



Operating Policy – Clubs Status

1. Purpose

- 1.1. To communicate the procedures by which a Club may attain recognition through and by the MSU.
- 1.2. To communicate the procedures by which the MSU may revoke, suspend, or otherwise limit the privileges that accompany a Club's recognition status.

2. New Club Recognition

- 2.1. Recognition as an MSU Club is a privilege that can be withdrawn, in whole or in part, in cases of Club policy violations.
- 2.2. The MSU will not attempt to censor, control, or interfere with any existing Club based on its philosophy, beliefs, interests or opinions expressed except for those Clubs whose mandates or activities:
 - 2.2.1. Violate federal, provincial, municipal, McMaster University policies or laws;
 - 2.2.2. Infringe upon the rights and freedoms of others;
 - 2.2.3. Result in a sanction as per **Operating Policy – Clubs Status, Section 5.**
- 2.3. Recognition as an MSU Club implies neither endorsement of a Club's beliefs nor their philosophies;
- 2.4. Recognized Clubs shall not have as sole and/or core mandate and/or purpose:
 - 2.4.1. Engagement in activities which are essentially commercial in nature;
 - 2.4.1.1. Funding from the MSU shall be secondary to funds raised through legitimate fundraising activities, including sponsorships and membership fees;
 - 2.4.1.2. A recognized Club shall not:
 - 2.4.1.2.1. Have as a major activity, a function that makes it an on-campus part of a commercial organization;

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- 2.4.1.2.2. Provide goods and services at a profit when that profit is used for purposes other than those of the organization or as a donation to a registered charity;
- 2.4.1.2.3. Pay monies to some or all of its Executive or members except as a reimbursement for Club expenses.
- 2.4.1.3. Exceptions shall be made for:
 - 2.4.1.3.1. Membership fees to cover the expenses of the organization;
 - 2.4.1.3.2. Charges for specific activities, programs, or events.
- 2.4.2. Participate in athletic activities;
 - 2.4.2.1. Such organizations are better suited to be recognized through McMaster Athletics and Recreation.
- 2.4.3. Fundraise and/or support a specific charity;
 - 2.4.3.1. Clubs who plan to raise funds must plan and provide additional events outside of fundraising at the discretion of CAC.
- 2.4.4. Teach or train any specific academic skills, content, or other relevant material(s);
- 2.4.5. Recruit volunteers on behalf of an external organization;
- 2.4.6. Replicate or reasonably replicate mandates and/or purposes already fulfilled by another MSU Clubs or non-Club student organization.

3. Clubs Application

- 3.1. Any group requesting MSU Club recognition shall submit a complete online application to the Clubs Administrator to receive MSU Club status including:
 - 3.1.1. A membership list of the Executive including titles, valid email addresses, student numbers, and phone numbers for each student;
 - 3.1.1.1. Executive roles shall, at a minimum, consist of the following or equivalents of:
 - 3.1.1.1.1. President;
 - 3.1.1.1.2. Vice-President (VP) Finance;
 - 3.1.1.1.3. VP Events;
 - 3.1.1.1.4. VP Communications.

- 3.1.1.2. The President, VP Finance, and one (1) additional executive shall be designated as signing authorities.
- 3.1.2. A membership list with a minimum of twenty (20) full-time MSU members who intend to be a part of the Club (including Executives);
 - 3.1.2.1. This membership list shall include, for each MSU member, a valid:
 - 3.1.2.1.1. McMaster email address;
 - 3.1.2.1.2. Student number.
 - 3.1.2.2. In any case where a Club does not meet the membership minimum, the Club shall have the opportunity in their application to provide justification explaining why the membership minimum was not met.
 - 3.1.2.2.1. This justification will be reviewed by the Clubs Advisory Council (CAC) who shall determine whether to ratify the Club.
- 3.1.3. A proposed constitution on the approved MSU Clubs Constitution template, including:
 - 3.1.3.1. A proposed name;
 - 3.1.3.2. A statement of purpose;
 - 3.1.3.3. Membership:
 - 3.1.3.3.1. Privileges;
 - 3.1.3.3.2. Duties; and
 - 3.1.3.3.3. Restrictions.
 - 3.1.3.4. Definition and responsibility of Executive positions;
 - 3.1.3.5. Election procedures for:
 - 3.1.3.5.1. Nominations;
 - 3.1.3.5.2. Campaigns;
 - 3.1.3.5.3. Voting; and
 - 3.1.3.5.4. Impeachment.
 - 3.1.3.6. Financial procedures;
 - 3.1.3.7. Meeting requirements and procedures;
 - 3.1.3.8. Method of constitutional amendments.
- 3.1.4. A proposed year-plan for the upcoming year including:
 - 3.1.4.1. A minimum of three (3) proposed Club events and/or activities for the academic year;

