

Complete Policy Title:

Policy on Student Groups (Recognition, Risk Assessment and Event Planning)

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Policy on the Recognition of Student Groups, 2006
Student Event Risk Management Policy, 2009

Responsible Executive: **Associate Vice-
President (Students and Learning) and Dean
of Students**

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SECTION I: INTRODUCTION

PREAMBLE

1. Organizations formed by students in the University community are a traditional part of campus life, and contribute in a significant way to its intellectual, political, social and cultural diversity and richness. While student groups have significant autonomy and their primary responsibility and accountability is to their student members and Boards of Directors, Recognized Student Groups also have a responsibility and accountability to the University and must follow all University policies and procedures. By upholding the principles outlined in this Policy and by conducting business in accordance with their by-laws, Recognized Student Groups support the University in its commitment to assist and support University members to:
 - a) communicate, discuss and explore all ideas;
 - b) hold meetings;
 - c) organize Recognized Student Groups for any lawful purpose;
 - d) move about the University and to use its facilities in a reasonable manner;
 - e) distribute published material on campus in a responsible manner, provided that such materials are not unlawful or otherwise in breach of a University policy;
 - f) debate and engage in peaceful demonstrations;
 - g) embrace and demonstrate socially responsible behaviour in all student Recognized Student Group activities; and
 - h) practise responsible risk management to ensure the safety of participants at Events.

SCOPE

2. This Policy applies to all Recognized Student Groups and their group members within the McMaster student community. Members of Recognized Student Groups include, but are not limited to, graduate, undergraduate, and part-time students representing McMaster University.

DEFINITIONS

3. For the purpose of interpreting this document words in the singular may include the plural and words in the plural may include the singular.
4. **“Academic Society”** means a student group that represents an academic unit/program during Welcome Week and/or for which the University collects fees on its behalf.
5. **“Affiliated Student Unions/Associations”** means a legally incorporated organization representing student constituencies, and that has its own constitution, by-laws, policies and insurance. Affiliated Student Unions/Associations include McMaster Student Union (MSU), Graduate Student Association (GSA) and McMaster Part Time Association (MAPS).
6. **“Club”** means a student group recognized by an Affiliated Student Union/Association that is dedicated to a particular interest or activity. The activity may be of an academic, social, recreational, cultural or spiritual nature.
7. **“Dean of Students”** is the Associate Vice-President (Students and Learning) and Dean of Students.

8. “**EOHSS**” means Environmental and Occupational Health Support Services, part of the University’s Human Resources department that provides risk management expertise.
9. “**Event**” means an activity, occurring on or off campus, organized by Recognized Student Groups and that may involve the expenditure of funds.
10. “**Primary Event Organizer**” is the student responsible for organizing an Event.
11. “**Recognized Student Group**” means: the Society of Off Campus Students; Affiliated Student Unions/Associations and their ratified Clubs; and Academic Societies and their approved Sub-Groups.
12. “**Risk Management**” means the identification, analysis, assessment, control and avoidance, minimization or elimination of unacceptable risk. Risk management involves the process of planning, leading, organizing and controlling activities in order to manage potential risk at all Events.
13. “**Sanctioned Event**” means an approved activity organized by a Recognized Student Group.
14. “**SOCS**” means the student group **Society of Off Campus Students** that represents off campus students.
15. “**Sub-Group**” means an approved Sub-Group of an Academic Society.
16. “**University Space**” is space in accordance with the [Policy on the Use of University Facilities for Non Academic Purposes](#).
17. “**Waiver**” means a document to be signed by the participant to acknowledge the inherent risk associated with an Event. Waivers must be completely filled out and must be specific to an Event. Generic waivers will not be accepted.

