



Desna Ukrainian Dance

Constitution

Active Constitution as of September 1st 2021

Charitable Number: 11922 9755 RR001

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1.0 Name

1.1 - The name of this non-profit organization is and shall continue to be "Desna Ukrainian Dance Company of Toronto" hereafter referred to as "Desna".

2.0 Affiliation

2.1 - Desna is a charitable non-profit organization with no formal affiliation.

2.2 - Desna shall be carried on without purpose of gain for its members and any profit or other accretions to the organization shall be used in promoting its objects.

3.0 Aims & Objectives

3.1 - To advance the public's knowledge of Ukrainian music and dance through the medium of artistic, theatrical and like performances.

3.2 - To provide an opportunity for young people to meet and to broaden their knowledge of music and dance, especially Ukrainian, in a cordial manner.

4.0 Membership

Active member (AM)

Any Desna dancer who has met the requirements of section 4.1 or is a student enrolled in the Desna Ukrainian Dance School.

Voting member (VM)

Any active member who: has completed one year from the date of becoming an active member and is a minimum of 16 years of age; or appointed at the discretion of the Executive Committee.

Executive Committee member (Exec)

A person of age of majority who has been elected by the voting members to a position on the Exec.

Board of Directors member (BOD)

A person of age of majority who has been elected by the voting members or appointed by the Exec to a position on the Board of Directors.

Probationary member (PM)

A member of the performing ensemble within their first year of membership. Probationary members may be terminated at the end of their first year of membership as stated in 4.1.1. Upon graduation, probationary members transition to performing ensemble members.

Performing ensemble member (PEM)

An active member of Desna that has graduated from probation and fulfills the conditions of 4.1 and 4.1.1.

Age of majority

18 years of age.

16 years of age

Refers to any student that, during the Desna fiscal year, will experience their 16th birthday. Does not refer to the exact 16th birthday.

4.1 - A person seeking membership with the performing ensemble must:

- Be within the ages of 16-45,
- Pass an audition given by the Artistic/Production Director,
- Attend a minimum of three consecutive rehearsals and then be recommended by the Artistic Director to the Exec for probationary membership as dictated by 4.1.1. Once the dancer has been enrolled in the probationary membership, no refund will be given and the full membership fee will become due unless the refund is approved by the Exec.

4.1.1 - Probationary Members: Following initial acceptance into Desna, a probationary member shall be subject to an interim observatory and development period, the duration of which shall be one year, which can be extended at the discretion of the Artistic Director. Termination or graduation shall be recommended by the Artistic Director in collaboration with the Exec.

4.1.2 - Only the Artistic Director can identify students in School who have the potential to benefit from moving to Company before 16 years of age, and should bring them forth to EXEC/BOD for consideration. After identification by the Artistic Director, the following members of EXEC/BOD will be required to vote and have decision making authority for School members to transition to Company on a case-by-case basis: President, Vice President, Treasurer, Secretary, Artistic Director, School Administrators, and Membership

4.2 - In the event that the dancer becomes unable to continue with the course of instruction because of injury or prolonged illness, Desna in its sole discretion may consider a cancellation of the membership and may refund a portion of the fees.

4.3 - All dancers are required to attend classes in proper "dress code" as directed by the Artistic Director. All dancers will be advised of the dress code prior to commencement of classes.

4.4 - If a dancer, for whatever reason, is not fully active, he/she may be called upon by the Exec to participate in a certain capacity if he/she is willing.

4.5 - Desna shall not be held responsible for personal sickness, injury, accident, theft, death or personal habits of any member at any time.

5.0 Obligations & Rights of Members

5.1 - Active, Exec and BOD members are obligated to sign an agreement by which they consent to honor the Constitution of Desna and the Code of Conduct. Active members are to pay a non-refundable annual membership fee. Members under 16 years of age must have written consent of their parent or guardian.

5.2 - Exec and BOD members must be the age of majority.

5.3 - In the event that a dancer will be absent from class, notice should be given as soon as possible. Giving no notice is considered an unexcused absence. When a dancer accumulates three unexcused absences, the Artistic Director reserves the right to disallow the dancer to perform in any concerts and reserves the right to remove the dancer from the choreography. If any classes are missed within three weeks of a performance, be it an excused or unexcused absence, the Artistic Director reserves the right to disallow the dancer to perform.

