

THE CONSTITUTION AND BY-LAWS OF MEDIUM II PUBLICATIONS

Be it enacted as the Constitution and By-Laws of *The Medium* as follows:

1. INTERPRETATION

Definitions:

- a) "The Medium" shall mean the official students' newspaper at the University of Toronto at Mississauga which is published by Medium II Publications.
- b) "Constitution" shall mean the rules and regulations governing the staff of *The Medium*.
- c) "Board" shall mean the Board of Directors of Medium II Publications.
- d) "Editorial Board" shall mean the Editorial Board of *The Medium*.
- e) "Editor" shall mean the Editor-in-Chief of *The Medium*.
- f) "Members of the Corporation" shall mean those who have met the requirements of Section 4 of this constitution.
- g) "Voting Staff" and "Staff" shall be interchangeable and shall constitute any member of the General Staff who are members of the corporation and have special voting rights.
- h) "Publishing Week" shall mean the period from Monday to Sunday each week that the paper is published.
- i) "By-Laws" shall mean by-laws governing this corporation.
- j) "Policy" shall mean those rules and regulations stipulated both herein and those agreed to by majority vote of the Board of Directors, as recorded in the minutes.

2. CODE OF ETHICS

All articles published in *The Medium* shall be judged against the following Code of Ethics as standing on May 1st, 1983:

That all student journalists should strive continually to be fair and accurate in their reports and should strive to equip themselves with facts to support published statements. They should realize fully their personal responsibility for everything submitted for publication. They should not falsify information or documents, nor distort

misrepresent the facts.

Student journalists should respect all confidences regarding sources of information and private documents unless this interferes with the freedom of the press or the need to inform the public on vital matters.

Student journalists should be familiar with the laws of libel and contempt of court which exist in this country and should observe the international copyright agreement, unless this interferes with the freedom of the press or the need to inform the public on vital matters.

The Editor should rectify, in print, at the first available opportunity, all culpable mistakes. The

Editor should fully realize his or her personal responsibility for everything published.

Racial, sexual orientation, religious or gender bias or prejudice against humanity shall have no place in the editorial policy of the newspaper.

3. OBJECTIVES

These are the objectives of *The Medium*:

- i) To provide the students of the University of Toronto with the most fair and accurate coverage of the events that affect their lives, especially, but not limited to, events at the University of Toronto Mississauga;
- ii) To provide a permanent structure for facilitating communication among various interest groups at the University of Toronto, particularly the Mississauga campus, and the students without endangering the principle of freedom of press;
- iii) To provide the students of the University of Toronto Mississauga with that information and analysis which is essential to their understanding of and interaction within the University community and the larger society of which they are a part;
- iv) To provide the students of the University of Toronto with a forum for a pluralistic and educational exchange of ideas and critical commentary of the day;
- v) To maintain the independence and editorial integrity of *The Medium* from the Administration, student societies, national student organizations, advertising interests and other external bodies;
- vi) To provide any interested student with the opportunity to learn journalistic, photographic, business, administrative, and graphic skills in the environment of a student newspaper and to continually strive for the highest standards of excellence in all aspects of the production and

management of *The Medium*.

4. MEMBERSHIP

All full- and part-time students at the University of Toronto at Mississauga who have paid the current incidental fees are considered a member in good standing of the Corporation.

The Board shall determine whereby if they wish to propose a referenda question to increase the membership fee. A referendum must be held either during the fall or spring term and must be followed by University of Toronto Referenda guidelines.

The interest of a member of the Corporation is not transferable and lapses and ceases to exist upon his or her death or when she or he ceases to be a member of the Corporation. A member ceases to be a member of the Corporation upon withdrawal, suspension, or expulsion from the University, or upon failure to pay the annual membership fee.

Membership in *The Medium* and to any of its elected positions is open to all persons without regard to sex, race, culture, religious or political affiliation or sexual orientation.

- a) So as to facilitate the autonomy of *The Medium*, no one can be eligible to become a member of the Editorial Board at the same time that he or she holds any of the following positions:
 - i) A director of the University of Toronto at Mississauga Students' Union,
 - ii) A member of the University of Toronto at Mississauga Athletics Council,
 - iii) A director of the University of Toronto Students' Union,
 - iv) An elected or appointed member of the Board of Directors of any other student society,
 - v) An elected or appointed member or staff of The Canadian Federation of Students,
 - vi) One of the five elected students on the Board of Directors of *The Medium*.
- b) Members of Medium II Publications who have participated in the production of at least half the number of issues published to date in either the fall term or the spring term shall be deemed Voting Staff.
- c) Elected members of the Editorial Board and the Copy Editor, hired at the discretion of the Editor, shall be deemed to be Voting Staff.

