

Constitutional Amendment

Amendment Number: 006

Date Proposed: January 27th, 2019

Put Forward By: Anthony Caliciuri

WHEREAS Directorships were implemented in a limited capacity in the 2018/19 Season to test their feasibility;

WHEREAS the Executive is in agreement that this pilot project has been a success, and that Directorships should be permanently implemented as a facet of the Organization;

WHEREAS the rules regarding Directorships, including their eligibility, recruitment & appointment process, and their authority & responsibilities must be defined;

RESOLVED AS A SPECIAL RESOLUTION:

- THAT all contents of Articles V to XI be removed and replaced with the following:

Article V: Executive

Responsible for executing the mission of the Organization, as well administering the Organization's day-to-day operations, the Executive is an elected body of five (5) Full Members, each with different portfolios and responsibilities.

5.1 Authority & Responsibilities

Members of the Executive serve their term in office from May 1st to April 30th of the following year. If a Member of the Executive is elected via a By-Election and assumes office at any point after May 1st, their term shall end on April 30th.

Meetings of the Executive are held at least once (1) per month from September 1st to April 30th, and can only take place if a quorum of at least 60% of filled positions is present, as defined in Article VI, Section 1, Subsection C.

All Members of the Executive hold equal voting power at Meetings of the Executive, and have the authority to pass Motions via a majority vote, as well as Constitutional Amendments via a unanimous vote, as defined in Article X. The roles and responsibilities assigned to each Executive position are defined in sections 2 to 6.

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5.2 President

The President shall oversee all aspects of the Organization, providing general direction to the Executive, coordinating meetings and events, and ensuring task completion. They shall act as the Chair at all General and Executive Meetings, leading discussions, recognizing speakers, and calling for votes on proposed motions. In addition, they shall act as the primary contact within the organization for *FIRST*, *FIRST* Canada, Carleton University, the Faculty of Engineering & Design, the Carleton Undergraduate Students Association (CUSA), as well as news and media outlets.

5.3 Vice President - Internal

The Vice President - Internal shall be the individual within the Organization responsible for Membership, keeping track of members and their contact information, and shall act as the primary contact within the Organization for all students enrolled at an Ottawa-area University or College. They shall be responsible for coordinating the Organization's communications, both internally via Slack, as well as externally via email, the CU FIRST Newsletter, and the Organization's various social media profiles. In addition, they shall be responsible for administration, including the organization of meetings, managing media and documentation, and shall act as the Clerk at all General and Executive Meetings.

5.4 Vice President - External

The Vice President - External shall be the primary contact within the Organization for *FIRST* Teams, Event Planning Committees, as well as other Regional/Collegiate *FIRST* organizations, and shall be responsible for coordinating our activities with these entities, determining what assistance they may require, and, when necessary, facilitating cooperation between them. They shall also be the primary contact within the Organization for businesses, third-party organizations, the Carleton Student Engineering Society (CSES), and all other registered Clubs and Societies at Carleton University. They shall have the authority to delegate the role of primary contact for any given organization or business to another member of the Executive as they see fit, and shall be responsible for keeping accurate records of these alternate communication arrangements. Additionally, they shall support the Vice President - Finance with regards to sponsorships, donations, and grants from businesses or organizations, and shall act as the secondary contact for such communications.

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5.5 Vice President - Finance

The Vice President - Finance shall be responsible for managing the Organization's finances, maintaining accurate records of expenses made and funding received. They shall be responsible for all purchasing made by or on behalf of the Organization, acting as the primary cardholder for the Organization's bank account and reimbursing authorized purchases made by Members or the Executive. They shall act the primary contact within the Organization for sponsorships, donations, or grants from businesses or organizations, as well as the primary contact within the Organization for financial institutions.

5.6 Executive-at-Large

The Executive-at-Large shall have no permanent responsibilities, however, they may be requested to complete tasks, lead projects, or organize events by the Executive, even if they fall within the purview of another Member of the Executive. In addition, responsibilities or roles normally assigned to another Member of the Executive may be delegated to the Executive-at-Large by the Executive on a temporary or as-needed basis.

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Article VI: Directorships

Directorships are volunteer positions within the Organization where individuals can assist the Executive in the planning and management of the Organization's events and projects while limiting the scope of their responsibilities and time commitment, allowing individuals with tighter schedules the opportunity to become involved. An individual can become a Director if they meet the eligibility requirements (as defined in Section 2) and are appointed to a Directorship position by the Executive (as defined in Section 3).

6.1 Creation and Dissolution of Directorships

The number, type, and scope of Directorships are at the discretion of the Executive. Directorships and their accompanying responsibilities, associated Executive portfolio (President, Internal, External, Finance), term length, and the prerequisite knowledge and/or experience required by candidates can be established via a Motion at a Meeting of the Executive.