RELATED POLICIES AND PROCEDURES

18. This Policy is to be read in conjunction with the policies and statements listed below. Any question concerning the application of this Policy and/or related policies shall be determined by the Dean of Students. The University reserves the right to amend or add to the University's policies and statements from time to time (this is not a comprehensive list).
- [Academic Freedom, Statement on](#)
 - [Alcohol Policy, University](#)
 - [Discrimination, Harassment and Sexual Harassment: Prevention and Response](#)
 - [Code of Student Rights and Responsibilities](#)
 - [Financial Accountability Policy for Student Organizations that receive Fee Remittances from the University](#)
 - [Fraternities, Sororities, and Honour Societies, Policy on](#)
 - [Freedom of Information and Protection of Privacy Act](#)
 - [Graduate Students Association - Standing Resolutions GSSRC and Clubs](#)
 - [McMaster Students Union \(MSU\) Operating Policies](#)
 - [Ontario Human Rights Code](#)
 - [Sexual Violence Policy](#)
 - [Sexual Violence Response Protocol](#)
 - [Statement on Building an Inclusive Community with a Shared Purpose](#)
 - [Statement and Guidelines on Inclusive Communications](#)
 - [Student Appeal Procedures](#)
 - [Use of University Facilities for Non-Academic Purposes](#)
 - [Violence in the Workplace Policy and Program](#)
 - [Policy on Accessibility](#)

SECTION II: ROLES AND RESPONSIBILITIES

AFFILIATED STUDENT UNIONS/ASSOCIATIONS

19. Affiliated Student Unions/Associations are responsible for providing support and oversight to Clubs on matters related, but not limited to, proper Event planning, student Event risk management, financial accountability, and approval of Events.
20. Affiliated Student Unions/Associations are also responsible for:
 - a) developing and disseminating Club recognition and risk management policies and operating procedures, and ensuring that Clubs follow these policies and procedures.
 - b) complying with the University's risk management process related to Affiliated Student Organization Events. For example, Frost Week, Welcome Week, Light Up the Night.
 - c) providing a list of ratified Clubs on a yearly basis to the Dean of Students and to EOHSS.
 - d) notifying the Dean of Students in a timely manner of any significant complaints or concerns regarding Clubs that are being reviewed or investigated.

ASSOCIATE VICE-PRESIDENT (STUDENTS AND LEARNING) AND DEAN OF STUDENTS

21. The Associate Vice-President (Students and Learning) and **Dean of Students** is responsible for the general oversight and communication of this Policy. The Dean of Students is the final authority for this Policy.

ENVIRONMENTAL AND OCCUPATIONAL HEALTH SUPPORT SERVICES (EOHSS)

22. Environmental and Occupational Health Support Services (EOHSS), a unit of Human Resources Services, is responsible for providing training on student event risk assessments and making recommendations where applicable to mitigate/eliminate risk related to Events. This consultative service may be in addition to risk management training provided by the Affiliated Student Union/Association.
23. EOHSS will ensure that Affiliated Student Organizations have a sufficient level of insurance coverage for their activities and that the minimum criteria as mandated by the University for operations.
24. EOHSS reserves the right to, in consultation with the Dean of Students, review and/or deny submitted Events upon assessment and determination of the potential of high risk related to the Event.

FACULTY ASSOCIATE DEAN

25. The Faculty Associate Deans are responsible for providing general support, risk management, and oversight to the Academic Societies and approved Sub-Groups, and for adherence to University policies and procedures.
26. The Faculty Associate Dean must provide a list of Academic Societies and approved Sub-Groups to the Dean of Students and to EOHSS.
27. The Faculty Associate Dean may delegate responsibility for the approval of Events to a designate.

MANAGER, OFF CAMPUS RESOURCE CENTRE (OCRC)

28. Manager of the Off Campus Resource Centre is responsible for providing general support, risk management, and oversight to the Society of Off Campus Students (SOCS) and for adherence to University policies and procedures, the Manager, OCRC is responsible for approving of SOCS Events.

PRIMARY EVENT ORGANIZER

29. The Primary Event Organizer is responsible for ensuring that all the requirements in the planning and implementation of the Event related to this Policy are met. Failure by the Primary Event Organizer to meet their responsibilities as set out in this Policy or to follow any applicable law, statute, regulation or policy, will result in the Primary Event Organizer facing sanctions under the applicable Related Policy.
30. The Primary Event Organizer is also responsible for:
- a) dealing appropriately and safely with any problems that might arise leading up to, during and following the Event;
 - b) any breaches of this Policy that may occur during the planning and implementation of the Event; and
 - c) attending the Event.

RECOGNIZED STUDENT GROUPS

31. Recognized Student Groups (Affiliated Student Unions/Affiliations and their ratified Clubs; Academic Societies and their approved Sub-Groups; Society of Off Campus Students) are responsible for safeguarding the reputation of the University by adhering to all University policies and procedures, and abiding by the laws of the land.
32. Recognized Student Groups are also responsible for developing and maintaining up to date constitution, by-laws, policies and procedures in regards to conducting business in an ethical and fiduciary manner, and for communicating these to their members.