5. MEETING OF MEMBERS

A. Annual Meeting

The annual meeting of members shall be held on such a day in each year at such time and such place or in the vicinity of the Campus as the board may from time to time determine, for the purposes of receiving the financial statements and the auditor's report thereon, appointing auditors for the ensuing year and authorizing the Board to fix the remuneration of the auditors.

At least fourteen days before the annual meeting, the Corporation shall cause a copy of the balance sheet and statement of income and expenses and the auditor's notes thereon to be available for view in *The Medium's* office. Copies of the complete financial statements shall be made available for inspection by members of the Corporation at the Corporation's offices during regular business hours.

At every annual meeting of the Corporation, quorum shall be forty members present in person.

B. General Meeting

The Board shall have the power at any time to call a general meeting of the members of the corporation to be held on such a date at such a time and at such a place on or in the College Campus as may be determined by the Board.

Not less than three hundred fifty members of the Corporation may requisition the directors to hold a general meeting of members for the purposes stated in the requisition. The requisition may consist of several documents of like form each signed by the requisitionists, shall state the purpose for the meeting and shall be deposited at the head office of the Corporation. Upon deposit of the requisition, the Board shall forthwith call a special meeting of the membership for the purpose stated in the requisition. If the Board does not within thirty days after the deposit of the requisition call a meeting, any of the requisitions may call the meeting. A meeting called pursuant to this section shall be held as nearly as possible in the same manner held under this By-Law.

Quorum for the transaction of business at any general meeting of members of the Corporation shall be three hundred fifty members who shall be present in person. Summer meetings notwithstanding the foregoing provisions, no meeting of members shall be held during the period of April 15th to September 15th. The newly elected Editorial Board may meet to plan for the upcoming year.

At each meeting of members, each member of the Corporation shall be entitled to one vote. The status of a person as a member shall be established by presentation of a valid student identity card or by other such means as determined by the Board.

C. Meeting Procedure

Subject to the letters patent, the By-Laws and the Act, the procedure at a meeting of members shall be governed by Robert's Rules of Order, Newly Revised.

The Chairperson of the Corporation and the Secretary shall be the chairperson and the secretary respectively at the meetings of the members.

At each meeting of the members, one or more scrutineers who need not be members of the Corporation may be appointed by a resolution of the meeting or by the Chairperson to serve at the meeting.

Unless otherwise required by the letters patent of the By-Laws of the Corporation or by law, all questions proposed for the consideration of the members at a meeting of members shall be determined by a majority of votes cast. Show of hands subject to the provisions of the Act, any question at a meeting of members shall be decided by a show of hands unless a poll thereon is required or demanded as hereinafter provided. Upon a show of hands, every person who is present and entitled to vote shall have one vote. Whenever a vote by show of hands shall have been taken upon a question, unless a poll thereon is required or demanded, a declaration by the Chairperson of the meeting that the vote upon the question has been carried or carried by a particular majority or not carried and an entry to that effect in the minutes of the meeting shall be prima facie evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against any resolution or other proceeding in respect of the said question and the result of the vote so taken shall be the decision of the members upon said question.

The Chairperson presiding at a meeting of members may, with the consent of the meeting and subject to such conditions as the meeting may decide, adjourn the meeting from time to time and from place to place.

The head office of the Corporation shall be located in the City of Mississauga, in the Region of Peel, in the Province of Ontario at the University of Toronto Mississauga, Student Centre Room 200.

The seal of the Corporation shall be in such form as the Board may from time to time determine by resolution and the name of the Corporation shall be endorsed thereon.

6. BOARD OF DIRECTORS

The activities of the Chairperson shall be under the direction and control of a Board of Directors who may exercise all such powers and do all such acts and things that may be excised or done by the Corporation.

The Board shall consist of:

- i)* The current Editor-in-Chief of *The Medium*,

- ii) Five members of the Corporation who have paid their incidental fees,
- iii) One delegate of the University of Toronto administration appointed by the Editor-In-Chief,
- iv) One non-voting member appointed by the Editor-In-Chief

Directors shall be elected during the spring, with the exception of the appointed member of the University of Toronto administration, one non-voting member appointed by the Editor-in-Chief, and the Editor-in-Chief.

A director shall not during his or her term of office act as a director or employee of UTMSU or UTSU or the editorial board of *The Medium*.

Quorum for the board of directors shall be four voting members of the board.