5.4 - Each voting member is entitled to one vote at the Annual Meeting.

5.5 - All dancers will be required to provide costume components (such as an embroidered shirt, red boots, etc.) as directed by the Artistic Director and as described in Desna's Costume Etiquette. A dancer has the right to be fitted for a costume, where applicable, and to wear the costume at Desna performances. During active membership at Desna, each member is responsible for the care and maintenance of the costume and for replacement of damaged components of said costume. If the member is not active for 30 days, the costume must be returned, cleaned and undamaged. A damage deposit will be taken from each performing member of Desna to secure the integrity of the costume. This money will be used for repairs of the particular member's costume, should it be needed. If the member leaves the performing group and the costume is returned undamaged, the damage deposit will be refunded.

5.6 - Any active member, who through his/her actions, proves to be a detriment to Desna, may have his/her membership revoked by the Exec. Revocation is without consideration of the refund. The member is entitled to an appeal of the revocation.

5.7 - Each dancer that is in good standing as of January 1st, who has attended at least 50% of the practices in the current year shall, unless they opt not to, be entitled to perform in a dance at the Spring Showcase.

6.0 Annual Meeting

6.1 - An annual meeting shall be called by the Exec within 30 days following the fiscal year which shall commence on the first of September and end on the 31st day of August of the following year.

6.2 - Notification of the Annual Meeting must be given at least 2 weeks prior to the date of the Annual Meeting.

6.3 - A quorum of 50% of the voting members as well as 50% of the Exec is required for the Annual Meeting. If, at the time appointed for the Annual Meeting, a quorum is not present, the meeting shall automatically stand adjourned for one half hour and those entitled to vote then present, shall be deemed a quorum.

6.4 - The Annual Meeting shall:

- Hear reports from the Exec.
- Elect members to the Exec and the Board of Directors (Exec and BOD Members must be age of majority)
- Consider amendments to the Constitution of Desna.
- Elect 2 auditors.
- Present an annual membership and costume deposit.

6.5 - All nominations must be sent to contact@desna.ca at least 7 days prior to the Annual Meeting. An individual with any criminal past record shall be approved by the Exec and BOD. The nominated individuals must accept the nomination. If a position on the Exec or BOD remains vacant, nominations will be accepted at the Annual Meeting. Proxy votes will be accepted up to 48 hours before the Annual Meeting, unless one cannot send the votes due to unseen circumstances.

7.0 Executive Committee (Exec) & Duties

7.1 -The Exec has the power to appoint people to form special or standing committees for the purpose of assisting the Exec in its administrative functions.

7.2 - The Exec shall meet at least once a month and communicate all major decisions and developments made regarding Desna to the general membership at the subsequent rehearsals.

7.3 - The Exec shall consist of the following:

President

The President is and shall be the chief executive officer of Desna. He/she shall be charged with the general supervision of the business and affairs of Desna and will preside at all meetings of the Exec. The President has authority to co-sign any cheques being disbursed.

Vice President

The Vice President shall attend all meetings of the Exec and shall be the secondary executive officer of Desna. He/she shall assist the President in his/her duties and be charged with the general supervision of the business affairs of Desna in case the President is unable to preside. The Vice President has the authority to co-sign any cheques being disbursed.

Treasurer

The Treasurer shall attend all meetings of the Exec and shall keep proper accounting records and shall deposit all money received by Desna in a bank account created for that purpose and under the direction and supervision of the Exec, but not otherwise disburse funds. Likewise, major expenditures of financial decisions shall not be made by any other Exec or Desna members without the involvement of the Treasurer. Whenever he/she is requested to do so, the Treasurer shall render to the Exec Committee an account of all his/her transactions as Treasurer and of the financial position of Desna and he/she shall perform such other duties as may from time to time be prescribed by the Exec Committee. The Treasurer must file a "Registered Charity Info Return" to Revenue Canada within six months of the end of the fiscal year. The Treasurer must co-sign all cheques being disbursed.