Directorships are not permanent positions that continue to exist year-over-year. At the end of each Director's term, that Directorship position shall automatically be dissolved. It is the responsibility of the Executive re-establish old Directorships or create new Directorships within their term in office (as defined in Article V).

6.2 Eligibility

In order to be eligible to hold a Directorship position, an individual must be a Full Member or Non-Carleton Member (as defined in Article IV, Sections 1 and 2), and, depending on each position, must have the prerequisite knowledge and/or experience.

6.3 Appointment Process

The Vice President - Internal shall be the Member of the Executive responsible for overseeing all aspects of the recruitment and appointment process for Directorship positions. This responsibility may be delegated to another Member of the Executive on a case-by-case basis via a Motion at a Meeting of the Executive.

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(A) Application Phase

An opportunity to apply for open Directorship positions should be made available to all Members, and advertisements concerning the opening of the application period should be made via:

- the CU FIRST Newsletter
- CU FIRST Facebook Page
- CU FIRST Twitter Account
- the CU FIRST Website
- the CU FIRST Slack Workspace
- any other outlet or medium deemed fit by the Vice President - Internal

The application should include a thorough description of the responsibilities, associated Executive portfolio (President, Internal, External, Finance) and time commitment required of the position. The application should also include relevant questions pertaining to the eligibility, skill, experience, professionalism, and contact information of each candidate. Asking candidates questions with regards to their gender identity, sexual orientation, race, ethnicity, disability, or personal beliefs is prohibited, in accordance with the Canada Human Rights Act.

The application period for each position shall last no less than three (3) weeks. To ensure fairness, recruitment must take place during the Fall or Winter Semester at Carleton University, and thus the final day of the application period shall fall between September 1st and April 30th. Any individual which meets the eligibility requirements and successfully submits an application within this period shall become a Candidate for that position.

(B) Interview Phase

Once the application period closes, all applications received shall be reviewed by the Vice President - Internal (or their delegated proxy). After review, recommendations should be made to the full Executive within one (1) week of the closing of the application period as to which Candidates should be considered for a formal interview. Candidates can be selected for an interview via a Motion at a Meeting of the Executive. Selected Candidates should be notified promptly, and a special Meeting of the Executive shall be held to conduct the interview(s). Interview questions and format are at the discretion of the Executive.

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(C) Appointment Phase

After the selected Candidates have been interviewed, the successful Candidate shall be determined by a Motion at a Meeting of the Executive. The successful Candidate shall then assume their Directorship position on the first day of their term, as defined by the Executive.

(D) Overlapping Executive Terms

In some circumstances, the appointment process for a Directorship position may take place during the months of March or April, with that Director set to begin their term in April or May, overlapping between the outgoing Executive and the incoming Executive elected at the Spring General Meeting.

Therefore, from the date of the Spring General Meeting until April 30th of that year, the incoming Executive shall be consulted in the creation of any Directorships, they shall be included in the review of received applications, they shall be permitted to attend and ask questions at all interviews, and they shall be consulted prior to any vote on the appointment of a Director.

The outgoing Executive, however, shall retain the sole power to approve Motions which create Directorships, begin the Appointment process, select Candidates for interviews, and formally appoint successful Candidates as Directors.

6.4 Authority & Responsibilities

As Directors are appointed to their positions, and not elected, they hold no voting power at Meetings of the Executive. However, Directors are invited to attend these meetings during their term to report on their portfolio and provide their input on topics of conversation. Directors retain their Membership classification, and as Full Members or Non-Carleton Members, they have the right to vote at General Meetings.

The responsibilities delegated to Directors can vary depending on the position. In-general, they act under the supervision and direction of the Member of the Executive assigned to their portfolio, and are accountable to the full Executive. Directors cannot be delegated or assume all of the responsibilities of a Member of the Executive.

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Article VII: Meetings

7.1 Scheduled Meetings

(A) Fall General Meeting

Held each year in early-November, the Fall General Meeting allows the Executive to meet with the Membership, make announcements, discuss past and upcoming events, and hold votes on Constitutional Amendments or Motions. Notice must be given by the Executive to the Membership no later than three (3) weeks prior to the meeting date, and a quorum of at least five (5) or 5% of Full Members and Non-Carleton Members (whichever is greater) is required to hold a General Meeting. All members are welcome and encouraged to attend.

(B) Spring General Meeting

Held each year in mid-March, the Spring General Meeting allows the Executive to meet with the Membership, make announcements, discuss past & upcoming events, hold votes on Constitutional Amendments or Motions, and hold the Election for the following year's Executive. Notice must be given by the Executive to the Membership no later than three (3) weeks prior to the meeting date, and a quorum of at least five (5) or 5% of Full Members and Non-Carleton Members (whichever is greater) is required to hold a General Meeting. All members are welcome and encouraged to attend.

