



THE MARKETING GROUP

TMG CONSTITUTION

12TH September 2023

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ARTICLE I - **Title and Articles of Association**

1. The official name of this departmental student organization shall be **“The Marketing Group.”** Additionally, the organization may be otherwise referred to as **“TMG”** or **“Home of the Pink Sheep.”**
2. This organization will fall under the umbrella of the **"Management and Economics Students' Association (MESA)"** at University of Toronto Scarborough.
3. It will maintain its autonomy as an **independent entity** within the school community and the MESA framework while **subscribing to the overarching values & policies** of both establishments.

ARTICLE II - **Purpose, Mission and Vision**

1. The purpose of The Marketing Group will be to **Connect, Professionally develop & Foster an appreciation for Marketing** within its membership and student body.
2. The Marketing Group will enhance the **educational, recreational, social, and cultural environment** of the University of Toronto Scarborough by encouraging **social interaction, leading workshops & hosting events** that are **informational & developmental in nature.**
3. The Marketing group fundamentally serves a **non-profit function** within the University of Toronto Scarborough, and **will not engage in activities that are purely commercial in nature.**

ARTICLE III - **Membership**

1. Membership in The Marketing Group is open to all **students, staff, faculty** and **alumni** of the University of Toronto Scarborough.
2. In order to become a member, **individuals must be elected or appointed for an active role** within the organization, either in the **Executive Body** or within the **Board of Directors.**
3. The term of membership for The Marketing Group will be from **September 1st to August 31st** of each academic year.
4. All members shall be afforded the **following rights through membership** in The Marketing Group:



- 4.1. **The right to participate and vote in group elections and meetings;**
- 4.2. **The right to communicate, discuss and explore all ideas;**
- 4.3. **The right to organize/engage in activities/events that are reasonable and lawful;**
- 4.4. **The right to freedom from discrimination on the basis of sex, race, religion, or sexual orientation;**
- 4.5. **The right to be free from censorship, control, or interference by the University on the basis of the organization's philosophy, beliefs, interests or opinions unless and until these lead to activities which are illegal or which infringe on the rights and freedoms already mentioned above;**
- 4.6. **The right to distribute on campus, in a responsible way, published material provided that it is not unlawful;**
5. Each member shall possess the following **responsibilities** relative to their participation within The Marketing Group:
 - 5.1. **Support the purpose of the organization;**
 - 5.2. **Uphold the values of the organization;**
 - 5.3. **Contribute constructively to the programs and activities offered by the organization;**
 - 5.4. **Attend general meetings;**
 - 5.5. **Abide by the constitution and subsequent official organizational documents;**
 - 5.6. **Respect the rights of peers and fellow members;**
 - 5.7. **Abide by University of Toronto policies, procedures, and guidelines;**
 - 5.8. **Abide by the Laws of the Land, including but not limited to the Criminal Code of Canada.**
6. The Marketing Group values and **respects the personal information** of its members, keeping it secure at all times. The Marketing group **will not supply names or other confidential information** to third-parties.
7. The Marketing Group **will protect the privacy of member information** and must **use it only for the delivery of service** and not for commercial gain.



ARTICLE IV - **Executive Rights & Functions**

1. In order to be recognized as an **executive** of the organization, an individual must hold one of the following titles:
 - 1.1. **President**
 - 1.2. **Vice President**
 - 1.3. **Director**
 - 1.4. **Associate**
2. For the complete list of roles & responsibilities, please click [here](#).
3. **Only student members** of the organization may **hold executive positions**.
4. The **executive positions collectively will form a committee** that acts as the primary steward of the organization.
5. This **committee is collectively responsible** for the day-to-day decision making of the organization including but not limited to **monitoring finances, event planning and execution, member services, and advocating on behalf of members** to Administration and student government.
6. This **committee cannot make amendments** to the constitution without the **approval of the board** at a valid committee meeting.
7. **The term of each executive** will last from **May 1** following their election to **April 30** of the following year.
8. **Any executive** of the organization **may resign**, provided that such resignation is made **in writing and delivered to the President**. Any such resignation is, by its terms, **effective on delivery unless otherwise stated**, and no ratification by the organization shall be required to make the resignation official.
9. **Any vacancy** of executives **shall be filled by the President or designate** of the organization **through permanent appointment or a formal hiring process**.