- 3.1.4.1.1. This must include at least one (1) proposed event per Fall and Winter term.
 - 3.1.4.2. Proposed events shall include a:
 - 3.1.4.2.1. Budget;
 - 3.1.4.2.2. Description;
 - 3.1.4.2.3. Tentative venue(s);
 - 3.1.4.2.4. Marketing strategy;
 - 3.1.4.2.5. Explanation of how the event will contribute to a mandate and/or purpose of the proposed Club.
 - 3.1.5. A proposed budget submitted on the approved MSU Clubs Budget template.
 - 3.2. The application package must be submitted online to the Clubs Administrator by December 1;
 - 3.3. Prospective Clubs must demonstrate:
 - 3.3.1. Significant student interest;
 - 3.3.2. Autonomy through adequate separation from any external organizations or affiliations;
 - 3.3.3. Uniqueness and distinctiveness from previously established Clubs and non-Club student organization;
 - 3.3.4. Potential for significant positive impact within the McMaster community not otherwise satisfied by an existing Club or other non-Club student organization.
 - 3.4. Prospective Clubs may be required to meet with the Clubs Administrator and/or members of the Clubs Advisory Council (CAC) to gain more insight on the application;
 - 3.5. The CAC shall evaluate a Club's application on the following subjects:
 - 3.5.1. Resources of the MSU determined by the number of Clubs the MSU Clubs Department can feasibly support in the upcoming year;
 - 3.5.2. Feasibility as determined through a review of its model of operations in accordance with **Operating Policies – Clubs Operations** and **Operating Policies – Clubs Financial Procedures**.
 - 3.6. Applications for the following academic year will be advertised and accepted during the Fall term, as determined by the CAC in consultation with the Clubs Administrator;
 - 3.7. Prospective Clubs who have direct connections with another body outside of the MSU, either inside or outside of the University, must declare both fully and clearly:

- 3.7.1. The name of the body in question;
 - 3.7.2. The nature of this connection.
- 3.8. Connections requiring disclosure include, but are not limited to:
- 3.8.1. Any kind of funding, sponsorship, or exchange of goods and/or services;
 - 3.8.2. Any campus chapter or organization that functions as a part or direct extension of a body outside of the MSU;
 - 3.8.3. Any affiliations with political parties or governmental agencies, whether Canadian or international.
- 3.9. In the event that existing Clubs are found, in the opinion of the Clubs Administrator, to have significant overlap with one another, the Clubs Administrator shall make a practical effort to find different niches for the Clubs;
- 3.9.1. If this is found to be impractical, the Clubs Administrator shall, at their discretion, either merge or disband one or more of the Clubs in question.
- 3.10. Clubs, whose applications are received late or do not submit a completed application package stated above, will be considered at the Clubs Administrator's discretion;
- 3.10.1. If the Clubs Administrator does not accept the application, the decision may be appealed to the CAC;
 - 3.10.1.1. Applicants must submit their intent to appeal to the Clubs Administrator within five (5) business days from the date in which notice of decision was sent;
 - 3.10.1.2. This decision of the CAC is final and cannot be appealed.
- 3.11. The Clubs Administrator shall distribute to the SRA a list of prospective Clubs that are recommended by the CAC to be ratified;
- 3.11.1. Clubs will receive e-mail confirmation of their recognition status within two (2) weeks of SRA approval.
- 3.12. All Club Constitution changes and reviews will be kept on file by the MSU via the Clubs Administrator for perusal by all MSU members upon request;
- 3.13. The decision of the CAC shall be made after reviewing the application package and may involve consultation with:
- 3.13.1. The prospective Club's proposed Executive;
 - 3.13.2. Any other pertinent parties.

- 3.14. The decision of the CAC may be appealed first to the CAC for a second consideration;
 - 3.14.1. Applicants must submit their intent to appeal within three (3) business days from the date in which the latest notice of decision was sent.
- 3.15. If this appeal fails, a second appeal may be made to the Clubs Appeal Board (CAB), which shall decide if the decision is in line with **Operating Policy – Clubs Status** based on evidence from the Club and the CAC;
 - 3.15.1. Applicants must submit their intent to appeal within three (3) business days from the date in which the latest notice of decision was sent;
 - 3.15.2. In the event of a tie, the appeal fails and the decision of the CAB shall be:
 - 3.15.2.1. Made in closed session;
 - 3.15.2.2. Final and not subject to appeal.
- 3.16. The ratification decision of the SRA is final and may not be appealed;
 - 3.16.1. The SRA shall review the recommendations of the CAC and shall have the opportunity to postpone ratification by one (1) meeting to request additional information from the CAC;
 - 3.16.2. The SRA shall review additional information the following meeting and complete the ratification process.
 - 3.16.2.1. In the case the SRA is unable to make a ratification decision following additional information, they shall default to the recommendation of the CAC;
 - 3.16.2.2. The SRA may reconsider a decision to ratify a Club only in the same session (term) the decision was made.