RESPONSIBILITIES OF THE BOARD

Notwithstanding the generality of the foregoing, the Board's duties and powers shall include the following:

- I. To manage the Corporation's financial and legal affairs;
- II. To be the body that, by a two-thirds vote of the directors present and voting, determines what other publications or responsibilities shall be established by the Corporation as provided for in the letters patent of the Corporation;
- III. To be able to require the editor of any publication of the Corporation to publish a retraction or apology with respect to any matter;
- IV. To approve all of the Corporation's job descriptions for employees or staff on wage or salary, and to approve jointly the staff masthead positions;
- V. To offer remuneration to Staff as the Board deems necessary;
- VI. To receive, during each meeting of the board, a report in a form generally acceptable to the Board on the Corporation's financial position;
- VII. To receive, during each meeting of the Board, from the Chairperson, Editor-in-Chief, and the Managing Editor, reports in a form generally acceptable to the Board on matters under respective administration;
- VIII. To fix the remuneration of the auditors of the Corporation;
- IX. To define and fix by standing resolution the criteria for determining whether a person has contributed to the production of a publication of the Corporation and to resolve any disputes as to the status of a person as a staff member;

Each director shall hold office for a term of one year commencing on the first day of April. The Editor shall hold office for the publishing year.

Any elected member of the Board may be removed from office by a resolution passed by a two-thirds majority vote of those present at a general meeting of the Corporation.

OFFICERS

The officers of the Corporation shall consist of a Chairperson, the Editor, and a Secretary and such other officers as the Board may from time to time determine.

The Chairperson and Secretary shall be appointed in the following manner:

- a) *Chairperson*: The Board shall appoint among them, at their first meeting following the Board taking office, a Chairperson who shall be one of the directors appointed to hold office during the term of office of the Board.
- b) *Secretary*: The Board shall appoint, at the first meeting of the Board, a Secretary of the Corporation who may or may not be a member of the Board, to hold office during the term of the office of the Board.

The corporation shall also have closed committees of the Board, as the Board may from time to time establish.

RESPONSIBILITIES OF THE OFFICERS

A. CHAIRPERSON

The Board of Directors is generally responsible for the integrity of the Corporation's By-Laws and maintains requirements of the University of Toronto for student societies.

Specifically, but not necessarily exclusively, the Chairperson will be responsible for:

- i)* In conjunction with the Editor-in-Chief, signing contracts, documents, or any instruments in writing requiring the signature of the Corporation, aside from cheques;
- ii)* Preparing the meeting schedule of the Board
- iii)* Acting as Chairperson of the meetings of the Board using Roberts Rules of Order, Newly Revised Reporting to the Board, in a form generally acceptable to the Board, at each meeting of the Board, on matters under his or her administration.

B. EDITOR-IN-CHIEF

The Editor is responsible for the integrity of the editorial operations of the Corporation and as leader of *The Medium's* staff, is generally responsible for promoting effective and efficient communication between the Staff and the Board, individually and as a whole.

Specifically, but not exhaustively, the Editor is responsible for:

- i. Signing, in conjunction with the Chairperson, or in his or her absence, the Managing Editor, all contracts, documents, or any instruments in writing requiring execution by the Corporation;
- ii. In conjunction with the Managing Editor, signing cheques for payroll, amounts owed to other institutions, and office expenses;
- iii. The posting of a current list of members of *The Medium's* staff to be maintained in the editorial offices of the Corporation; employee management, including monitoring the fulfillment of job descriptions, drafting and maintaining contracts, and the hiring and/or firing of staff and when necessary, withholding remuneration; in conjunction with the Managing Editor, upholding the maintenance of business office procedures and policies;
- iv. Reporting to the Board, in a form generally acceptable to the Board, at each meeting of the Board, on the execution of his or her duties.

C. SECRETARY

The Secretary of the Corporation is responsible for the integrity of corporate records, including minutes and appendices to the minutes of meetings of the Board.

Specifically, but not exclusively, the Secretary shall be responsible for:

- i)* Attending meetings of the Board and taking minutes of these meeting
- ii)* Preparing these minutes in a suitable manner, no later than one week following the meeting

7. EDITORIAL BOARD

The Editorial Board shall consist of the following members of the Staff who are elected to any of the following positions in the annual elections or any by-elections:

- Editor-In-Chief
- News Editor
- Arts and Entertainment Editor
- Features Editor

- Sports Editor
- Photo Editor

The Editorial Board shall also include the following hired positions:

- Design Editor (Voting)
- Managing Editor (Voting)
- Advertising Coordinator (non-voting)
- Copy Editor (Non-Voting)
- Webmaster (Non-Voting)

These positions shall be hired by the Editor and shall hold their positions and perform their duties in accordance with their individual contracts.