10. **If the President resigns**, such a resignation must be made **in writing and delivered to the Board**. Any such resignation is, by its terms, **effective on delivery unless otherwise stated**, and no ratification by the organization shall be required to make the resignation official.
11. **Any vacancy of the President shall be filled by another executive committee member appointed by a simple and clear majority of the board committee.**

ARTICLE V - **Board of Directors**

1. For governance purposes, the Marketing Group shall also maintain a **Board Of Directors**. Membership in this board shall be open to any alumni or faculty of the University of Toronto Scarborough. **The broad responsibilities of the Board shall include:**
 - 1.1. Approving the strategic plans and objectives of the organization as well as overseeing their effective implementation.
 - 1.2. Laying down the internal rules and regulatory policies for the organization.
 - 1.3. Supporting the executive team by ensuring the organization is well equipped with the tools for proper management of activities and resources.
 - 1.4. Offering advice during meetings and aiding in the year to year transitions.
 - 1.5. Taking corrective actions to maintain the integrity of the organization as outlined in the constitution.
2. One member of the board will also be appointed as a **Faculty Advisor**. This member must be an active faculty member of the University whose broad roles and responsibilities shall include:
 - 2.1. Providing mentorship and guidance to executives by regularly participating in meetings.
 - 2.2. Serving as an advocate for The Marketing Group both on and off campus.
 - 2.3. Ensuring smooth operation in a manner consistent with the organization's constitution and policies.
 - 2.4. **The Faculty Advisor** would also beholden to the rights and functions of a Board Member.



ARTICLE VI - **Removal of Members and Executives**

1. **The process for removing a executive** may be initiated when a **committee of no less than 2 board members & 3 executive members investigate** a complaint determines that:
 - 1.1. **An executive has engaged in unlawful actions or activities;**
 - 1.2. **An executive has violated the constitution;**
 - 1.3. **An executive has violated University of Toronto policies, procedures, or guidelines;**
 - 1.4. **An executive has violated the rights of a fellow member;**
 - 1.5. **An executive has not fulfilled their organizational responsibilities;**
 - 1.6. **Other criteria deemed to be appropriate by the Executive Committee in consultation with and approved by a majority of the Board.**

2. The process incurring the **removal of a member or executive may also be initiated when:**
 - 2.1. **A petition calling for a vote** and bearing the signatures of a majority of the general membership **is submitted to any member of the executive.**
 - 2.2. **A motion for a removal vote is put forward by any member of the executive and passed by a two-thirds majority vote of the executives.** The individual facing potential removal vote is entitled to vote on the motion if they are an executive or be given an opportunity to explain themselves if they are a non-executive general member.

3. **The removal of members and executives** will be facilitated by a **three tier procedure** which operates as follows:
 - **First Tier:**
 - **The executive or member will be warned both verbally and in writing** that their behavior constitutes grounds for removal from the organization and that it should cease effective immediately.

 - **Second Tier:**
 - **Initiated because the member or executive has been in continuation of violation after receiving a first tier warning** relative to a particular action or behavior.



- The Vice President of Administration and Finance will be responsible for contacting the executive or member and facilitating training or suggesting best practices on how to correct the issues of concern.
- The Vice President of Administration and Finance must address all complaints in writing by formulating an action plan and timeline to correct any issues involving executives or members within 14 calendar days.
- The executive or member accused of a continuing violation will be given 14 calendar days from receiving the Vice President Administration and Finances' written response to demonstrate progress or correction of behavior.
- **Third tier:**
 - **Initiated because the member or executive has been in continuation of violation after receiving second tier warning** relative to a particular action or behavior.
 - The removal vote must take place at a valid general meeting of the membership. A representative supporting the motion for removal and the executive or member facing removal (or an individual they designate), may speak for up to five minutes each.
 - The removal of an executive or member requires a 2/3 majority vote of all of the members present at a valid board meeting (including executives). The executive or member facing removal is entitled to vote on the motion.

