

## **Resolution Regarding Amendment of By-Laws III-3 and III-5 – Clubs, Services & Independent Student Groups Rules and Regulations**

WHEREAS SSMU “By-Law III-3 – Accreditation of Clubs, Services, Activities and Media” and “By-Law III-5 – Clubs, Services & Independent Student Groups Rules and Regulations” are outdated and requires clarification and modernization in order to maximize effectiveness, and;

WHEREAS the SSMU Legislative Council owes its members, Clubs, Services and Independent Student Groups a level of clarity, efficiency, transparency and foreseeability not hitherto provided by By-Laws III-3 and III-5, and;

WHEREAS the SSMU Clubs and Services Committee, the committee best placed to acknowledge a need for By-Law reform in this area, mandated an assessment and amendment recommendation of By-Laws III-3 and III-5 in Fall 2009, and;

WHEREAS this Resolution is the product of such an assessment and contains all identified desirable amendments;

THEREFORE LET IT BE RESOLVED that the current SSMU By-Laws III-3 and III-5 and Schedule A thereto be repealed effective immediately, and;

BE IT FURTHER RESOLVED that the following By-Law and Schedule be enacted in Book III of the SSMU By-Laws and come into force immediately:

### **BY-LAW III- – CLUBS, SERVICES & INDEPENDENT STUDENT GROUPS RULES AND REGULATIONS**

#### **PART I – GENERAL**

##### **Article 1 – General Rules**

1.1 The Vice President, Clubs and Services shall direct all Clubs, Services and Independent Student Groups to this by-law at the beginning of every academic year. Copies shall also be made available, on request, to any member of the Students’ Society.

1.2 This by-law shall be read in conjunction with the Constitution and By-laws of SSMU and the respective constitutions of the Clubs, Services and ISGs.

1.2.1 In the event of a conflict between the constitution of a Club or Service and the Constitution and By-Laws of SSMU, the Constitution and By-Laws of SSMU govern and control.

1.3 The contents of this by-law are imputed to all representatives of Clubs, Services and ISGs. It is the sole responsibility of those representatives to inform themselves of its contents as well as of any amendments to it.

1.4 An updated list of the accredited Clubs, Services, and ISGs shall be kept by the Vice President, Clubs and Services. Copies shall also be made available, on request, to any member of the Students’ Society.

##### **Article 2 – Implementation of Rules and Regulations**

2.1 Except where explicitly provided, between meetings of Council the Vice President, Clubs and Services shall have final authority and responsibility for the implementation of the rules and regulations outlined in this By-Law.

##### **Article 3 – Post-Graduate Students’ Special Status**

3.1 According to the agreement signed between the Students' Society and the Post-Graduate Students' Society of McGill University ("PGSS") and ratified by Council on 19 March 2009, the SSMU shall provide members of the PGSS access to:

- 3.1.1 Clubs, and;
- 3.1.2 Services.

3.2 While this agreement is in effect, any privilege, benefit, duty or responsibility granted or assigned to members of the Students' Society under this By-Law shall extend to members of the PGSS.

3.3 At the expiry or lapse of said agreement this article shall automatically become void and of no force or effect.

## **PART II – SERVICES**

### **Article 4 – Definition and Mandatory Characteristics of Services**

4.1 "Services" are formal and accredited organizations composed of members of the Students' Society whose main function is to provide ongoing services to students and others in the McGill community.

4.1.1 Without prejudice to the generality of Art. 4.1, services provided may include those providing awareness, referral, education and support; however, provision of awareness alone is not sufficient to qualify an organization as a Service.

4.1.2 Services provided should not be those which SSMU would otherwise provide.

4.1.3 Receipt of services should not be contingent upon, or tied to, membership or the holding of an executive office in the Service. Services provided should, subject to financial and logistical constraints, be made available to all members of the Students' Society.

4.2 Services may receive a subsidy from SSMU as part of the budgeting process.

4.2.1 If a service receives such a subsidy it will direct any and all revenue raised beyond what is necessary to offset or recover the costs, including overhead costs, associated with the provision of the service, towards reimbursing SSMU for any subsidies granted to it during the current academic year or in the two (2) academic years previous to it.

