Operating Policy – Clubs Status

1. Purpose

1.1. To communicate the procedures by which a Club may attain recognition through and by the McMaster Students Union (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 Recognition as an MSU Club is a privilege that can be withdrawn, in whole or in part, in cases of MSU and/or McMaster University policy violations.

2.2. The MSU will not attempt to censor, control, or interfere with any ratified MSU Club based on its philosophy, beliefs, interests, or opinions expressed, except for those Clubs whose mandates or activities:

2.2.1. Violate federal law, provincial law, municipal law, MSU and/or McMaster University policies;
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:

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2.4.1.2.1. Have as a major activity, a function that makes it an on-campus part of a commercial organization;
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. Athletic clubs are managed by McMaster Athletics and Recreation and the MSU will not grant them recognition;

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 Clubs Administrator;

2.4.4. Teach or train any specific academic skills, content, or other relevant material(s) without the supervision of a professional that is approved by the MSU and/or McMaster University;
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 organizations.

3. New Club Applications

3.1. Any group requesting MSU Club recognition shall submit a New Club Application in a process determined annually by the Clubs Administrator, and must include;

3.1.1. A membership list of the Executive Team including full names, positions, valid McMaster email addresses, student numbers, and phone numbers for each MSU Member;

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. Vice-President (VP) Events;
3.1.1.1.4. Vice-President (VP) Communications.

3.1.1.2. The President and VP Finance shall be designated as signing authorities;

3.1.1.2.1. One (1) additional member of the Executive Team may be designated as a signing authority;

3.1.2. A membership list with a minimum of twenty (20) 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, and;
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. List of member names;
3.1.3.3.2. Privileges;
3.1.3.3.3. Duties; and
3.1.3.3.4. 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;

3.2. New Club Applications are accepted annually for the next academic year from November 1st to December 1st; applications submitted outside of this period will not be considered;

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 MSU 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 New Club Applications 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 Policy – Clubs Operations** and **Operating Policy – Clubs Financial Procedures**.
3.5.3. Compliance with both MSU and McMaster University Operating Policies;
3.5.4. Overall enhancement and contribution to McMaster student life;

3.6. Prospective Clubs who have direct connections with another body outside of the MSU, either inside or outside of McMaster University, must declare both fully and clearly:

3.6.1. The name of the body in question;
3.6.2. The nature of this connection;

3.7. Connections requiring disclosure include, but are not limited to:

3.7.1. Any kind of funding, sponsorship, or exchange of goods and/or services;
3.7.2. Any campus chapter or organization that functions as a part or direct extension of a body outside of the MSU;
3.7.3. Any affiliations with political parties or governmental agencies, whether Canadian or international;

3.8. 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;

3.8.1. 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;

3.9. 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;

3.9.1. If the Clubs Administrator does not accept the application, the decision may be appealed to the CAC;

3.9.1.1. 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;
3.9.1.2. This decision of the CAC is final and cannot be appealed;

3.10. 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;

3.11. The decision of the CAC shall be made after reviewing the application package and may involve consultation with:

3.11.1. The prospective Club's proposed Executive Team;
3.11.2. Any other relevant parties;

3.12. Prospective Clubs whose applications are rejected may appeal once to the CAC for reconsideration;

3.12.1. Applicants must submit their intent to appeal to the Clubs Administrator, via email, within three (3) business days from the date in which the latest notice of decision was sent;

3.12.1.1. If an appeal request is not submitted by the deadline, the decision of the CAC is considered final;
3.12.1.2. If an appeal is submitted by the deadline, the CAC will review the appeal request and the application and decide whether to accept or reject the appeal;
3.12.1.3. Applicants are permitted to submit an appeal letter to the CAC to be reviewed alongside their original application, including their Cover Letter, Constitution, and Year Plan.
3.12.1.4. The appeal decision is final and cannot be appealed again;

3.13. The Clubs Administrator shall distribute to the SRA, via the Recording Secretary, a list of prospective Clubs that are recommended by the CAC to be ratified by June 30th;

3.13.1. Clubs will receive e-mail confirmation of their recognition status within two (2) weeks of SRA approval.
3.13.2. 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;
3.13.3. The SRA shall review additional information at the following meeting and complete the ratification process;

3.13.3.1. In the case that the SRA is unable to make a ratification decision following additional information, they shall default to the recommendation of the CAC;
3.13.3.2. 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 April 30th at 11:59 p.m. unless their Club status is renewed by the Clubs Administrator;

4.2.1. The decision to not renew a Club's MSU recognition is final and cannot be appealed.

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, a non-Club student organization, or an 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 Clubs Administrator;

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.
5.1.2.8. Any attempt to circumvent the Clubs Accounting & Accounts Receivable Supervisor or the Clubs Accounting Clerk in the process of submitting purchase requests;

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 and/or Policy on Student Groups;
5.1.3.3. Misrepresentation of information submitted to the Clubs Administrator, the CAC, 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 Clubs Administrator or the CAC;

5.1.4. Class C Offences will always result in a punitive sanction;

5.2. If a Club is believed to have committed any of the above offences, the Clubs Administrator shall be the primary investigative and judicial officer;

5.2.1. The Clubs Administrator shall exercise their best judgment in interpreting and applying these policies, investigate any allegations of misconduct, and sanction any Clubs found to be in violation of policy, at their discretion;

5.2.2. The Clubs Administrator may suspend a Club during an ongoing investigation, resulting in all Club activities being paused until the conclusion of the investigation, for up to 120 days;
5.2.3. The Assistant Clubs Administrator shall assist the Clubs Administrator and CAC in the investigative and judicial process;
5.2.4. Sanctions handed down by the Clubs Administrator are subject to appeal by the CAC;

5.3. Clubs found to be guilty of any Class A, Class B, or Class C 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 back 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 Team 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 delivery of any Club's sanctions;

5.5. 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:

5.5.1. 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;

5.5.1.1. 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;
5.5.1.2. Any Club that is disbanded must submit a New Club Application, during the application period, in order to be considered for MSU recognition in the future;
5.5.1.3. Disbandment recommendations made by the CAC are final and cannot be appealed;

5.5.2. 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;

5.5.2.1. That Executive position shall then be filled in accordance with the Club's Constitution;
5.5.2.2. Membership restriction decisions are final and cannot be appealed;

5.5.3. Club Executives will be assigned a time and date to present any evidence that they have to the CAC, prior to the CAC recommending punitive action;

5.5.3.1. The Club will be notified of the presentation time via correspondence to their Club's email;
5.5.3.2. Up to two (2) members of the Club's executive team are permitted to attend the meeting;

5.6. Any actions taken by the MSU shall be independent of those taken by any other judicial body;

5.7. A Club may have their ratification status removed through disbandment in circumstances including, but not limited to:

5.7.1. Lack of student interest and involvement;
5.7.2. Failure to meet membership or event requirements;
5.7.3. Failure to communicate with the Clubs Administrator or MSU when mandated to do so;

5.7.4. External affiliations that violate the Club's adherence to MSU and/or McMaster University policies;
5.7.5. Inability to maintain financial stability or a positive financial account balance;
5.7.6. Or for any other circumstances outlined within **Operating Policy – Club Status.**

6. Executive Authority

6.1. 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;

6.2. **Operating Policy – Clubs Status** shall not preclude the Clubs Administrator from devising creative solutions to novel situations;

6.2.1. Such solutions shall be made in consultation with the Student Life Director.