4. Clubs Status Renewal

- 4.1. All new Clubs will be on probation for one (1) year with the following scheduled to occur during the probationary year:
 - 4.1.1. The Clubs Administrator will work closely with the Club and make recommendations at the end of the academic year as to whether the Club should receive full recognition;
 - 4.1.2. The Club shall notify the Clubs Administrator in advance of all Club general and Executive meetings and events;
 - 4.1.3. Probationary Clubs must submit a midterm (December) and a year-end (March) evaluation;
 - 4.1.4. Any Club not recommended for full recognition by the Clubs Administrator at the conclusion of their probationary period shall either be:
 - 4.1.4.1. Placed on a second year of probation;

4.1.4.2. Disbanded.

4.2. All Clubs shall automatically lose recognition on May 1 unless their Club status is renewed by the Clubs Administrator.

5. Judicial Policy

5.1. The following offences shall constitute a material breach of the conditions under which Clubs are recognized by the MSU and subject to discipline as outlined in **Operating Policy – Clubs Status, Section 5.3**:

5.1.1. Class A Offences are actions that interfere with the right of an individual or group to enjoy life in the McMaster community including:

5.1.1.1. Intentionally running a Club in a manner which negatively affects the ability of another Club, non-Club student organization, or individual to conduct their lawful affairs;

5.1.1.2. Interfering with another Club's activity that has been approved by the Clubs Administrator;

5.1.1.3. Any other actions which unnecessarily cause a significant nuisance for an individual or group including, but not limited to:

5.1.1.3.1. Imagery that is inappropriate, disturbing, or potentially harmful for general public consumption;

5.1.1.3.2. Dissemination of false information with the intent to mislead the general public;

5.1.1.3.3. Other actions deemed to cause significant nuisance as determined by the CAC.

5.1.2. Class B Offences are actions which negatively affect the ability of the MSU to properly provide support to its Clubs including:

5.1.2.1. Running any event that substantially deviates from that portrayed to the Clubs Administrator in a detrimental manner;

5.1.2.2. Failure to abide by the rules of ClubSpace;

5.1.2.3. Failure to uphold the terms of a mailbox, locker, or office contract;

5.1.2.4. Failing to abide by any MSU or McMaster University policies not listed as a Class C Offence;

5.1.2.5. Failure to comply with instructions or sanctions received from the Clubs Administrator;

5.1.2.6. Conduct unbecoming of an MSU Club;

5.1.2.7. Any other actions, which unnecessarily hinder the ability of the MSU to properly support its Clubs.

5.1.3. Class C Offences are actions which endanger the safety or security of any person or property including:

- 5.1.3.1. Any illegal behaviour;
 - 5.1.3.2. Failure to comply with the McMaster University Risk Management policy;
 - 5.1.3.3. Misrepresentation of information submitted to the Clubs Department or the SRA during the ratification or renewal process;
 - 5.1.3.4. Any other actions which unnecessarily jeopardize the safety or security of any person or property as determined by the CAC.
- 5.1.4. Class C Offences will always result in a punitive sanction.
- 5.2. If a Club is suspended for any of the above offences, the Clubs Administrator shall be the primary investigative and judicial officer;
- 5.2.1. The Clubs Administrator and Assistant Clubs Administrator shall exercise their best judgment in interpreting and applying these policies and shall investigate any allegations of misconduct, and sanction any Clubs found to be in violation at their discretion;
 - 5.2.2. The Assistant Clubs Administrator shall consult with the Clubs Administrator and CAC to assist in the investigative and judicial process;
 - 5.2.3. Sanctions handed down by the or Clubs Administrator or Assistant Clubs Administrator are subject to appeal by the CAC.
- 5.3. Clubs found to be guilty of any of the above offences are subject to the following sanctions:
- 5.3.1. Punitive Letter of Caution: The Clubs Administrator may issue a letter to the Club, advising them of the infraction and placing them on probation for a period of not more than one (1) calendar year;
 - 5.3.1.1. During the probationary period, Clubs shall follow all regulations outlined in **Operating Policy – Clubs Status, Sections 4.1.1–4.1.4.2.**
 - 5.3.2. Proxy Appointment: If, in the opinion of the Clubs Administrator, the issue in question has been a result of poor or inadequate leadership on the part of the Club's President or other Executive members, the Clubs Administrator may appoint a proxy;
 - 5.3.2.1. The proxy shall report on a bi-weekly basis to the Clubs Administrator and act as a monitor of the Club, with the authority to defer any decisions at Executive meetings pending approval or rejection by the Clubs Administrator and available to supervise any general meetings or events;
 - 5.3.2.2. The proxy shall report to the Clubs Administrator at least once every thirty (30) days and the Clubs Administrator shall decide whether or not to lift the sanction.

