

McMaster University  
DeGroote School of Business

**MBA Association Constitution**

**Effective:** October 2015

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## **PREFACE**

### **AN ACT FOR THE ESTABLISHMENT OF THE MCMASTER UNIVERSITY MBA ASSOCIATION FOR THE PURPOSES THEREWITH**

Whereas, students require adequate representation to ensure their interests are acknowledged, and;

Whereas, communications between students and faculty, staff and administration require facilitation, and;

Whereas, the professional development and networking of MBA members is critical.

## **ARTICLE 1: TITLE**

This Act shall be cited as the MBA Association Constitution and General Bylaws.

## **ARTICLE 2: ESTABLISHMENT OF THE MBA ASSOCIATION**

The MBA Constitution and General Bylaws shall form and empower the MBA Association and its Executive members.

## **ARTICLE 3: PURPOSES**

- 3.1. To promote interactions among students, faculty, administration, employers and the community through activities that enriches the professional, cultural or personal life of MBA students.
- 3.2. To encourage the professional development of its members through interactions with members of the business community.
- 3.3. To provide channels for all of its members to voice academic concerns and to communicate these concerns to the administration and the Faculty of the DeGroot School of Business.
- 3.4. To provide social activities and to assist in the orientation of new students in order to foster a sense of community.
- 3.5. To promote relations with the DeGroot Alumni Association.
- 3.6. To help facilitate other extracurricular activities of interest to the members of the MBA Association.

## **ARTICLE 4: CONDITIONS OF MEMBERSHIP**

- 4.1. Active general members are defined as students registered in the MBA program taking a full course load (minimum of four courses) and who pay MBA Association fees as required. These students may be registered as either full-time or co-op students. These members may hold Executive positions subject to the provisions in Article 6. Active general members have full voting rights in all referendums or elections during their terms of membership and full speaking and voting privileges at Town Hall meetings.
- 4.2. Associate general members are defined as students registered in the MBA program as part-time students or students taking three or fewer courses. Associate general members may only serve as the Part-Time Representative on each MBA Association Executive. Associate general members cannot vote in referendums or elections but may attend Town Hall and have full speaking privileges at these meetings

## **ARTICLE 5: EXECUTIVE OFFICERS**

- 5.1. The Executive Office of the MBA Association shall consist of voting and non-voting members. The responsibilities and authorities of all Executive members are outlined in the MBA Association Executive Duties policy. The Executive is responsible for upholding the constitution and all by-laws, policies, rules and duties.
- 5.2. The Executive Office of the MBA Association shall be comprised of the following ten roles:
- 5.2.1. President
  - 5.2.2. Academic Director
  - 5.2.3. Operations Director
  - 5.2.4. Events Director
  - 5.2.5. Communications Director
  - 5.2.6. Internal Relations Directors
  - 5.2.7. Finance Director
  - 5.2.8. Full-Time Representative
  - 5.2.9. Part-Time Representative
  - 5.2.10. International Representative

- 5.3. Executive Officers listed in 5.2 (except for the Part-Time Representative) have voting rights at both Executive and Town Hall Meetings. All meetings shall be recorded and the minutes will be published on the MBA Association website within ten (10) business days. Active general members or associate general members may attend Executive meetings at any time.
- 5.4. The President may, at any time, close all or part of an Executive meeting.
- 5.5. An Executive meeting quorum shall consist of one half of the total Executive officers, plus one.
- 5.6. The term of office for the Executive positions shall be as follows:
- 5.6.1. Co-op students will hold office for the three academic terms in which they are registered students, beginning the term after the term in which they were elected and following the schedule listed below:
- 5.6.1.1. Term 2 – May to August
- 5.6.1.2. Term 3 – January to April
- 5.6.1.3. Term 4 – September to December
- 5.6.2. Full-time students will hold office from January 1<sup>st</sup> to December 31<sup>st</sup> inclusive .
- 5.6.3. The Part-Time Representative will hold office from January 1<sup>st</sup> to December 31<sup>st</sup> inclusive.

## **ARTICLE 6: ELECTION OF THE EXECUTIVE OFFICERS**

- 6.1. Candidates for the positions of President, Academic Director, Operations Director, Events Director, Communications Director, and Internal Relations Director must be active general members registered as co-op students.
- 6.2. Candidates for the positions of Finance Director, Full-Time Representative, and International Representative must be active general members registered as full-time students in the MBA program. Candidates for the position of International Representative must be registered as International (VISA) Students in the MBA program.
- 6.3. Candidates for the position of Part-Time Representative must be associate general members registered as part-time students in the MBA program.

