organization, or any part thereof, shall be transacted with such bank, trust company, or other firm or body corporate as the Executive may designate, appoint, or authorize from time to time and all such banking business, or any part thereof, shall be transacted on the organization's behalf by one or more Officers or other persons as the Executive may designate, direct, or authorize from time to time and to the extent thereby provided
- 5.6. The Co-Presidents and Treasurer shall be the sole signing authorities of banking instruments for the organization.
- 5.7. EPH will ensure that proper and accurate financial records are maintained and passed on to incoming executives following each year's elections.
- 5.8. EPH will accept full financial and production responsibility for all activities it sponsors, plans, or executes
- 5.9. The group's executive or members may not engage in activities that are essentially commercial in nature. This is not intended to preclude the collection of membership fees to cover the expenses of the group, or of charges for specific activities, programs or events, or to prohibit groups from engaging in legitimate fundraising. However, the group will not have as a major activity a function that makes it an on-campus part of a commercial organization, will not provide services and goods at a profit when that profit is used for purposes other than those of the organization, and will not pay salaries to some or all of its officers.

6. **Article VII: General Meetings**

- 6.1. 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.
- 6.2. General meetings will be facilitated by a Chairperson selected from the Executive Committee, by the general membership

- 6.3. The Chairperson shall be responsible for:
  - 6.3.1. Formulating and distributing an agenda for each meeting no later than two (2) days before the meeting;
  - 6.3.2. Ensuring appropriate conduct and leading the meeting in an efficient, reasonable manner;
  - 6.3.3. Moderating the discussion at meetings according to the agenda;
  - 6.3.4. Suspending members from participating in meetings for constitutional or procedural violations.
- 6.4. General meetings may be called to order by the President, through a petition signed by three (3) executive members, or by a petition signed by five (5) non-executive general members.
- 6.5. General meetings are open to registered members of the organization only. Quorum will first be established by the presence of a simple and clear majority of the executives.
- 6.6. For quorum to remain valid, the number of non-executive general members present at a general meeting must exceed the number of executives present at all times.
- 6.7. All executives are expected to make brief progress reports on their activities at every general meeting.
- 6.8. Minutes of all general meetings must be recorded and maintained for reference purposes.
- 6.9. 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.
- 6.10. 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.
- 6.11. Any question at a valid general meeting shall be decided by a show of hands
- 6.12. 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.
- 6.13. In case of an equality of votes at a valid general meeting, the Chairperson of the meeting shall have the deciding vote.
- 6.14. 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.
- 6.15. The group shall hold general meetings at least once per year,
- 6.16. The Executive Committee will announce these dates two (2) weeks prior to holding the meetings. These meetings are intended to go over the group's annual activity plan, financial health and propose or vote on constitutional amendments, if any. Motions will require 2/3 majority of registered members in attendance for a vote to be cast. The motion with the most votes will be passed.

## **7. Article VIII: Executive Meetings**

- 7.1.1. 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.
- 7.1.2. Executive meetings will be facilitated by the Co-Presidents of the organization. The Co-Presidents shall be responsible for:
  - 7.1.2.1. Formulating and distributing an agenda for each meeting;
  - 7.1.2.2. Ensuring appropriate conduct and leading the meeting in an efficient, reasonable manner;
  - 7.1.2.3. Moderating the discussion at meetings according to the agenda;
- 7.1.3. 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.
- 7.1.4. The frequency of executive meetings occurring between May 1 and August 31 will be left to the discretion of the executive committee.
- 7.1.5. Executive meetings may be called to order by the President or through a petition signed by three (3) executive members.
- 7.1.6. 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.
- 7.1.7. Minutes of all executive meetings must be recorded and maintained by the Executive Assistant for reference purposes.
- 7.1.8. 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.
- 7.1.9. Each executive member of the organization shall be entitled to one (1) vote at a valid executive meeting.
- 7.1.10. Any question at an Executive Meeting shall be decided by a show of hands.
- 7.1.11. 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.
- 7.1.12. In case of an equality of votes at an Executive Meeting, the motion will be recorded as having failed.
- 7.1.13. The President may, with the consent of the majority of executives, decide to adjourn these meetings from time to time.