ARTICLE VII - **Events**

1. Over the course of the academic year The Marketing Group shall engage in the planning, organization and execution of department related events. These events may fall under one of three following categories:
 - 1.1. **External Events:** These events would be developmental in nature, encompassing activities such as case competitions, workshops and speaker conferences. The events will be open to the general public and may include partnerships with third parties, external sponsors as well as other universities.



- 1.2. **Internal Events:** These events would be similar in nature to the external events but shall be limited in scope and participation. They may be held in collaboration with other on-campus groups, faculty and departments but will restrict participation to University of Toronto personnel only.
- 1.3. **Team Events:** These events would be focused on team building and enhancing a sense of community within the organization. They will include off site activities and socials that will be reserved for the members of the organization only.
2. The Marketing Group must hold At least 5 events annually with two External Events, 2 Internal Events and 1 Team Event. Additional events may be held at the discretion of the active members.

ARTICLE VIII - **Finances**

3. The funds of the organization shall be expended pursuant to the operating budget approved by the Presidents and Executive team at a valid committee meeting.
4. All Budgets shall be prepared by the Vice-President Administration and Finance in accordance with the organization's priorities as determined by the executive committee at a valid committee meeting.
5. The Vice-President of Finance and Administration shall present a proposed operating budget for the next fiscal year to the executive committee for its consideration during a final departmental meeting.
6. The operating budget shall be the major budget for the fiscal year and provide for all expenditures of the organization for the subsequent year.
7. The banking business of the organization, or any part thereof, shall be transacted with such bank, trust company or other firm or body corporate as the Executives may designate, appoint or authorize from time to time and all such banking business, or any part thereof, shall be transacted on the organization's behalf by one or more Officers or other persons as the Executive may designate, direct or authorize from time to time and to the extent thereby provided.



8. The President, the Vice-President Administration of Finance, and one member of the Board Members shall be the designated signing authority of banking instruments for the organization.
9. The Marketing Group will ensure that proper and accurate financial records are maintained and passed on to incoming executives following each year's elections.
10. The Marketing Group will accept full financial and production responsibility for all activities it sponsors, plans, or executes.
11. The Marketing Group agrees to provide the name of the bank, the branch number and address, transit number, bank account number, and a list of all signing officers for all bank accounts opened in the organization's name to the Department of Student Life, University of Toronto Scarborough.

ARTICLE IX - **Executive Meetings**

1. The purpose of executive meetings is to provide a forum for the organization's executives to discuss and make decisions on day-to-day matters affecting the organization.
2. Executive meetings will be facilitated by the President of the organization. The President shall be responsible for:
 - 2.1. Formulating and distributing an agenda for each meeting;
 - 2.2. Ensuring appropriate conduct and leading the meeting in an efficient, reasonable manner;
 - 2.3. Moderating the discussion at meetings according to the agenda;
 - 2.4. There shall be a minimum of 1 executive meeting held every 2 weeks from Sept 1 to Apr 30. The date of each subsequent meeting will be confirmed at the preceding meetings.
3. The frequency of executive meetings occurring between May 1 and August 31 will be left to the discretion of the executive committee.
4. Executive meetings may be called to order by the President or executive members.
5. Executive meetings are restricted to executive and Board Members only. Quorum will be established by the presence of a simple and clear majority of the total executives for the organization.



