



# McMaster University Marching Band

## *Bylaw 4. MMB-Gone Members List Appeal*



This bylaw functions as the appeals process that must be followed in the rescindment of Official MMB-Gone Member status. A Member of the Official MMB-Gone Member List will be herein referred to as a Barred Member. The McMaster Marching Band will be herein referred to as MMB.

### **1. Preliminary Inquiry**

- 1.1. A Barred Member must directly contact a Member of the MMB Executive Board to initiate the appeal process.
- 1.2. MMB reserves the right to reject appeals in the following instances:
  - 1.2.1. The Barred Member requests an appeal more than once per academic year;
  - 1.2.2. The Barred Member requests an appeal 2 years after their placement on the MMB-Gone Members List was first instituted;
  - 1.2.3. The Barred Member has been placed on the MMB-Gone Members List more than once;
    - 1.2.3.1. This includes those listed on both the MMB-Gone Members List and MMB-Gone Staff List.

### **2. Appeal Process**

- 2.1. Once such a request has been made, a representative from the Executive Board must send the MMB-Gone List Appeal Contract through a valid communication channel affiliated with the Barred Member in question no later than three (3) days following their appeal request.
  - 2.1.1. The Barred Member must fill out the MMB-Gone Appeal Contract and send it to a present Executive Member before the remainder of the appeal process may begin.
- 2.2. The Executive Board must agree to investigate the appeal in accordance with Section 1 of this document.



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- 2.2.1. All Executive Members must have access to the reasons for initial placement on the MMB-Gone Members List for at least seven (7) days prior to any discussion of this agreement.
- 2.3. If accepted, the appeal request information must be made available to all members of the Executive Board, in addition to all Executive Associates, First-Year Representatives, Drum Majors, Section Leaders, and the Music & Education Director in accordance with the following criteria:
  - 2.3.1. The official accepted appeal date;
  - 2.3.2. The Barred Member's name;
  - 2.3.3. The Barred Member's past and current affiliation with McMaster University;
  - 2.3.4. The Barred Member's affiliation with the McMaster Marching Band;
  - 2.3.5. The reason the Barred Member's initial placement on the MMB-Gone Members List;
    - 2.3.5.1. Documentation under this facet may include:
      - 2.3.5.1.1. Testimonies from past or present MMB Members or Staff
      - 2.3.5.1.2. Any related text or articles;
      - 2.3.5.1.3. Other relevant materials pertinent to their Membership.
  - 2.3.6. The reason for why the MMB-Gone Members List appeal was submitted;
  - 2.3.7. The reason for why the MMB-Gone Members List appeal was accepted;
  - 2.3.8. Any information relevant to their appeal not otherwise specified.
- 2.4. The Executive Board must respond to the appeal with a final decision no later than one (1) month after its information has been disclosed as outlined in Section 2.3.
  - 2.4.1. If the Executive Committee responds to the appeal within one (1) month's time:
    - 2.4.1.1. The final decision made by the Executive Board will terminate the appeal process;
    - 2.4.1.2. Any further attempts to revisit the appeal must be in accordance with Section 1.2 of this document;



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2.4.1.3. All information collected during the appeal process will be attached in the MMB Google Drive for further reference

2.4.1.3.1. Information collected for appeals must be stored for at least two (2) years and no later than three (3) years after its collection.

2.4.2. If the Executive Committee fails to respond within one (1) month;

2.4.2.1. The appeal may be reinitiated or extended by a simple majority vote of the Executive Board.

2.4.2.2. The appeal may be put to a vote at an emergency general meeting consisting of current general band Membership as outlined in Section 10.1 of the MMB Constitution.

### **3. Post-Appeal**

3.1. If granted a successful appeal, the Barred Member will be herein referred to as a Probationary Member.

3.1.1. All current members and instructors must be notified of the accepted Probationary Member's appeal before the next MMB-sanctioned event.

3.1.2. Probationary Members will receive a three (3) month probationary period effective immediately after their appeal has been approved.

3.1.3. During the first (1<sup>st</sup>) month of the probationary period, the Executive Board may invoke the following clauses:

3.1.3.1. The Executive Committee may deny Probationary Member attendance at any MMB-sanctioned events through a two-thirds (2/3) majority vote;

3.1.3.2. The Executive Board may overturn the Probationary Member's appeal through a two-thirds (2/3) vote.

3.1.4. During the second (2<sup>nd</sup>) and third (3<sup>rd</sup>) months of the Probationary period, the Executive Board may invoke the following clauses:



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- 3.1.4.1. The Executive Board may deny Probationary Member attendance at any MMB-sanctioned events through a unanimous vote;
- 3.1.4.2. The Executive Board may overturn the Probationary Member's appeal through a unanimous vote.
  
- 3.1.5. Upon completion of the three (3) month probationary period, the Executive Board may invoke the following clauses:
  - 3.1.5.1. The Executive Board may request an official statement from the Probationary Member to state their final case;
  - 3.1.5.2. The Executive Board may extend the probationary period up to three (3) additional months;
  - 3.1.5.3. The Executive Committee may instate Full Membership to the Probationary Member;
  - 3.1.5.4. The Probationary Member may be denied Full Membership through a two-thirds (2/3) majority vote of the Members of the Executive Board and other parties listed in Section 2.3 of this document.
  
- 3.1.6. Probationary Members may not run for any Executive positions within MMB.
- 3.1.7. Probationary Members may not participate in the voting processes of MMB.
  
- 3.2. If granted an unsuccessful appeal, the Barred Member will retain their placement on the MMB-Gone Members List until such time has elapsed that they may again appeal the Executive Board's decision, as outlined in Section 2 of this document.