**8. Article IX: Emergency Meetings**

- 8.1. Emergency meetings can be called for extenuating or unforeseen circumstances that may arise from time to time.
- 8.2. These meetings must abide the respective rules outlined in sections VII and VIII depending on the nature of the meeting.
- 8.3. Notice of these meetings must be provided a minimum of 24 hours in advance through email.
- 8.4. Less notice for emergency meetings may be provided at the discretion of the Co-Presidents in agreement with a minimum of five (5) general members.x

**Article X: Elections**

- 8.5. Executive elections will be held prior to April 30 each year.
- 8.6. Candidates for executive positions shall be selected through an application process, which may be subject to meeting a set of minimum qualifications, for holding a particular position. These qualifications, if any, will be established by the outgoing executive members each year prior to the commencement of the application submission period. If no qualifications are established for a particular position, any general member may apply for said position.
- 8.7. Only general members shall be permitted to participate in an election and hold executive member positions.
- 8.8. All screening of candidates will be conducted by three executives, appointed by the executive members via a majority vote at least seven (7) days prior to the screening process, who will assess each candidate's qualifications against pre-established criteria for holding the positions.
- 8.9. Notification of the acceptance of applications for executive positions will be sent via email to all general members a minimum of seven (7) calendar days prior to the general meeting at which the election will be held.
- 8.10. All application periods must commence a minimum of fourteen (14) calendar days prior to the general meeting at which the election will be held. The application period must end a minimum of seven (7) days prior to the general meeting at which the election will be held.
- 8.11. Successful candidates will be permitted to give a short speech at the general meeting where the election is being held. Each speech will be followed by a short question and answer period. The length of each speech and the question/answer period will be left to the discretion of the President.

- 8.12. Elections shall be conducted by secret ballot, and overseen by an election oversight committee separate and unique from the candidate selection committee described in section 10.4. This committee will be composed of 1-3 executive members who are separate and unique from the candidate selection committee, and will be appointed by a majority vote of the executive members a minimum of seven (7) calendar days prior to the day on which ballots are to be counted.
- 8.13. Successful candidates will be determined by accrual of the most number of votes tallied from amongst the general membership.
- 8.14. Final results of the election must be presented to the membership for ratification of the process only. The results themselves should not be brought into question; only the process through which these results were tabulated.
- 8.15. If an error in the process is found, the election should be re-held at the final General Meeting with a new election oversight committee.
- 8.16. Candidates who run for a position unopposed do not need to be voted in. Approval by the executive members is sufficient.

## 9. **Article XI: Amendments**

- 9.1. Any registered U of T students may propose and vote on amendments to this constitution. The Executive Committee will administer the process of having amendments discussed at general meetings.
- 9.2. Constitutional amendments shall require a 2/3 majority to be passed at Annual General Meetings by registered U of T members in attendance.
- 9.3. The Executive Committee shall formally adopt the new constitution and submit the revised constitution to the respective University offices (i.e. The Office of Student Life, The University of Toronto Students' Union, etc) within two (2) weeks of its approval by general members.

## 10. **Article XII: Transition**

- 10.1. 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.
- 10.2. 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.
- 10.3. 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 leads.

**11. Article XIII: Emergency Powers**

- 11.1. In the case of extenuating circumstances, the executive shall be afforded the ability to act without direction from the organization's members.
- 11.2. 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.
- 11.3. Emergency powers may only be used for such a period of time as is needed to address an extenuating circumstance.
- 11.4. General members have the ability to remove emergency powers where appropriate through submission of a signed petition from at least 10% of the entire general membership.

**12. Article XIV: Food Handling on Campus**

- 12.1. EPH - U of T 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.

**13. Article XV: Precedence of University Policies**

- 13.1. EPH - U of T will abide by all pertinent University of Toronto policies, procedures, and guidelines. Where the University's policies, procedures, and guidelines conflict with those of Music 303, the University's policies, procedures, and guidelines will take precedent.

**14. Article XVI: Legal Liability**

- 14.1. The University of Toronto Scarborough does not endorse the EPH U of T's beliefs or philosophies, nor does it assume legal liability for the group's activities on or off campus.

**15. Article XVII: Banking**

- 15.1. EPH - U of T 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.