The Editor-in-Chief and Managing Editor shall be considered employees who are accountable to the Board of Directors. The other members of the Editorial Board shall be accountable solely to the Editor-in-Chief.

RESPONSIBILITIES OF THE EDITORIAL BOARD

The members of the Editorial Board shall be responsible for:

- a) The daily management of their sections;
- b) Establishing and maintaining procedures for the production of *The Medium*;
- c) Receiving complaints concerning the editorial practices and policies of *The Medium* and determining what action is necessary;
- d) Establishing and maintaining the layout, format, and standards of quality;
- e) Establishing new forms of production such as *The Medium Magazine*;
- f) Ensuring that *The Medium* is managed in accordance with this Constitution and the By-Laws;
- g) Performing their jobs in accordance with their official job descriptions as set out by the Editorial Board and the Board of Directors;
- h) Meetings of the Editorial Board, to be held at the discretion of the Editor or on the request, in writing, of three members of the Editorial Board;
- i) Editorial Board meetings shall be held weekly, with the exception of breaks in the publishing schedule, and at the Editor-in-Chief's discretion;
- j) Members of the Editorial Board are required to attend all Editorial Board meetings and to give the Editor notice twenty-four hours before any meeting if they are unable to attend;

- k) Notice of Editorial Board meetings shall be given one week prior to any meeting.

The Editor shall perform the duties, or shall appoint someone to perform the duties, of any Editorial Board member who cannot fulfill his or her duties due to illness, death in the family, or an absence, approved by the Editorial Board. The person performing said duties shall be paid the salary of said member, in addition to any other salaries, honoraria, or monies he or she normally receives for his or her work on *The Medium*.

8. ELECTIONS

Elections shall take place during the last month of the second term for all elected Editorial Board positions each publishing year, under the following conditions:

- i) The current Editorial Board shall select a time and date on which the elections shall be conducted;
- ii) All candidates for the positions of the Editorial Board shall submit a resume and completed election package to the Editor by the closing date for applications. The list of candidates will be posted in the office;
- iii) All candidates for Editor-in-Chief are recommended to have had past experience at *The Medium*;
- iv) In case there is no suitable candidate for Editor-in-Chief, the previous Editor may remain in position until a suitable candidate is found by the Editorial Board;
- v) All candidates must be Members of the Corporation;
- vi) All candidates for section editors must have done significant work in the section for which they apply in at least 5 issues of *The Medium* or provide equivalent evidence of their ability and qualifications to fulfill the requirements of the position;
- vii) No person may be elected to, or run for, more than one position on the Editorial Board;
- viii) The nomination period shall begin three weeks prior to the election and shall close three days prior to the election;
- ix) The Editorial Board reserves the right to deem any candidate ineligible if these requirements are not met;
- x) Notice of the opening of nominations of the Editorial Board, the time and date of the elections, the closing date for applications and the times and places of any candidates' forums shall be placed in *The Medium* at least two weeks

prior to the opening of nominations;

- xi) If any candidate objects to the election procedure, an election committee shall be struck, based on the Editor's discretion. Candidates must provide a written statement outlining their dispute before any action is to be taken;
- xii) The candidates for all editorial positions shall be allotted a ten-minute speech before the electorate in an open forum and shall answer questions from the floor for a maximum of fifteen minutes;
- xii) Only Voting Staff can take part in the voting procedure.

The polling booth shall be open from 10 a.m. to 6 p.m. on the day of any election. At the close of the polls, the Chief Returning Officer, one impartial scrutineer, and the Editor shall determine the vote count. The results shall be made public after the Chief Returning Officer has determined the vote count. The results of the election shall be published in the next issue of *The Medium*.

- a) If the Editor is not seeking re-election, that person shall act as Chief Returning Officer and shall be responsible for the preparation of the ballots and the counting of votes. If the Editor is a candidate for any position, the Editorial Board shall appoint the Chairperson of the Board to act as Chief Returning Officer;
- b) No elected member of the Editorial Board may hold the same position for more than two consecutive publishing years, unless no suitable candidate is found, in which case the outgoing editor will be required to remain in office until a suitable replacement is found. No person shall remain on *The Medium's* Editorial Board for more than five years in total;
- c) Should no more than one candidate apply for a position, the nomination period shall be extended up to twenty-four hours;
- d) Should only one candidate still exist, that candidate shall be subject to an in favour/against vote.
- e) All members of the Editorial Board shall hold office for one full year, beginning on May 15th, with the exception of the Editor-in-Chief who will remain ex-officio until June 15th in order to ensure that the new Board makes a smooth transition;
- f) If any Editorial Board position remains vacant after May 15th, a member of the Corporation may be hired by the Editor;
- g) In the event of the resignation, impeachment, or death of an Editorial Board member, the remaining members of the Editorial Board may hire a new editor.