4.2.2 Unless and until SSMU is entirely reimbursed by a Service for any subsidies granted to it during the current academic year and in the two (2) academic years previous to it:

4.2.2.1 The Service is strictly prohibited from donating funds to ISGs or organizations external to the Students' Society and from transferring funds, without the authorization of the Vice-President, Clubs and Services, to any other Club or Service within the Students' Society.

4.2.2.2 The Service is prohibited from issuing stipends to its executive officers or members, unless such stipends are approved by the Vice President, Clubs and Services.

4.3 Services must be open to all members of the Society. This does not preclude any distinction or preference necessary for the effective provision of a service that has as its object the amelioration of conditions of disadvantaged individuals or groups including, but not limited to, those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability, sexual orientation, or social class.

4.4 All executive officers and voting members of Services must be members of the Students' Society.

### **Article 5 – Accreditation Procedure for Services**

5.1 Service status may be requested by any funded organization of the Students' Society already in existence by submitting written reasons for the request and its constitution to the Vice President, Clubs and Services who will forward it to the Clubs and Services Committee of Council.

5.2 The Clubs and Services Committee of Council will consider the request in light of the SSMU Constitution and By-Laws and will present the request along with a recommendation regarding Service status to the Executive Committee.

5.3 The Executive Committee shall present its recommendation regarding Service status to Council. Council may grant Service status by a two-thirds (2/3) majority vote.

5.3.1 If the recommendation of the Executive Committee reverses the recommendation of the Clubs and Services Committee of Council, reasons must be provided for rejecting the original recommendation.

#### **Article 6- Mandatory Procedures for Services**

6.1 At least one (1) executive officer from every Service must attend the Service Executive Training Conference each September if such a conference is held. Failure to send an executive officer to this conference may result in penalties at the discretion of the Vice-President, Clubs and Services.

6.2 All Services must submit the name and phone number of at least two (2) executive officers by September 15th of each academic year.

6.2.1 Any Service which replaces either of these executive officers must notify the Vice President, Clubs and Services immediately and submit the name and phone number of an alternative active executive officer.

6.3 All Services must submit a budget for the following academic year to the Vice-President, Clubs and Services and/or the Vice President, Finance & Operations by March 15th of the current academic year.

6.4 At least two (2) executive officers of every Service must sign a postering contract with the SSMU by September 15th of each academic year, making these executive officers jointly and severally legally responsible for any illegal postering activities of the Service.

6.4.1 The Vice-President, Clubs and Services shall provide a thorough explanation of City postering laws, either at the Club Executive Training Conference or through other means deemed appropriate.

6.4.2 After this explanation is provided and made available, knowledge of these laws is imputed to the two (2) executive officers who have signed the contract.

6.4.3 Without limiting the applicability of Arts. 6.6 and 8 of this By-Law, failure to sign this document within the requisite timeframe will result in an automatic suspension of a Service's Accreditation. Once the document is signed, Accreditation will, subject to any decision of Council under Art. 8 of this By-Law to the contrary, automatically be restored.

6.5 All Services must ensure that an up-to-date copy of their Constitution is on file with the Vice-President, Clubs and Services.

6.5.1 Any modification to the constitution or by-laws of any Service must be submitted in writing to the Vice President, Clubs and Services, must meet the requirements of this By-Law and must be ratified by Council by a simple majority vote.

6.6 Failure to comply with any of these procedures may result in revocation of privileges or accreditation, subject to Art. 8 of this By-Law.

#### **Article 7- Review of Service Accreditation**

7.1 Every two years each and every accredited Service will be subject to a review by the Clubs and Services Committee of Council in order to ensure that they meet the Definition and Mandatory Characteristics of a Service set out in Art. 4 of this By-Law.

7.1.1 The Clubs and Services Committee of Council will review one quarter (1/4) of all accredited Services during each the Fall and Winter semesters and will submit a report of their findings to Council at least two (2) weeks prior to the last scheduled meeting of Council for that semester.

