



THE MARKETING GROUP

# TMG CONSTITUTION

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June 24, 2024

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## ARTICLE I - **Name of Organization**

**1.1** 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.**”

**1.2** This organization will fall under the umbrella of the "**Management and Economics Students' Association (MESA)**" at University of Toronto Scarborough.

**1.3** 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**

**2.1** The purpose of The Marketing Group will be to **connect, professionally develop & foster an appreciation for Marketing** within its membership and student body.

**2.2** 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.**

**2.3** 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**

**3.1:** Membership in The Marketing Group is open to all **students, staff, faculty and alumni** of the University of Toronto Scarborough.

**3.2** The term of membership for The Marketing Group will be from **September 1st to August 31st** of each academic year.

**3.3** All members shall be afforded the **following rights through membership** in The Marketing Group:

**3.3.1** The right to participate and vote in group elections and meetings;

**3.3.2** The right to communicate, discuss and explore all ideas;

**3.3.3** The right to organize/engage in activities/events that are reasonable and lawful;

**3.3.4** The right to freedom from discrimination on the basis of sex, race, religion, or sexual orientation;

**3.3.5** 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;

**3.3.6** The right to distribute on campus, in a responsible way, published material provided that it is not unlawful;

**3.4** Each member shall possess the following **responsibilities** relative to their participation within The Marketing Group:

**3.4.1** Support the purpose of the organization;

**3.4.2** Uphold the values of the organization;

**3.4.3** Contribute constructively to the programs and activities offered by the organization;

**3.4.4** Attend general meetings;

**3.4.5** Abide by the constitution and subsequent official organizational documents;

**3.4.6** Respect the rights of peers and fellow members;

**3.4.7** Abide by University of Toronto policies, procedures, and guidelines;

**3.4.8** Abide by the Laws of the Land, including but not limited to the Criminal Code of Canada.

**3.6** 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.

**3.7** 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**

**4.1** The **executives** of the organization shall include:

**4.1.1** **President**

**4.1.2** **Vice President**

**4.1.3** **Director**

**4.1.4** **Associate**

**4.2** The broad responsibilities of each executive position are as follows:

**4.2.1** [2024-25 TMG ALL Role Descriptions](#)

**4.3** **Only student members** of the organization may **hold executive positions**.

**4.4** The **executive positions collectively will form a committee** that acts as the primary steward of the organization.

**4.5** 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 with regards to marketing-related items.

**4.6** This **committee cannot make amendments** to the constitution without the **approval of the board** at a valid committee meeting.

**4.7** The **term of each executive** will last from **May 1st** following their election to **April 30th** of the following year.

**4.8** 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.

**4.9** Any **vacancy** of an Executive position, with the exception of the President, **shall be filled by the President or designate** of the organization **through permanent appointment or a formal hiring process**.

**4.10** If the **President resigns**, notice of such resignation must be submitted **in writing and delivered to the Committee and the Board of Directors**. Unless any such resignation is, by its terms, **effective on a later date**, it shall be effective on delivery to the Committee and Board of Directors, and no ratification by the organization shall be required to make the resignation official.

**4.11** Any **vacancy of the President (the “Presidential Vacancy”)** shall be filled by another Committee member appointed by a majority of the Committee, until such a time as, at the discretion of the Board of Directors, (i) a by-election is held, (ii) a permanent appointment occurs, or (iii) a hiring process is conducted to appoint a permanent replacement President for the remainder of the Term (the “Presidential Replacement”); provided, that the Board of Directors shall ensure that the Presidential Replacement is in place.

## **ARTICLE V - Removal of Members and Executives**

**5.1** The process for removing a member or executive may be initiated when a **committee of no less than 2 board members & 3 executive members investigate** a complaint determines that:

**5.1.1** An executive has engaged in unlawful actions or activities;

**5.1.2** An executive has violated the constitution;

**5.1.3** An executive has violated University of Toronto policies, procedures, or guidelines;

**5.1.4** An executive has violated the rights of a fellow member;

**5.1.5** An executive has not fulfilled their organizational responsibilities;

**5.1.6** Other criteria deemed to be appropriate by the Executive Committee in consultation with and approved by a majority of the Board.

**5.2** The process incurring the **removal of a member or executive may also be initiated when:**

**5.2.1** 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.

**5.2.2** 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.

**5.3** The **removal of members and executives** will be facilitated by a **three tier procedure** which operates as follows:

- **5.3.1** 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.
- **5.3.2** Second Tier:

- **Initiated because the member or Executive has continued the Prohibited Behaviour, for a period of five (5) calendar days (the “First Tier Cure Period”),<sup>[MC1]</sup> after receiving a First Tier Warning** for such Prohibited Behaviour.
- The Vice President of Operations will be responsible for contacting the executive or member and facilitating training or suggesting best practices on how to correct the Prohibited Behaviour (the “Second Tier Warning”).
- The Vice President of Operations 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 from the end of the First Tier Cure Period.
- The Executive or member accused of a continuing Prohibited Behaviour will be given fourteen (14) calendar days from receiving the Second Tier Warning to cease the Prohibited Behaviour (the “Second Tier Cure Period”).
- **5.3.3 Third tier:**
  - **Initiated because the member or Executive is continuing the relevant Prohibited Behaviour beyond the Second Tier Cure Period, despite the Second Tier Warning.**
  - 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 two-thirds majority vote of all of the members and Executives present at a validly-called general meeting. The Executive or member facing removal is entitled to vote on the motion.

## ARTICLE VI - **Finances**

**6.1** 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.



**6.2** Notwithstanding section 6.1, the executive committee may not approve any unbudgeted expenditure of the organization's funds above \$1000.00 without the approval of the general members at a valid general meeting.