Elections shall take place during the last month of the second academic term for all elected Board positions each publishing year, under the following conditions:

- i)* The current Board shall select a time and date on which the elections shall be conducted;
- ii)* All candidates for the positions of the Board shall submit a résumé and completed election package to the Editor by the closing date for applications. The list of candidates will be posted in the office;
- iii)* Notice of the date of the election and nomination period shall be given at least three weeks preceding the election and shall include information regarding the nomination procedure;
- iv)* The election shall be conducted by a Chief Returning Officer appointed by and responsible to the Board. The Chief Returning Officer, with the approval of the Board, shall make all preparations for the elections and shall, subject to the approval of the Board, establish and publish rules relating to the conduct of elections including nominations, campaigns, polling stations and other matters deemed relevant subject to the letters patent and By-Laws of the Corporation;
- v)* All candidates must submit a nomination form that is signed by at least 20 members of the Corporation, at least one week in advance of the election;
- vi)* In the event that a position on the Board remains open after the election period, by-elections shall be held in September to fill the vacancy. Three weeks notice shall be given in accordance with *iii*;
- xii)* All members of the Corporation can take part in the voting procedure.

9. REMOVAL OF VOTING RIGHTS / IMPEACHMENT PROCESS

Any member of the Staff may have their right to vote suspended for the remainder of the publishing year by other members of the Staff for the following reasons:

- i)* Willfully removing property of *The Medium* for personal financial gain;
- ii)* Willfully damaging or stealing property of *The Medium*;
- iii)* Acting contrary to this document or to a known decision by the Editor on any matter.

Any member of the Editorial Board including hired members may be subject to an impeachment or job loss for the following:

- i) Failing to perform their duties as outlined in the official policy manual without giving good cause for such failure;
- ii) Failing to attend three consecutive meetings of the Editorial Board without giving prior notice to the Editor;
- iii) Acting contrary to this Constitution, the By-Laws, or a known decision by the Staff on any matter;
- iv) Any form of negligence, unsatisfactory work performance, or other reason, as cited by the Editor.

Removal from the Editorial Board also constitutes removal as a staff member.

IMPEACHMENT PROCESS

Any member of the Editorial Board may be impeached under the following conditions:

- i) A minimum of one member of the Editorial Board shall submit a written motion to suspend staff member status or impeach a member of the Editorial Board. This motion shall include the reason for said motion and shall be presented to the Staff, including the Section Editor or Editor-in-Chief in question;
- ii) A forum must be held in which both sides may present their case. The vote shall be held the day of the forum. Information regarding the impeachment may be published at the discretion of the Editorial Board;
- iii) A vote to suspend staff member status or to impeach a member of the Editorial Board requires a two-thirds affirmative vote of the Editorial Board to pass. The decision will take effect immediately;
- iv) The vote shall be conducted by secret ballot. The Editor reserves the right to hold the office key of said member or suspend access to *The Medium's* office and equipment if he or she is a threat to the security of *The Medium* or the editors.

10. TERMS OF PAYMENT

The Editorial Board shall be paid every two issues/weeks, according to each member's specified rate.

The salary of all other hired employees of *The Medium* shall be set by the Board of Directors.

The Editorial Board and the Board of Directors shall work in conjunction to review and amend the pay scale every five years. A two-thirds affirmative vote of both boards is

required to pass any amendments to the pay scale.

11. RECORDS OF THE CORPORATION

The records, minutes, and the seal of the Corporation shall be in the custody of the Editor-in-Chief, who shall keep a copy of all minutes in the office of the Corporation. The records and accounts of the Corporation may be inspected by any of its members upon reasonable notice to the Editor-in-Chief or Chairperson of the Board, provided that a written request is submitted and further provided that:

- (a) personnel and other confidential records or records prohibited by law, and
- (b) records the dissemination of which would, in the opinion of the Chairperson, be detrimental to the Corporation's finances or market position, shall not be available for inspection.

12. AMENDMENT OF THE CONSTITUTION

Requests for amendment may be made by any member in good standing of the corporation. Requests must be made in writing to the Board of Directors from the period of October 1st to March 1st of the publishing year.

The Medium II Publications' Constitution can be amended only if all of the following requirements are met:

- (a) The amendments are approved by a two-thirds majority of the Board of Directors,
- (b) The amendments are approved by a two-thirds majority of the Editorial Board,
- (c) The amendments are approved by a majority vote of the ballots cast by the membership at the Annual General Meeting