7.2 If a Service fails this review and believes it can rectify the situation, it will have two (2) academic months to do so.

7.2.1 A service may choose to waive this time period.

7.2.2 The two (2) month period will begin running from the day a Service receives notice of it failing the review.

7.2.3 If a Service fails a review during the Fall semester, its two (2) month period will not include the period between the final meeting of Council for the Fall semester and the first meeting of Council for the Winter semester.

7.2.4 If a Service fails a review during the Winter semester, its two (2) month period will not run from the last meeting of Council for the Winter semester and the second meeting of Council for the Fall semester of the following year.

7.3 If a Service fails to rectify the situation in the allotted timeframe, the Clubs and Services Committee of Council may choose to grant an extension or forward a recommendation to Council to waive the requirement, sanction the Service or revoke Service accreditation under Art. 8.1.3.

### **Article 8- Revocation of Service Accreditation**

8.1 Council may revoke Service's accreditation by two-thirds (2/3) majority vote for:

8.1.1 Violation of the SSMU's Constitution and/or By-laws;

8.1.2 Failure of the Service to adhere to its own Constitution;

8.1.3 Failure of the Service to meet the Definition and Mandatory Characteristics of a Service set out in Art. 4 of this By-Law;

8.1.4 Lack of interest or participation by members of the Students' Society; or

8.1.5 Any stated cause.

8.2 Council must give the Service fourteen (14) days written notice of the meeting of Council at which the motion to remove accreditation will be presented to Council.

8.3 At the discretion of Council, the group may or may not be reclassified as a "Club", as defined by Part III of this By-Law.

## **PART III – CLUBS**

### **Article 9 – Definition and Mandatory Characteristics of Clubs**

9.1 "Clubs" are formal and accredited associations of members of the Students' Society with similar interests, such as a dedication to recreational, social, political, religious, educational, or cultural issues.

9.1.1 The terms "Club" and "Interest Group" shall be used interchangeably.

9.2 Clubs must be open to all members of the Society.

9.3 Should a Club wish to have a distinction, exclusion, or preference in membership or in the eligibility of executive officers, it must be included in the group's constitution, and ratified by the Clubs and Services Committee of Council and by Council. No such distinction may violate any part of the SSMU Constitution

9.4 All executive officers and voting members of SSMU Clubs must be members of the Students' Society.

### **Article 10 – Accreditation Procedure for Clubs**

10.1 The formation of a Club may be proposed by any five (5) members of the Society by submitting an application and constitution to the Vice President, Clubs and Services, who shall forward it for review to the Clubs and Services Committee of Council.

10.2 The Clubs and Services Committee of Council shall review the application and ensure its completeness, that it does not contravene the Constitution or By-laws of the Students' Society and that the mandate set out in the proposed Club's constitution does not overlap with that of any other already accredited group within SSMU. It will then make a recommendation regarding the requested interim status to Council.

10.3 Council may grant a Club interim status by a simple majority vote.

10.4 Interim status shall be granted for a period of three (3) months of the academic year. The Vice President, Clubs and Services may, upon application by the interim Club or upon his or her own motion, extend a Club's interim status.

10.5 Interim status groups may, prior to the expiry of their interim status, apply in writing for full Club status to the Vice President, Clubs and Services. The Vice President, Clubs and Services shall forward the application for review to the Clubs and Services Committee of Council.

10.6 The Clubs and Services Committee of Council shall review the application and make a recommendation regarding the requested full status to Council. It will ensure that:

10.6.1 At least twenty-five (25) members of the Students' Society are active members of the Club;

10.6.2 The Club has the requisite executive officers according to its constitution;

10.6.3 The Club has been actively working to fulfil their mandate and will continue to do so, and;

10.6.4 The Club has been financially viable and responsible in its operations.

10.7 Council may grant a Club full status by a simple majority vote.

10.8 If, after three (3) months, the interim Club has not applied for full Club status and has not obtained an extension of interim status, the Club will be deemed inactive.