5.3.2.3. The proxy shall attend Club events including, but not limited to:

5.3.2.3.1. Executive and general meetings;

5.3.2.3.2. Any other events deemed necessary by the Clubs Administrator.

5.4. The Clubs Administrator shall notify the CAC within two (2) business days of reaching a decision on the deliverance of any Club's sanctions;

5.4.1. Only those punitive sanctions falling under 5.3.2 may be appealed to the CAB;

5.4.1.1. Any Clubs intending to appeal shall notify the Clubs Administrator of their intent to appeal within one (1) week of being sanctioned;

5.4.1.2. Appeals will be held at the soonest possible CAB meeting.

5.4.2. In the event of a more serious infraction, the Clubs Administrator may call a meeting of the CAC to hear the case and decide on a more severe penalty wherein the CAC may invoke one of the following sanctions:

5.4.2.1. Disbandment: If, in the opinion of the CAC, a Club is either incapable of or unwilling to correct its behaviour and/or the interests of the MSU and student body would be best served by the disbandment of a Club, the Clubs Administrator has the right to recommend that the SRA rescind the MSU's recognition of the Club;

5.4.2.1.1. This sanction shall remain in effect for a minimum of one (1) full calendar year and carries with it the stipulation that a Club must present evidence to the satisfaction of the Clubs Administrator that they have reformed for it to be lifted.

5.4.2.1.2. All Clubs that are removed from the disbanded list will be placed on probationary status for their first subsequent year of operations.

5.4.2.2. Membership Restrictions: Where the CAC finds cause to sustain a charge of individual misconduct on the part of a Club Executive, instead of sanctioning the Club as a whole, that member shall be barred from holding Executive office in any MSU Club for one (1) calendar year.

5.4.2.2.1. That Executive position shall then be filled in accordance with the Club's Constitution.

- 5.5. Any actions taken by the MSU shall be independent of those taken by any other judicial body.
- 5.6. A Club may have their ratification status removed through disbandment in circumstances including, but not limited to:
 - 5.6.1. Lack of student interest and involvement;
 - 5.6.2. Failure to meet membership or event requirements;
 - 5.6.3. Failure to communicate with the Clubs Department or MSU when mandated to do so;
 - 5.6.4. External affiliations that violate the Club's adherence to MSU or McMaster University policy;
 - 5.6.5. Inability to maintain financial stability or a positive financial account balance;
 - 5.6.5.1. Any other circumstances outlined within **Operating Policy – Club Status**.
- 5.7. Disbandment decisions shall be handed down by the CAC and may be appealed to the CAB.
 - 5.7.1. A member of the Club's proposed Executive shall notify the Clubs Administrator of their intent to appeal within one (1) week of sanctions.

6. Clubs Appeal Board

- 6.1. The Clubs Appeal Board shall:
 - 6.1.1. Be struck at the beginning of each SRA's term;
 - 6.1.2. Consist of:
 - 6.1.2.1. The MSU Speaker.
 - 6.1.2.2. The McMaster University Secretariat or Designate.
 - 6.1.2.3. A member of the non-SRA McMaster community;
 - 6.1.2.3.1. Two (2) additional members of the non-SRA McMaster community shall be designated as alternatives.
 - 6.1.2.3.2. Members of the non-SRA McMaster community shall be defined as any:
 - 6.1.2.3.2.1. Students;
 - 6.1.2.3.2.2. Professors; and
 - 6.1.2.3.2.3. Employees of McMaster University, the MSU, the Graduate Students Association (GSA), or McMaster's Association of Part-Time Students (MAPS).

- 6.1.3. Ratified by the SRA no later than September 30, based on nominees recommended by the CAC;
 - 6.1.3.1. Applications shall be solicited in March as advertised by the MSU Speaker;
 - 6.1.3.2. The CAC shall submit a list of applicants and recommend candidates to the SRA no later than September 30;
 - 6.1.3.3. Their term shall be from SRA approval to the approval of the following board.
- 6.1.4. Have minutes taken of all proceedings.
- 6.1.5. Not be a part of any Club, have a conflict of interest with any Club, or endorse any MSU Club during their terms of office.

7. Executive Authority

- 7.1. All allegations of misconduct made on the basis of discrimination or harassment will be dealt with according to any pertinent MSU and McMaster University policies;
- 7.2. **Operating Policy – Clubs Status** shall not preclude the Clubs Administrator from devising creative solutions to novel situations.
 - 7.2.1. Such solutions shall be made in consultation with MSU Human Resources staff.