SECTION III: RECOGNITION OF STUDENT GROUPS

RECOGNIZED STUDENT GROUPS

33. Recognized Student Groups are limited to Affiliated Student Unions/Associations and their ratified Clubs, Academic Societies and their approved Sub-Groups, and the Society of Off Campus Students.
34. The Department of Athletics and Recreation sport clubs are not part of this Policy, and will be managed by the Director of Athletics and Recreation (or delegate) in the same manner as varsity teams.

Affiliated Student Union/Association

35. The University recognizes three distinct legally incorporated organizations representing student constituencies. Membership in this category is closed, except to:
 - a) the [McMaster Students Union \(MSU\)](#) is the official representative of all full-time undergraduate students including all undergraduate student Clubs;
 - b) the [Graduate Students Association \(GSA\)](#) is the official representative of all full-time and part-time graduate students including all graduate student Clubs; and
 - c) the [McMaster Association of Part-time Students \(MAPS\)](#) is the official representative of all undergraduate part-time students.
36. The Dean of Students has delegated to the Affiliated Student Union/Association the authority to ratify Clubs and to oversee Club Events.
37. Students interested in forming a Club must seek formal recognition (ratification) through the appropriate Affiliated Student Union/Association.
38. Clubs that have been ratified by an Affiliated Student Union/Association cannot apply for recognition (approval) as a Sub-Group of an Academic Society.
39. Clubs ratified by an Affiliated Student Union/Association must seek approval of Events through their respective Affiliated Student Union/Association.

Academic Societies

40. The University acknowledges that Academic Societies have a long-standing relationship with their Faculty, Program, or University Department. Academic Societies have their own constitution, and the University may collect fees on their behalf. These societies may be comprised of undergraduate or graduate students, and may collect fees from their respective students and include 100% of eligible students who pay these mandatory fees, and may represent their Faculty at orientation activities.
41. The Dean of Students has delegated authority for the recognition of Academic Societies to the relevant Faculty Associate Dean (or delegate). Recognition of Academic Societies will be established through a signed Memorandum of Understanding.
42. Students who wish to form a Sub-Group of an Academic Society must have the approval of the relevant Faculty Associate Dean through the relevant Memorandum of Understanding. The Academic Society is accountable for obtaining the proper approvals for Events of their Sub-Groups.

Society of Off Campus Students (SOCS)

43. The [Society of Off Campus Students \(SOCS\)](#) provides all students with programming that provides a variety of opportunities for students to become involved in the University community. SOCS is an autonomously operating organization that has its own constitution and the University may collect fees on its behalf. SOCS may be comprised of undergraduate or graduate students, and may collect fees from their respective students and include 100% of eligible students who pay these mandatory fees, and may represent its members at orientation activities.
44. The Dean of Students has delegated authority for the support and oversight for this student group to the Manager, Off-Campus Resource Centre.

PROCEDURAL GUIDELINES

45. The objectives and activities of a Recognized Student Group must be seen as attempting to contribute to the educational, recreational, social or cultural values of the University. These values are intended to be interpreted in the broadest sense. However, the essential “value” of the University must remain that of preservation of freedom of enquiry and association.
46. Recognized Student Groups may not engage in activities that are essentially commercial in nature. This is not intended to preclude the collection of reasonable membership fees to cover the expenses of the organization, or of charges for specific activities, programs or Events, or to prohibit Recognized Student Groups from engaging in legitimate fund raising. However, a Recognized Student Group cannot:
 - a) have as a major activity or function that makes it an on-campus part of a commercial organization;
 - b) provide services and goods at a profit when that profit is used for purposes other than those of the organization; or
 - c) be financially compensated, including but not limited to gifts, honorariums, salaries to any or all of its officers (this does not apply to MSU Inc., GSA Inc., MAPS Inc.).
47. Membership in Recognized Student Groups must be open to all students in compliance with the Ontario Human Rights Code and McMaster’s [Discrimination, Harassment and Sexual Harassment: Prevention and Response](#). While discriminatory membership practices are not allowed it is recognized that certain Recognized Student Groups could well be homogeneous in nature without being discriminatory. Status as non-voting members may be extended to interested persons from outside the University.
48. Fraternities and sororities, and groups associated with fraternities and sororities, shall not be granted recognition as a student group (see the [Policy on Fraternities, Sororities and Honour Societies](#)).
49. The University’s interest in the constitution of a Recognized Student Group is based on its concern that organizations and individuals using its name and its facilities are genuine campus organizations, that they pursue activities in accordance with the law, and that such things as organizational structure, membership, procedures, rules of conduct, etc. are spelled out so that all members who join a group and take part in its activities may do so with full knowledge of their rights and responsibilities within the group and to ensure accountability and transparency to all members.
50. By the University granting recognition to a student group, the group is accorded a number of privileges, including:

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- a) use of the University's name and insignia subject to University regulations ([Heraldic Policies](#), [McMaster Brand Policies](#));
 - b) ability to book space under the [Policy on the Use of University Facilities for Non-Academic Purposes](#);
 - c) right to hold Events;
 - d) use of the University's institutional liquor license;
 - e) exclusive use of the group's name on campus;
 - f) access and ability to rent University property and equipment;
 - g) use of campus facilities for solicitation of membership.
51. Under the terms of this Policy the University will not attempt to censor, control or interfere with any Recognized Student Group on the basis of its philosophy, beliefs, interests or opinions expressed unless and until these lead to activities which are illegal or which infringe the rights and freedoms already mentioned. By the same token, recognition as a student group by the University implies neither endorsement of a particular group's beliefs or philosophy, nor the assumption of legal liability for the student group's activities. It assumes only that the University has a responsibility to inform itself of campus organizations which use its facilities and name and to deny, suspend or withdraw recognition if the requirements of this policy or other University policies are not observed.
52. The successful implementation and use of this Policy requires consultation and communication between the University and all Recognized Student Groups. All Recognized Student Groups shall undertake to consult and communicate regarding the implementation, use, and future amendments to Policy in good faith in order to ensure the policy's success.
53. To ensure due diligence and obligations under the duty of care principle, the University requires proper Event planning and the required student Event risk management process to be completed for all Events planned and organized under this Policy. All other Events are prohibited by the University.

SECTION IV: RISK ASSESSMENT AND EVENT PLANNING

54. Persons, groups or organizations can be held responsible for incidents, damages or harm done during or after an Event. In Canada, the duty of care is a commonly held standard. That is to say, organizers of Events or activities have a duty to care for others where the potential risk is foreseeable.
55. Organizers of an Unauthorized Event will be referred to and investigated for violation(s) of a relevant Related Policy.
56. Compliance with this Policy will help to lessen the personal liability of any specific person related to student Event risk and that of the Recognized Student Group.

ASSESSING RISK

57. When assessing the level of risk for an Event there are a broad range of factors that may be considered. The list of factors below are not comprehensive and do not solely determine the level of risk. The level of risk is determined on an individual Event basis.
 - Alcohol
 - Financial impact
 - Guest speakers
 - Level of physical activity
 - Property risk
 - Reputational impact
 - Size of event
 - Transportation/travel.
58. One (1) non-drinking monitor must accompany every ten (10) participants to a licensed facility.
59. Unlicensed alcoholic Events will not be approved, open bar Events or any Event that includes drink tickets in the price of event.

STUDENT EVENT PLANNING AND APPROVAL PROCESS

60. Approval for the use of University space shall only be granted when the Student Event Planning Process is completed. Space may be tentatively booked pending final approval. In the circumstance that space for an Event has been improperly booked prior to the completion of the process the Event shall not be approved.
61. An Event shall only be sanctioned and take place when the following risk management process has been completed:
 - a) the proper planning, Event risk assessment and development of a risk management strategy associated with the Event;
 - b) completed documentation including, but not limited to, Waivers, contracts, etc.; and
 - c) obtaining all required approvals.

62. The approval process excludes the main Affiliated Student Union/Association (MSU, GSA, MAPS) run Events which are covered in a separate legal agreement between the Affiliated Student Union/Affiliation and the University.
63. The Primary Event Organizer must make their Event submissions through the **Student Risk Management and Event Planning Portal** (link on the Student Affairs home page <http://studentaffairs.mcmaster.ca/>) to receive approval for Events.
64. Risk assessment guidelines and final approvals for Events will be determined by EOHSS and/or the Affiliated Student Unions/Associations, as appropriate, and will be communicated to all stakeholders.