- 6.4. All active general members are eligible to vote for the election of full-time or co-op student Executive positions.
- 6.5. The elections procedure will take place no later than the last week of October in each academic year. The election process may be initiated sooner at the discretion of the MBA Association Executive Officers.
- 6.6. The elections process for all elected positions will be as follows:
- 6.6.1. An Elections Committee with a minimum of four members will be formed to oversee the conduct of the elections and to enforce the rules and regulations of the Constitution, by-laws and relevant policies. The committee will be comprised of:
- 6.6.1.1. The Operations Director, who will be the Chair
- 6.6.1.2. The President of the MBA Association
- 6.6.1.3. The MBA Program Director
- 6.6.1.4. The Director of Student Experience
- 6.6.1.5. And any other staff or faculty member of the DeGroot School of Business or member of the MBA Association deemed necessary.
- 6.6.2. Nominations will open on a date chosen by the Elections Committee and will remain open for a period of no less than five (5) business days.
- 6.6.3. Five active general members must sign nomination forms.
- 6.6.4. The nominee must countersign the nomination form to signify his or her acceptance of the nomination.
- 6.6.5. The Elections Committee will verify the eligibility of the nominators and the nominees before accepting the nomination.
- 6.6.6. Candidates may begin campaigning once the Elections Committee has approved their nomination. The campaign period will take place over a period of five (5) business days. The Elections Committee will inform accepted nominees no later than two (2) days following the close of the nomination period. Nominees will be contacted via email on the same day.
- 6.6.7. Campaigning refers exclusively to verbal and electronic communications. Written communications such as posters, banners, and other print materials may not be employed in the campaigning process unless approved in writing by the President of the MBA Association. Electronic communication includes the use of Facebook, Twitter, and

other social media applications. Electronic communications that do not provide the receiver the ability to opt out or unsubscribe from receiving the message are prohibited. Candidates that do not adhere to these campaigning guidelines will be disqualified.

- 6.6.8. The Elections Committee will arrange a forum at which all candidates will have the opportunity to present themselves and their platform to active general members. This forum will be scheduled no later than five (5) business days after closing of nominations.
- 6.6.9. Elections are suggested to begin immediately following the completion of the candidate forum, but will take place no more than two (2) business days after the candidates' forum.
- 6.6.10. The Elections Committee will oversee the voting process and verify the eligibility of voters.
- 6.6.11. The active general membership will submit votes electronically. Votes will be submitted using the voting software system employed by the Elections Department of the McMaster Student Union.
- 6.6.12. In the event of a tie, a second vote will be conducted following the rules as set out above.
- 6.6.13. Results must be determined and released within two business days of the closing of the voting period. The Elections Committee is only required to release the name of the final elected officials for each vacant position. The actual number of votes received by each candidate will not be released unless expressly requested in writing.
- 6.7. The Part-Time Representative position will be appointed by the President of the MBA Association during the Fall Term after the end of elections.
- 6.8. Records of each election must be retained for a period of 24 months. Retained records shall include, but not be limited to:
  - 6.8.1. A list of candidates running for office
  - 6.8.2. A record of the number eligible voters and number of ballots cast
  - 6.8.3. A record of votes received for each candidate
  - 6.8.4. A record of the members of the Elections Committee.
- 6.9. In the event an MBA Association Executive position(s) is vacant at the end of the election process, except for the Part-Time Representative, the newly elected MBA

Association Executive will be responsible for filling the vacant positions through any of the following methods:

- 6.9.1. Interim Elections
- 6.9.2. Interviews
- 6.9.3. By appointment (if only one candidate is available).

## **ARTICLE 7: EXECUTIVE MEMBER VACANCIES**

7.1. Should an incumbent be required to resign their position for any reason, the position will first become available to current MBA Association Executive members. If more than one executive wishes to fill the vacancy, the President shall be responsible for appointing the successor to the vacant position. If the President is resigning, the Academic Director will assume the role of Interim President. At the earliest possible time, a secret ballot will occur to elect the new President from interested members of the current MBA Association. Two active general members will facilitate the election process. The newly unfilled Director position will first become available to current MBA Association Executive members. If a position is not filled with an internal member, vacant positions can then be filled from the active general membership through the following methods:

- 7.1.1. Interim Elections
- 7.1.2. Interviews
- 7.1.3. By appointment (if only one candidate is available).