(C) Executive Meetings

Held at least once (1) per month between September 1st and April 30th, Meetings of the Executive allow the Executive to meet with each other to discuss past or upcoming events, discuss new or existing projects and initiatives, and hold votes on Constitutional Amendments or Motions. Meetings of the Executive can only take place if a quorum of at least 60% of filled positions is present, generally three (3) of the five (5) elected Executives. Executive Meetings are closed to the public, however, exceptions are made on a case-by-case basis to allow members make presentations to discuss specific ideas or issues.

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7.2 Unscheduled Meetings

(A) By-Elections

Used to elect a new Member of the Executive, a By-Election must be called within one (1) month of a position becoming vacant, as defined in Article VIII, Section 8. Notice must be provided by the Executive to the Membership no later than three (3) weeks prior to a By-Election. The rules governing Elections are further defined in Article VIII.

(B) Impeachment Meetings

Used to remove a Member of the Executive from their position, an Impeachment Meeting can be called via a majority vote of the Executive, or via a petition submitted by the Membership. Notice must be given by the Executive to the Membership no later than seventy two (72) hours prior to the meeting. The rules governing Impeachment are further defined in Article IX.

(C) Unscheduled General Meetings

General Meetings allow the Executive to meet with the Membership, make announcements, discuss past & upcoming events, and hold votes on Constitutional Amendments or Motions. Any unscheduled General Meeting may only be held between September 1st and April 30th (during the Fall and Winter Semesters at Carleton University), and can only be called via a majority vote of the Executive. Notice must be given by the Executive to the Membership no later than three (3) weeks prior to the meeting date, and a quorum of at least five (5) or 5% of Full Members and Non-Carleton Members (whichever is greater) is required to hold a General Meeting. All members are welcome and encouraged to attend.

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Article VIII: Elections

8.1 Chief Electoral Officer & Deputy Electoral Officer(s)

Prior to dropping the Writ of Election, the Executive shall appoint, by way of a motion at a Meeting of the Executive, a Chief Electoral Officer (CEO). The CEO shall oversee all aspects of the election, including monitoring campaign activities, enforcing election rules, running the voting process during the General Meeting, counting the votes, and certifying the results.

At any point before or during the Election period, the Chief Electoral Officer must nominate at least one (1), or as many as two (2), Deputy Electoral Officers (DEO). The DEO(s) must be confirmed in their position(s) by way of a motion at a Meeting of the Executive. The DEO(s) shall assist the CEO in all of their assigned duties overseeing the election (as previously described in Paragraph I).

In order to serve as Chief Electoral Officer or Deputy Electoral Officer, an individual must be 18 years of age or older, and agrees to forfeit their eligibility to be a Candidate for an Executive Position for that particular election. Serving as CEO or DEO for one election does not explicitly forfeit them from being a Candidate in future elections. An individual does not need to hold any level of membership in the Organization (as defined in Article IV) in order to serve as a CEO or DEO.

The CEO and DEO(s) shall have full access to all online CU FIRST assets, including Social Media accounts, for the purposes of posting announcements and notifications related to the election, in addition to monitoring for potential misuse of these assets (as further defined in Section 8.5).

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8.2 Dropping of the Writ

The Writ of Election must be dropped no later than three (3) weeks prior to the General Meeting at which the Election will occur. Advertisements concerning the Dropping of the Writ and opening of the Nomination period shall be made via:

- the CU FIRST Newsletter
- CU FIRST Facebook Page
- CU FIRST Twitter Account
- the CU FIRST Website
- the CU FIRST Slack Workspace
- any other outlet or media deemed fit by the CEO

The CEO (or a DEO if delegated to do so), is responsible for posting these advertisements.

8.3 Eligibility for Candidacy

Only Full Members (as defined in Article IV) are eligible to hold an Executive Position and can become a Candidate if:

- They are Nominated by themselves, another Full Member, or a current Member of the Executive
- The individual accepts the Nomination (If they were Nominated by someone else)

If an individual meets the eligibility requirements for candidacy, they can be Nominated by sending an email to the Chief Electoral Officer, including the name of the Candidate and the position they wish to run for, at: elections@cufirst.ca

8.4 Nomination and Campaign Periods

Both the Nomination and Campaign periods shall be open from the day the Writ of Election is dropped until the voting process begins at the General Meeting. A final opportunity for Nominations shall be allowed at the General Meeting prior to the voting process. Candidates will be allowed to campaign from the time of accepting their Nomination until the beginning of the General Meeting.

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An announcement shall be made at least once per week from the Dropping of the Writ until the General Meeting by the Chief Electoral Officer outlining the full list of Candidates and the position(s) for which they are running.