### **Article 11- Mandatory Procedures for Clubs**

11.1 At least one (1) Club executive officer from every Club must attend the Club Executive Training Conference each September if such a conference is held. Failure to send an executive officer to this conference will result in penalties, at the discretion of the Vice-President, Clubs and Services.

11.2 A Club shall be considered inactive if it fails in any year to register the name and phone number of at least two (2) executive officers by September 15th.

11.2.1 Any Club which replaces either of these executive officers must notify the Vice President, Clubs and Services immediately and submit the name and phone number of an alternative active executive officer.

11.3 A Club shall be considered inactive if it fails in any year to submit an audit to the Vice-President Clubs and Services by June 1st.

11.4 At least two (2) executive officers of every Club must sign a postering contract with the SSMU by September 15th of each academic year, making these executive officers jointly and severally legally responsible for any illegal postering activities of the Club.

11.4.1 The Vice-President, Clubs and Services shall provide a thorough explanation of City

postering laws, either at the Club Executive Training Conference or through other means deemed appropriate.

11.4.2 After this explanation is provided and made available, knowledge of these laws is imputed to the two (2) executive officers who have signed the contract.

11.4.3 Without limiting the applicability of any other penalties, failure to sign this document within the requisite timeframe will result in an automatic suspension of a Club's Accreditation. Once the document is signed, Accreditation will, subject to any decision of Council under Art. 13 of this By-Law to the contrary, automatically be restored.

11.5 All Clubs must ensure that an up-to-date copy of their Constitution is on file with the Vice-President, Clubs and Services.

11.5.1 Any modification to the constitution or by-laws of any Club must be submitted in writing to the Vice President, Clubs and Services, must meet the requirements of this By-Law and must be ratified by Council by a simple majority vote.

11.6 Failure to comply with any of these procedures may result in revocation of privileges or accreditation, subject to Arts. 12 and 13 of this By-Law.

## **Article 12- Privileges Granted to Clubs**

- 12.1 Full status Clubs are eligible to apply for a SSMU Club Subsidy.
- 12.2 Both interim and full status Clubs may apply to Event/Project Funds, such as the Campus Life Fund, the Green Fund and the Ambassador Fund.
- 12.3 All Clubs may apply to receive a mailbox in the Student Centre, web space, mention in various Students' Society media and room and table rentals at no cost, subject to logistical limitations and availability.
- 12.4 All Clubs may participate in activities night at no cost.
- 12.5 Full status clubs may apply for office spaces.
- 12.6 One or more of these privileges may be temporarily revoked, for a period not exceeding one (1) semester of the academic year by a simple majority vote of Council.
- 12.7 One or more of these privileges may be permanently revoked for a period exceeding one (1) semester, permanently or indefinitely by two-thirds (2/3) majority vote of Council.

## **Article 13 – Revocation of Club Accreditation**

- 13.1 Council may revoke a full or interim status Club's accreditation by a two-thirds (2/3) majority vote. Council must give the Club fourteen (14) days written notice of the meeting of Council at which the motion to remove accreditation will be tabled.

## **PART IV – INDEPENDENT STUDENT GROUPS**

### **Article 14 – Definition of Independent Student Groups**

- 14.1 "Independent Student Groups" ("ISGs") are primarily student-based organisations who provide some desirable benefit to students and others in the McGill community. While they exist outside the framework of the SSMU, they are granted many of the same privileges as Clubs and Services in order to facilitate their serving students.
- 14.2 These groups are not SSMU "Services" or "Clubs".