7.2. Notwithstanding Article 7.1, vacancies in the Part-Time Students Representative position will be filled by appointment from the President.

7.3. Should an incumbent select to complete an academic exchange in their third term, the position must be opened to the active general membership. Active general members must submit a cover letter and resume to the President of the MBA Association. At the discretion of the President, interviews can be conducted. The President and outgoing incumbent will select the candidate to fill the vacant role.

7.4. An Executive Officer may be removed from office for failure to perform the duties of his/her role as defined in MBA Association Executives Duties policy, or for failing to carry out those duties in a conscientious, ethical and professional manner.

7.5. A motion for impeachment of an Executive Officer may be presented by:



- 7.5.1. A current Executive Officer
- 7.5.2. Any fifteen (15) active general members, upon presentation of a written petition signed by these members.
- 7.5.3. To bring forward a motion for impeachment of the President, two (2) executive officers or twenty (20) active general members are required .
- 7.6. Upon receiving a formal impeachment motion, the Executive Officers, not including the officer against whom the motion has been brought forth, will form an Impeachment Committee consisting of the following members:
  - 7.6.1. All of the Executive Officers
  - 7.6.2. Five general members of the MBA Association, determined by the President of the MBA Association and the Director of Student Experience
  - 7.6.2.1. If the motion for impeachment is brought against the President, the general members will be appointed by the Director of Student Experience
  - 7.6.3. The Director of Student Experience.
- 7.7. The committee will consider the arguments presented for the motion over a two-week trial period to determine if the motion has just cause. If it is determined by the committee that the Officer did violate his/her responsibilities, and that the violation warrants removal of the individual, the committee is hereafter empowered to do so.
- 7.8. Replacement of the impeached officer will follow in accordance with the provisions enumerated in Articles 7.1 and 7.2.

## **ARTICLE 8: TOWN HALL MEETINGS**

- 8.1. A Town Hall Meeting will be held once per term, where all general members will have the opportunity to gather and voice their concerns on selected topics of pressing concern. A representative from MASO, CPD, and RJC building management, the Director of Student Experience, and the MBA Program Director will be invited to attend.
- 8.2. The Meeting will be scheduled by the Executive Officers at an appropriate date and time, and will be chaired by the Academic Director.
- 8.3. Notice of Town Hall Meetings will be posted no less than three (3) weeks prior to the scheduled time. Failing the timely posting of these notices, the meeting will be rescheduled to ensure that members receive the requisite three-week notice.

- 8.4. No other official student gatherings, including but not limited to club and committee meetings, events and executive meetings, shall be permitted during the Town Hall.
- 8.5. Minutes of each meeting will be taken by the Communications Director, or an appropriate designate. Minutes from all Town Hall Meetings will be made available to general members on the MBA Association website within ten (10) business days from the date of the Town Hall Meeting.
- 8.6. Extraordinary Meetings may be called to deal with specific issues of immediate interest by:
- 8.6.1. Any Executive Officer.
- 8.6.2. Any fifteen (15) general members upon presentation of a written meeting notice signed by these members.
- 8.7. Notice for Extraordinary Meetings must be posted at least two (2) business days before the scheduled meeting date.
- 8.8. The President may call a Meeting with the general members without the requisite notice, if it can be demonstrably justified to do so.
- 8.9. The totality of the student experience can be discussed at the Town Hall including:
- 8.9.1. Faculty and administration concerns including but not limited to, CPD, MASO, and the direction of the program
- 8.9.2. Any issue or committee falling under the purview of the MBA Association, including but not limited to, all Clubs, DIHLC, MBA Bound, events hosted by the MBA Association, Formal Committee, and MBA Games team leads.
- 8.9.3. Any committee not under the purview of the MBA Association which general members play a vital part and which serve to involve a large portion of the student population whether as volunteers or participants in an event organized by said committee including but not limited to, the MBA Games Organizing Committee and the DeGroot Case Competition Organizing Committee.
- 8.10. A representative from each MBA club, MBA Association committee, and committee under the purview of the MBA Association that is active on campus in the capacity of recruiting, advertising, or hosting an event will be invited to attend the Town Hall. All executive members of the current MBA Association must attend Town Hall, unless there is extenuating circumstances preventing them from doing so. At least one

(1) executive member of each club association or committee must attend Town Hall. An MBA Association Executive Officer may not act as the representative from the above listed groups unless the Officer is the president or chair of the club or committee.