6. Executives must notify the President a minimum of 6 hours before an executive meeting to inform them of new business they wish to discuss. The President will then add the discussion item to the agenda.
7. Each Executive and Board member of the organization shall be entitled to 1 vote at a valid executive meeting.
8. Any question at an Executive Meeting shall be decided by a show of hands.
9. Whenever a vote by show of hands occurs, a declaration by the President that the vote has been carried, carried by a particular majority, or failed shall be recorded in the minutes of the meeting.
10. In case of an equality of votes at an Executive Meeting, the motion will be recorded as having failed.
11. The President may, with the consent of the majority of executives, decide to adjourn these meetings from time to time.

ARTICLE X - Emergency Meetings

1. Emergency meetings can be called for extenuating or unforeseen circumstances that may arise from time to time.
2. These meetings must abide by the respective rules outlined in sections VII .
3. Notice of these meetings must be provided a minimum of 24 hours in advance through email.
4. Less notice for emergency meetings may be provided at the discretion of the President in agreement with a minimum of 3 executive members.

ARTICLE XI - Executive Hiring

1. Presidential hiring will be held prior to March 31 each year. The President/CoPresident will be selected/appointed by the Board/Faculty Advisor following a hiring process



2. Candidates for all remaining executive positions shall be selected through a formal hiring process. These processes will be established by the outgoing executive team each year in consultation with the Board/faculty Advisor
3. Only student members who meet the minimum qualifications to hold an executive position shall be permitted to participate in an election and hold executive positions.
4. All screening of candidates will be conducted by the new President and selected minority executives in consultation with the Board, who will assess each candidate's qualifications against pre-established criteria for holding the positions.
5. Notification of the acceptance of applications for executive positions will be sent via email to all general members in accordance with MESA's established deadlines.

ARTICLE XII - Amendments

1. The organization may make, amend or repeal the constitution or certain sections therein.
2. Notice of a meeting called to consider such a resolution shall be given as follows:
 - 2.1. Notice of the full text of the proposed constitutional amendment shall be given to each member at least fourteen 14 days prior to the date of the meeting called to consider the change;
 - 2.2. A summary of the rationale for the proposed amendment shall be given to each member at least fourteen 14 days prior to the date of the meeting called to consider the change.
3. The Board must approve any amendments to the constitution.

ARTICLE XIII - Transition

1. All outgoing executives are required to transfer all organizational resources used relative to a particular role over the course of the preceding year to new executives upon leaving the position.



2. All outgoing executives are responsible for providing a detailed report to incoming executives that stipulates the status of ongoing projects in their portfolio and evaluations of previous projects and programs that they lead.
3. All outgoing and incoming executives will participate in a joint training session occurring no later than the end of May each year to assist with the transition between new executive teams.

ARTICLE XIV - Emergency Powers

1. In the case of extenuating circumstances, the executive shall be afforded the ability to act without direction from the organization's members.
2. An extenuating circumstance is defined as any instance that may jeopardize the immediate functioning of the organization including but not limited to: executive vacancies, unexpected cancellations, removal from position, or lack of response from members.
3. Emergency powers may only be used for such a period of time as is needed to address an extenuating circumstance.
4. Board Members have the ability to remove emergency powers.

ARTICLE XV - Food Handling On Campus

1. The Marketing Group will conform to Provincial and Municipal Health Regulations when events which include the sale and/or service of food products are held on the University of Toronto Scarborough campus.

ARTICLE XVI - Precedence of University Policies

1. The Marketing Group will abide by all pertinent University of Toronto policies, procedures, and guidelines. Where the University's policies, procedures, and guidelines conflict with those of The Marketing Group, the University's policies, procedures, and guidelines will take precedence.



ARTICLE XVII - Legal Liability

1. The University of Toronto Scarborough does not endorse The Marketing Group's beliefs or philosophy nor does it assume legal liability for the group's activities on or off campus.

9 Appendix A: General Meeting Rules of Order

I. Call to Order

1. The Chairperson may call the meeting to order only if a quorum of executives and non-executive general members is present in person. If a quorum does not exist, the meeting is not qualified to conduct business. A general member may not appear by proxy or mail ballot.
2. The meeting must be open to all applicable general members. General members must receive notice of the meeting in accordance with the constitution.