**6.3** 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.

**6.4** The Vice-President of Finance shall present a proposed operating budget for the next fiscal year to the executive committee for its consideration during a final departmental meeting.

**6.5** The operating budget shall be the major budget for the fiscal year and provide for all expenditures of the organization for the subsequent year.

**6.6** The operating budget shall be approved by a majority vote of the general members present and voting at a valid general meeting.

**6.7** 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.

**6.8** 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.

**6.9** The Marketing Group will ensure that proper and accurate financial records are maintained and passed on to incoming executives following each year's elections.

**6.10** The Marketing Group will accept full financial and production responsibility for all activities it sponsors, plans, or executes.

## **ARTICLE VIII - Committee Meetings**

**8.1** The purpose of Committee meetings is to provide a forum for The Marketing Group's executives to discuss and make decisions on day-to-day matters affecting the organization.

**8.2** Committee meetings will be facilitated by the President of The Marketing Group (or an Executive designate thereof, as needed). The President shall be responsible for:

**8.2.1** Formulating and distributing an agenda for each meeting;

**8.2.2** Ensuring appropriate conduct and leading the meeting in an efficient, reasonable manner;

**8.2.3** Moderating the discussion at meetings according to the agenda;

**8.3** There shall be a minimum of one (1) Committee meeting every two (2) weeks from September 1 to April 30. The date of each subsequent meeting will be confirmed at the preceding meeting.

**8.4** The frequency of Committee meetings occurring between May 1 and August 31 will be left to the discretion of the executive committee; provided, that there shall be a minimum of one (1) meeting a month during this time.

**8.5** Committee meetings may be called to order by the President or Executives.

**8.6** Committee meetings are restricted to Executives and Board Members only. Quorum will be established by the presence of a majority of the Executives of The Marketing Group.

**8.7** Minutes of all Committee meetings must be recorded and maintained for reference purposes.

**8.8** Executives must notify the President a minimum of six (6) hours before a Committee meeting to inform them of new business they wish to discuss. The President will then add the discussion item to the agenda.

**8.9** Each Executive and Board member of The Marketing Group shall be entitled to one (1) vote at a valid Committee meeting.

**8.10** Any question at an Committee Meeting shall be decided by a show of hands.

**8.11** 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.

**8.12** In case of an equality of votes at an Executive Meeting, the motion will be recorded as having failed.

**8.13** The President may, with the consent of the majority of Executives, decide to adjourn these meetings from time to time.

## **ARTICLE IX- Emergency Meetings**

**9.1** Emergency meetings can be called for extenuating or unforeseen circumstances that may arise from time to time.

**9.2** These meetings must abide by the respective rules outlined in sections VII .

**9.3** Notice of these meetings must be provided a minimum of 24 hours in advance through email.

**9.4** Less notice for emergency meetings may be provided at the discretion of the President in agreement with a minimum of 3 executive members.

## **ARTICLE X - Executive Hiring**

1. Presidential hiring will be held prior to March 31 each year. The President/Co-President 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 XI - **Amendments**

**11.1** The organization may make, amend or repeal the constitution or certain sections therein.

**11.2** Notice of a meeting called to consider such a resolution shall be given as follows:

**11.2.1** 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 such amendment.

**11.3** Amendments to the constitution require the approval of two-thirds of the members present at a validly-called general meeting.

11.4 The Executives and Board of Directors shall have the final say on amendments to the constitution.

## ARTICLE XII - **Transition**

**12.1** 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.

**12.2** 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.

**12.3** 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 XIII - Emergency Powers**

**13.1** In the case of extenuating circumstances, the Committee shall be afforded the ability to act without direction from the organization's members.

**13.2** 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.

**13.3** Emergency powers may only be used for such a period of time as is needed to address an extenuating circumstance.

**13.4** Members have the ability to remove emergency powers where appropriate through submission of a signed petition from at least 10% of the entire general membership

### **ARTICLE XIV - Food Handling On Campus**

**14.1** 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 XV - **Precedence of University Policies**

**15.1** 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 XVI **Legal Liability**

**16.1** 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.

## ARTICLE XVII - **Banking**

**17.1** 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 XVIII - **Board of Directors**

**18.1** 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 of Directors shall include:**

**18.1.1** Approving the strategic plans and objectives of The Marketing Group as well as overseeing their effective implementation.

**18.1.2** Setting out the internal rules and policies of the organization.

**18.1.3** Supporting the Committee by ensuring the organization is well equipped with the tools for proper management of activities and resources.

**18.1.4** Offering advice during meetings and aiding in the year-over-year transition.

**18.1.5** Taking corrective actions to maintain the integrity of the Marketing Group as outlined in the constitution.

**18.2** The Board of Directors shall have at least one (1) **Faculty Advisor**. The Faculty Advisor must be an active faculty member of the University of Toronto Scarborough. The Faculty Advisor's responsibilities shall include:

**18.2.1** Providing mentorship and guidance to Executives.

**18.2.2** Regularly participating in meetings of the Committee and the Board of Directors.

**18.2.3** Serving as an advocate for The Marketing Group on campus.

**18.2.4** Ensuring smooth operation of The Marketing Group, in a manner consistent with the organization's constitution and policies.

**18.2.5** The **Faculty Advisor** would also beholden to the rights and functions of a Board Member.

## ARTICLE XIX - **Events**

**19.1** Over the course of the academic year, The Marketing Group shall engage in the planning, organization and execution of marketing-related events. These events may fall under one of three following categories:

**19.1.1 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.

**19.1.2 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.

**19.1.3 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.

**19.2** The Marketing Group must hold at least five (5) events annually, including a minimum of two (2) External Events, two (2) Internal Events and one (1) Team Event. Additional events may be held at the discretion of the Committee.

## 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.