## **ARTICLE 9: REFERENDA**

- 9.1. A referendum of the General Membership of the MBA Association may be called on any matter relevant to the purpose or business of the MBA Association, including the Constitution.
- 9.2. Fee changes that affect the General Membership may only be approved through referenda.
- 9.3. A referendum can be initiated by:
  - 9.3.1. A petition signed by five percent (5%) of the General Membership delivered to the President and Operations Director;
    - 9.3.1.1. For referenda on the Constitution, the petition must be signed by 10% of the General Membership
  - 9.3.2. A resolution vote passed at a Town Hall meeting where at least three (3%) of the General Membership is present. A majority vote of fifty plus one (51%) of members in attendance must be obtained.
  - 9.3.3. A two-thirds majority vote of the total members of the MBA Association Executive, where all current Executive members are present to vote and after being informed of the proposal by the person and/or parties involved.
- 9.4. A minimum of ten percent (10%) of the General Membership's vote will constitute quorum for the referendum to be binding on the MBA Association.
- 9.5. Electronic ballots must be archived for two (2) years after the referendum
- 9.6. General Members are permitted to form campaign teams to raise awareness and promote a side of the referendum. MBA Association Executive may participate and lead campaigning, but they cannot use the authority granted to them from their position to do so.

## **ARTICLE 10: BY-LAWS AND POLICIES**

- 10.1. By-Laws and Policies exist as an extension of the Constitution to govern the operations and conduct of the MBA Association and its Executive members.
- 10.2. By-Laws and Policies may be adopted or amended by a majority vote of the members present at an Executive meeting where quorum is present.
- 10.3. Notice to alter a By-Law or Policy must be provided at least forty-eight (48) hours in advance to all members of the Executive.
- 10.4. All interpretations of the By-Laws and Policies must be made in accordance with the Constitution.

## **ARTICLE 11: CONSTITUTIONAL REVIEW**

- 11.1. A Constitution Committee will be formed to oversee the review of the MBA Association constitution and operating procedures every two (2) years.
- 11.2. The committee is comprised of the following members, all of whom have voting rights on this committee:
  - 10.2.1. The current-term President of the MBA Association, who will chair the committee
  - 10.2.2. The off term President of the MBA Association
  - 10.2.3. The MBA Association Full-Time Representative
  - 10.2.4. Another Executive Officer from each MBA Association
  - 10.2.5. At least two active general members
- 10.3. The MBA Program Director and the Director of Student Experience will be presented these changes for feedback

## **ARTICLE 12: FINANCES**

- 12.1. The MBA Association is hereby authorized to collect Association membership fees from all MBA students registered as Full-Time or Co-op.
- 12.2. In accordance with McMaster University by-laws, all increases to MBA Association fees must pass a vote from the active general membership by means of a referendum.
- 12.3. MBA Association fees will be allocated as following on a per semester basis:

- 12.3.1. \$52.50 will be allocated to the purchase of MBA Legacy Rings on behalf of all active general members.
- 12.3.2. \$20.00 will be allocated to a Graduating Class Gift that enhances student life at DeGroot as selected by the MBA Association.
- 12.3.3. \$80.00 will be allocated to enhancing the student experience through MBA Association and Club events.
- 12.4. The Finance Director will prepare an annual financial report for the MBA Association within one (1) month of the fiscal year end to be reviewed first by the MBA Association and then by the Finance Department of McMaster University as per McMaster University's Financial Accountability Policy. The financial report will be published and accessible on the MBA Association website to the active general members within two (2) months of fiscal year end.

### **ARTICLE 13: COMMITTEES**

- 13.1. The MBA Association Executive is hereby empowered to create committees to aid in the objectives of the MBA Association. Such committees will be chaired by an Executive Officer, or Committee Chair(s) will be hired. Events and activities for committees can include, but are not limited to:
  - 13.1.1. The annual MBA Games
  - 13.1.2. MBA Bound
  - 13.1.3. A charity fashion show
  - 13.1.4. The annual student formal
  - 13.1.5. The development of the annual yearbook
  - 13.1.6. Other ad hoc events and initiatives
- 13.2. The Chair(s) of each committee will be selected through an interview process.