### **Article 15 – Accreditation Procedure for Independent Student Groups**

- 15.1 To receive ISG status, three (3) members of the Society must demonstrate that at least fifteen (15) members of the Students' Society are active members of the ISG, submit written reasons for their request for ISG status and must submit a copy of the ISG's constitution to the Vice President, Clubs and Services.
  - 15.1.1 The Vice President, Clubs and Services must be satisfied that the ISG is student-based and beneficial to the members of the McGill community.
- 15.2 The Vice President, Clubs and Services shall, upon fully reviewing the application, make a recommendation regarding the requested ISG status to Council.
- 15.3 Council may grant ISG status by a simple majority vote.
- 15.4 An ISG shall be considered inactive if it fails in any year to register the name and phone number of its Chief Executive Officer by September 30th.
  - 15.4.1 If the Chief Executive Officer of an ISG is replaced, the ISG must notify the Vice President, Clubs and Services immediately and submit the name and phone number of an alternative active executive officer.
- 15.5 Any modification to the constitution or by-laws of any ISG must be submitted in writing to the Vice President, Clubs and Services who must ensure that the organization is still student-based and beneficial to members of the McGill community.

### **Article 16 – Privileges Granted to Independent Student Groups**

- 16.1 All ISG rights and privileges, other than those contractually agreed upon between the SSMU and the ISG in question, are secondary, and subject to, the privileges of SSMU Clubs and Services.
- 16.2 An ISG may apply to receive a mailbox in the Student Centre, web space, mention in various Students' Society media and room and table rentals at a reduced rate, subject to logistical limitations and availability.

16.2.1 The Vice President, Clubs and Services shall determine the discounted rate for each privilege and shall make the rates publically available and uniformly applicable to all ISGs.

16.3 An ISG may participate in activities night at no cost.

16.4 An ISG may apply for funding through the SSMU Event/Project Funds, such as the Campus Life Fund, the Green Fund and the Ambassador Fund.

16.5 ISGs are ineligible for Club Subsidy funding.

16.6 ISGs are ineligible for free office space but can enter into a lease agreement with the SSMU for office space.

16.7 Any exception to these privileges may be made at the discretion of the Vice President, Clubs and Services, subject to an appeal by the ISG to council which may reverse the Vice President, Clubs and Services by simple majority vote.

### **Article 17 – Revocation of Independent Student Group Accreditation**

17.1 If the Vice President, Clubs and Services finds, at any time, that the organization no longer meets the requirements for an ISG under this By-Law, he or she may make a recommendation to Council for a revocation of the ISG's status.

17.2 Council may revoke the ISG's accreditation by a two-thirds (2/3) majority vote. Council must give the ISG fourteen (14) days written notice of the meeting of Council at which the motion to remove accreditation will be tabled.

### **SCHEDULE A – ACCREDITED SERVICES**

1.1 The following Services are accredited by Council:

- 1.1.1 Black Student's Network;
- 1.1.2 Elections McGill;
- 1.1.3 DriveSafe;
- 1.1.4 Mature and Re-entry Students' Association;
- 1.1.5 McGill First Aid Service;
- 1.1.6 McGill International Students Network;
- 1.1.7 McGill Tribune;
- 1.1.8 Midnight Kitchen;
- 1.1.9 Nightline;
- 1.1.10 Players' Theatre;
- 1.1.11 Organic Campus;
- 1.1.12 Queer McGill;
- 1.1.13 Savoy Society
- 1.1.14 Sexual Assault Centre of McGill Students' Society;
- 1.1.15 TV McGill;
- 1.1.16 Volunteer Program, SSMU;
- 1.1.17 Walksafe; and,
- 1.1.18 Union for Gender Empowerment.

1.2 This schedule is not binding on the Students' Society.

1.2.1 The list of Services enumerated in this schedule shall not be interpreted as exhaustive.

1.3 This schedule shall be deemed amended whenever a Service or qualifying group gains or loses Service status in accordance with Arts. 5 or 8 of By-Law III-4, respectively.

, and;

BE IT FURTHER RESOLVED that the remaining By-Laws in Book III be re-numbered accordingly, and;

BE IT FURTHER RESOLVED that the Vice President, Clubs and Services publish the newly enacted By-Law III-4 in a timely manner in the Clubs and Services Listserv to provide additional notice of the changes to all Clubs, Services and ISGs of the Students' Society.

Respectfully submitted,

Corey Omer  
Clubs and Services Representative to Council, 2009-2010