LIABILITY INSURANCE

65. Insurance policies for commercial general liability and property coverage are held by McMaster University, the Affiliated Student Unions/Associations and its Clubs, and the McMaster University Student Centre (MUSC).
66. All Affiliated Student Unions/Associations must carry adequate liability insurance appropriate for the activities of the organization. Such liability insurance must be to the satisfaction of the University, and proof must be provided on an annual basis.
67. When proof of insurance is insufficient the University may, in consultation with the Dean of Students and/or Vice-President Administration, suspend operations of the Affiliated Student Union/Association.
68. Where the Affiliated Student Union/Association has approved an Event organized by a ratified Club, the Affiliated Student Union/Association's liability insurance is the primary insurer.

SECTION V: INVESTIGATIONS, APPEALS AND RECORDS

69. Failure of a Recognized Student Group to fulfill any of its responsibilities or procedures or to comply with its constitution or with University procedures shall constitute an offence under one or more Related Policies.
70. All Recognized Student Groups are subject to the *Code of Student Rights and Responsibilities*, “the Code”, and violations of this Policy may result in sanctions under this Policy, the Code, as well as sanctions from the relevant Affiliated Student Union/Association.
71. The University will not attempt to monitor or review the activities of a Recognized Student Group in the normal course of Events. Reliance is placed on the Affiliated Student Unions/Associations/Faculty Associate Deans/Manager, OCRC to investigate complaints that such a group has acted in a manner inconsistent with its constitution or with the requirements of this Policy or any other University policy.

INVESTIGATIONS

72. Affiliated Student Unions/Associations have an obligation to investigate complaints/concerns, and must have a process for such investigations and for imposing appropriate sanctions where appropriate.
73. In the Event that the University receives a complaint/issue or otherwise becomes aware that a Recognized Student Group may have acted in a manner that is inconsistent with its constitution or with the requirements of this Policy or any other University policy, the University will investigate or, as appropriate, refer the matter to the Affiliated Student Union/Association.
74. Complaints made to the Faculty Associate Dean or Manager of the Off-Campus Resource Centre will be referred to the Dean of Students for investigation. The Dean of Students will determine the appropriate investigative process.
75. The Dean of Students reserves the right to initiate an audit or investigation of any matter regarding a Recognized Student Group whether a complaint/concern has been made or not.
76. In the event that the Dean of Students is not satisfied with the resolution of the investigation the Dean of Students reserves the right to conduct an independent investigation under this and/or a Related University policy.
77. When a Recognized Student Group is under investigation all approved and pending Events for that Recognized Student Group may be suspended pending the outcome of the investigation.
78. Any review regarding the status of a Recognized Student Group must be communicated to the Dean of Students.

SANCTIONS

79. At the conclusion of an audit or investigation, if it is found that the Recognized Student Group acted in a manner that is inconsistent with its constitution or with the requirements of this Policy or any other University policy, sanctions may be imposed.
80. The Dean of Students may, in their sole determination, impose the following sanctions, in addition to any other sanctions that may be applied pursuant to other policies:

- a) privileges may be suspended or withdrawn; and/or
- b) Status as a Recognized Student Group may be suspended or withdrawn.

APPEALS

- 81. The outcome of an investigation conducted by an Affiliated Student Union/Association is not appealable.
- 82. A decision by the Dean of Students under this Policy may be appealed through the Student Appeals Procedures.

RECORDS

- 83. All personal information shall be handled in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 84. Records including forms, approvals, waivers and incident reports shall be retained on the **Student Risk Management and Event Planning Portal** for all Events in a secure and accessible format for a period of seven years from the date of the Event.
- 85. Records of allegations, audits, and investigations of misconduct by a Recognized Student Group shall be kept by the Dean of Students in all instances, unless it is concluded that there has been no misconduct, or that there is insufficient evidence to support the allegation. Any time a sanction has been imposed the records and notes shall be kept and may have a bearing on the sanction levied in any future case. The retention period for such records is determined by the Dean of Students depending on the severity of the situation.

APPENDIX A: STRUCTURE FOR THE RECOGNITION OF STUDENT GROUPS