The interview panel will consist of the following:

  - 13.2.1. The past co-Chairs of each committee
  - 13.2.2. Three members of the MBA Association, at least one of whom is the MBA Association President.
- 13.3. In the event that a member of the MBA Association is applying for the role or a previous Chair is re-applying for the role, that person will not be eligible to interview

candidates and a member of the current-term MBA Association Executive will replace them on the hiring panel.

- 13.4. Once selected, the current-term MBA Association Executive will affirm the committee's decision for chair(s).
- 13.5. The President and the Finance Director shall be considered ex-officio members of all such committees.
- 13.6. The President is empowered to dissolve at their discretion, any constructed committees as is required.

#### **ARTICLE 14: THE GRADUATING CLASS GIFT**

- 14.1. The Graduating Class Gift can be a contribution to the DeGroote Experience Fund or another gift that enhances student life at DeGroote.
- 14.2. The Graduating Class Gift will be presented at an MBA Association event, to be determined at the discretion of the MBA Association Executive members.

#### **ARTICLE 15: DR. S.J. BASU TEACHING AWARD**

- 15.1. The Dr. S.J. Basu Teaching Award is given in memory of Dr. S. Joe Basu who passed away in January of 1983. The spirit of the Basu Award is to foster the type of teaching excellence achieved by Dr. Basu.
- 15.2. The Academic Director will chair the Basu Award committee that will administer the award process.
- 15.3. All professors teaching in the MBA program during the academic terms in question are eligible to be awarded the Basu Award.
- 15.4. Two awards will be distributed. One award will be presented to a professor or instructor from the first year core courses. One award will be presented to a professor or instructor from the second year core courses.
- 15.5. All General Members of the MBA Association will be eligible to vote during a voting period of no less than three (3) business days.
- 15.6. The Operations Director will act as the official facilitator of the voting process.
- 15.7. The awards will be presented at the annual student formal.

## **ARTICLE 16: CLUBS**

- 16.1. The MBA Association Executive is empowered to approve clubs to aid in the objectives of the MBA Association.
- 16.2. The executive office of each club shall be comprised of a minimum of three executives including the President and two Vice-Presidents. The responsibilities of one of the Vice-Presidents must include financial record keeping.
- 16.3. The President of the MBA Association, the Finance Director, and the Internal Relations Director shall be considered ex-officio members of all such club executive offices.
- 16.4. Clubs must apply to the MBA Association for club status on an annual basis. Club status applications are due to the MBA Association on Dec 31.
- 16.5. The club status application, must include:
  - 16.1. A cover letter stating the club's purpose and desire for club status.
  - 16.2. A membership list; minimum of three executives (including titles) and ten general members who wish to be part of the club. Executives and members must be active general members of the MBA.
  - 16.3. A proposed charter or any amendments to the existing one.
  - 16.4. A proposed year plan listing events and initiatives for the upcoming year.
  - 16.5. A proposed budget indicating the required funding requested from the MBA Association for the events and initiatives for the upcoming year and forecasted revenues from membership fees and any other fundraising activities. A year-end report describing membership, the results of that past year's activities, and suggestions for the next year.
- 16.6. It is at the discretion of each club to collect a membership fee. Membership fees will be remitted to the MBA Association. Collected club membership fees will be allocated by the MBA Association to future costs incurred by club events and initiatives at the direction of the Club President.
- 16.7. Monies collected by clubs from fundraising activities will be deposited into the MBA Association bank account. The MBA Association Finance Director will release these funds to charities, not-for-profit organizations, club events and initiatives or other ventures as instructed by the Club President.

I hereby acknowledge that I have read and understand the contents of this MBA Association Constitution. Acting as a representative for the MBA students of the DeGroote School of Business, I recognize that this constitution has been created in the best interests of the students, and accordingly approve it for proposal by way of a class referendum.

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President

Academic Director

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Operations Director

Events Director

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Communication Director

Internal Relations Director

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Finance Director

Full-Time Representative

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International Representative

Part-Time Representative