Candidates will be invited to deliver a campaign speech lasting no longer than five (5) minutes at the General Meeting.

8.5 Campaign Rules

Candidates shall not use assets belonging to the Organization, including Social Media accounts, for the purposes of campaigning.

Candidates will follow the Code of Conduct as outlined in Article IV during the Campaign period. Should the Chief Electoral Officer determine that a Candidate has committed misconduct, the case shall be forwarded to the Executive for final judgement.

If the Executive determines, by way of a Unanimous Vote, that misconduct has taken place, the Candidate will be disqualified from the election and will become ineligible to hold an Executive Position for a period of eleven (11) months. Members of the Executive must declare a Conflict of Interest and abstain from any votes concerning the disqualification of a Candidate if they are the Candidate in question, or if they are Nominated for the same position as the Candidate in question.

8.6 Voting Process

Should exactly 2 Candidates be nominated for an Executive Position, that vote shall be conducted using First-Past-the-Post (FPTP) rules, where the Candidate who receives the highest percentage of votes from eligible voters wins.

Should 3 or more Candidates be nominated for an Executive Position, that vote shall be conducted using Single Transferable Vote (STV) rules. Eligible voters rank Candidates on their ballot, with “1” being that voters first choice, “2” being that voters second choice and so on. First Choices are tallied first, and if any Candidate receives more than 50% of the votes, that Candidate wins. If no Candidate receives more than 50% of the votes, the Candidate who received the lowest percentage of First Choice votes is eliminated. First Choice votes for the eliminated Candidate are then distributed to the other Candidates based on the Second Choice indicated on the ballot. This process of tallying, eliminating candidates, and redistributing to the next choice listed on the ballot continues until a Candidate receives more than 50% of the votes.

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8.7 Appeals

Should any Full Member(s), Non-Carleton Member(s), or Candidate(s) wish to appeal an electoral decision or result, they may do so by submitting it in writing to the current Executive via the Vice President - Internal. The Executive shall be the final authority within the Organization to accept or reject an appeal, accomplished through a motion at a Meeting of the Executive. Should an appeal be accepted, it is within the power of the Executive to nullify the election results and schedule a by-election for that position.

If an appeal is rejected or a cross-appeal is filed, third party arbitration of the dispute may be requested via Carleton University Ombuds Services. If such action is taken, all parties, including the Executive, shall agree that the decision of the arbitrator is final and legally binding.

8.8 Uncontested Elections

Should only one Candidate be nominated for an Executive Position, that Candidate shall be acclaimed and assume the position without the need for a vote.

8.9 Vacancy

Should an Executive Position become Vacant, either via Voluntary Resignation or Impeachment, a by-election shall be called to fill the vacancy within one (1) month of the seat becoming vacant.

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Article IX: Impeachment

Impeachment of a Member of the Executive can occur if they:

- Use hateful (sexist, racist, homophobic etc.) or derogatory language while exercising their official duties
- Perform any actions (sexual, physical, verbal) deemed inappropriate while exercising their official duties
- Use any funds belonging to the Organization for their own personal gain and/or benefit
- Use the resources of the Organization (physical, digital or otherwise) for purposes deemed inappropriate
- Are found to have violated Carleton University's Academic Integrity Policy
- Are Convicted of a Criminal Offence as outlined in the Criminal Code of Canada
- Fail to attend three (3) or more Meetings of the Executive in a row
- Are no longer a Full Member of the Organization, as Described in Article IV

An impeachment vote can also be called if a Member submits a petition which includes the signatures of at least five (5) Members calling for the Impeachment of a Member of the Executive. Petitions must include reasoning as to why the Executive should be impeached.

Either a Two-Thirds (2/3) Majority Vote of Full Members and Non-Carleton Members at a General Meeting or a Unanimous Vote of all Executives not being considered for Impeachment at a Meeting of the Executive is required to Impeach.

Article X: Amendments

Amendments to this Constitution can only be made via a Unanimously approved Motion at a Meeting of the Executive or via a Majority Vote at an Annual General Meeting.

Article XI: Dissolution of the Organization

Upon dissolution of the Organization, all assets of the organization acquired through CUSA shall be returned to CUSA and all other assets shall be given to *FIRST* Robotics Canada, a registered charity, to further their mission.

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We, the undersigned, hereby certify that this amendment was duly adopted by the affirmative vote of 4 Executives and opposed by 0 Executives on January 27th, 2019 and will come into force immediately.

Anthony Caliciuri, President

Sai Vikranth Desu, Vice President - Finance

Alex Churcher, Vice President - External

Mackenzie Willis, Executive-at-Large

Bradley Reid, Vice President - Internal