- Maintains an up-to-date record of all revenue and expense transactions on the BOD Google Drive (Treasurer folder)
- Maintains accurate cheque-stub paper records
- Completes a monthly bank reconciliation
- Meets with audit committee in advance of AGM in order to have all records tested
- Auditor positions "have to nominate 2" If 2 aren't nominated these positions default to President and Vice President"
- Provides detailed notes why the balance per the bank statement does not meet increase in the bank account over the course of the fiscal year (if necessary)

Secretary

The Secretary shall attend all Exec, shall enter minutes of all proceedings at such meetings and shall give, when instructed, notices required to be given to members, members of the Exec and members of special or standing committees and shall carry out all correspondence on behalf of Desna.

8.0 Board of Directors (BOD) & Duties

8.1 - The BOD shall consist of the members of the Exec and the following members who shall be accountable to the Exec for all their activities:

Artistic Director

Shall attend all meetings of the Board of Directors and shall be responsible for organizing weekly technical rehearsal. He/she shall coordinate Desna's artistic program such as dances, music, props and costumes required.

Promotions Director

Shall attend all meetings of the Board of Directors and shall be responsible for the promotional activities of Desna. This shall include creating a performance portfolio, videos, pictures, written materials; monitoring the unauthorized use of pictures, videos and editorials or any materials used in promoting Desna; and establishing and maintaining an online presence of Desna.

Costume Director

Shall attend all meetings of the Board of Directors and shall be responsible for maintaining the inventory of costumes and props of the company and the school.

Fundraising Director

Shall attend all meetings of the Board of Directors and shall be responsible for coordinating all fundraising activities.

School Administrator

Shall be invited by the Exec to attend meetings of the Board of Directors in which school-related material will be discussed. The School Administrator shall be the head of the Parents Committee of the Desna Ukrainian Dance School

School Production Director

Shall attend all meetings of the Board of Directors and shall be responsible for organizing the weekly technical rehearsals. He/she shall coordinate Desna Ukrainian Dance Schools artistic program such as dances, music, props and costumes required.

Membership Director

Shall attend all meetings of the Board of Directors and shall be responsible for greeting and tracking guests at rehearsals, distributing membership kits to and collecting registration forms and codes of conduct from all members; tracking and encouraging frequent attendance of current members, coordinating birthday cards and cakes, and providing necessary supplies and refreshments at Desna functions.

Grant Director

Shall attend all meetings of the Board of Directors and shall be responsible for researching applicable grants and building a grant application strategy for the year. This shall include a comprehensive schedule of deadlines, coordination for volunteers and physical writing and submission of grants.

Parents Committee

The Parents Committee shall consist of a team of parent volunteers who will handle the day to day operations of Desna Ukrainian Dance School. This shall include: costume repair and distribution, performance organization as well as distribution of newsletters and emails. The committee will liaison with the associated member of the Board of Directors for specific tasks (ie. fundraising plans shall be communicated to the Fundraising Director). The Parents Committee shall report to the School Administrator and are not required to attend Board of Directors meetings. All expenditures and major decisions will be presented to the Board of Directors at the monthly meeting. The Parents Committee will be required to meet a minimum of once a month. A representative from the Exec will be in attendance at each Parents Committee meeting.

9.0 Finances

9.1 - The finances of Desna shall be derived from membership fees, donations, performance revenue and other projects designed for collecting any money for the operation of the organization.

9.2 - Unless otherwise ordered by the Exec Committee, the fiscal year shall terminate on the 31st day of August of each year.

10.0 Costumes

10.1 - All costumes, equipment, choreography, choreography with related music and music used and or purchased by Desna, are and shall be the property of Desna. Should any property of Desna not be returned by a person upon leaving the group, the person may be subject to legal action.

11.0 Amendments to the Constitution & By-Laws of Desna

11.1 - All proposed amendments to the constitution and by-laws of Desna must be submitted in writing to the Exec at the Annual Meeting. A $\frac{3}{4}$ vote of those entitled to vote then present, is required to adopt a proposed amendment.

12.0 Dissolution

12.1 - In the event that Desna is dissolved, all of its existing assets shall be distributed only to registered Canadian charities or other qualified charities, according to the Income Tax Act, sections 149.1(1) to (4), 188(1.1) and (1.3)