Board of Directors Meeting  
Tuesday, March 25, 2014  
6:00pm (or immediately following the AGM)  
Room 234, MUSC

AGENDA

1. Adoption of the Agenda

2. Adoption of the Open Session Minutes of February 11, 2014 - attached

3. Report of the President
   a) Appointment to the Board (e-mail vote) - attached
   b) Designation of Signing Officer (e-mail vote) - attached
   c) Returning Officers (e-mail vote) - attached
   d) 2013 Audited Financial Statements - attached
   e) 2014 Budget
   f) CCE Survey - attached
   g) MAPS membership fees collected from CCE students - attached
   h) Meetings: Board of Governors (March 6), Senate Committee on Student Affairs (March 21)

4. Report of the Secretary
   a) Annual General Meeting

5. Report of the Acting General Manager

6. Closed Session:
   a) Approval of the Closed Session Minutes of February 11, 2014 - attached
   b) Legal Update
   c) Human Resources Update

7. Other Business

8. Summary of Action as follow-up to the meeting

9. Next Scheduled Meetings

10. Adjournment
McMaster Association of Part-Time Students
Board of Directors Meeting – Minutes
Tuesday, February 11, 2014 at 5:45 p.m.
Room 234, MUSC, McMaster University

PRESENT Jeannie An, Jackie Arlen, Alamin Berhanu (by phone), Jeff Huber

REGRETS Emily Cerantola, Caroline Hill, John Liauba

STAFF David Moore (corporate secretary)

CONSTITUTION OF THE MEETING
The corporate secretary had issued in accordance with By-law 2, Section 2 (g & h). A quorum being present, the chair called the meeting to order.

ATTACHMENTS TO THE OFFICIAL COPY OF THE MINUTES
• Agenda
• Open Session Minutes – January 29, 2014
• Resignation letter from Andrew Smith – February 5, 2014
• Email from Dean of Students – February 5, 2014
• Notice of AGM emailed to membership – February 8, 2014
• Email from Director of Finance – February 11, 2014

1. ADOPTION OF THE AGENDA
Motion: Moved by Huber, seconded by An to approve the agenda as presented.
Carried.

2. ADOPTION OF MINUTES
Motion: Moved by Arlen, seconded by An to adopt the open session minutes of the meeting of January 14, 2014, as amended.
Carried.

3. RESIGNATION OF THE PRESIDENT
Andrew Smith’s written resignation, as both President and as a member of the Board of Directors, was submitted to the corporate secretary on February 5 and took effect immediately (copy appended to the master copy of the minutes).

Motion: Moved by An, seconded by Arlen that the Board formally note, with regret and thanks for his service, the resignation of Andrew Smith as MAPS' president and from the Board of Directors.
Carried.
4. ELECTION – PRESIDENT

The Board discussed the range of current issues that will need to be addressed by the next president. While the post-AGM Board could choose different officers, ideally the president chosen today would be a member of the 2014-2015 Board of Directors and prepared to stand as a candidate for president for that term of office.

Arlen was nominated. She was elected to a two-year term on the Board at the 2013 AGM and indicated her willingness, if elected by the current and post-AGM Boards, to serve through the 2014-2015 term.

Motion: Moved by An, seconded by Berhanu that Jacqueline Arlen be elected president of MAPS for the balance of the 2013-2014 term of office. Carried.

5. REPORT OF THE 1st VICE-PRESIDENT

Student Government-Administration Consultation Committee (Admin-Con)

Smith and An represented MAPS at the Admin-Con meeting on February 5. Smith offered a degree of closure on the summer fee issue by restating MAPS’ disagreement with the process, and concern about the precedent now set by the MSU’s unilateral abrogation of a legal contract and the University’s confirmation of that decision. At this point, it is important to move forward and focus on collaborative efforts that serve the interests of students.

In the interests of time (as Berhanu’s availability by phone was limited) it was agreed to circulate a written summary of other items discussed at Admin-Con and append a copy of the summary to the master copy of the minutes.

Meeting with the Dean of Students

Smith, An, Arlen, and Moore met with the Dean of Students on February 5, immediately following the Admin-Con meeting. The meeting was a follow-up to exchanges of email in the preceding days between Smith, President Deane, the Provost, and the Dean of Students. In those emails, Smith had noted the mixed messages received from the University over the last year with respect to MAPS and called for clarity.

During the meeting with the Dean of Students, Sean Van Koughnett advised:

- The University is focused on the best interests of part-time students, as is the current leadership of MAPS.
- The current MAPS leadership has had to deal with the consequences of the decisions made by the former Board/staff leadership and that has led to understandable frustration.
- CCE plans to survey CCE students with three questions addressing awareness of MAPS and the fees membership paid by students to MAPS.
  - In response to a question from MAPS, the Dean conceded a double standard in that a Faculty dean would not be permitted to send such a survey to full-time students in relation the MSU and whether students wanted to continue paying MSU fees. He noted that survey results would only be one factor in any decision and not a guarantee of any particular outcome.
  - Van Kougnett undertook to have CCE share a draft of the survey with MAPS.
MAPS representatives at the meeting made a number of additional points:

- The last year has been largely devoted to responding to the Provost’s requirements for governance and financial administration. With these requirements now largely met, and acknowledged as so by the University, MAPS’ focus is shifting to a greater emphasis on service, advocacy, and membership engagement.

- After a year in which a governance-dominated focus was required by the University, MAPS suggested that it would be fair to have a year to complete the relaunch of programming, advocacy, and engagement to demonstrate value to the membership. Van Koughnett was sympathetic to this reasoning and undertook to take the 12-month survey deferral suggestion forward to his colleagues.

- In early 2012, CCE asked MAPS to provide more than $460,000 in financial support for program development costs as a “gift.” On April 26, 2012, the University’s Board of Governors rejected a request from the then-MAPS Board for a fee increase to fund this request. The current proposed “survey,” together with CCE’s position that MAPS should not represent CCE students and that MAPS membership fees should instead be reallocated to CCE operating costs, has the appearance of reprisal. The optics of stripping students of representation would surely be a problem for the University.

**Office Hours**

Kim Pastrak is away February 6-17. Karen Wilkinson is covering all shifts, with some shortened hours to reflect her availability. During the Spring Recess (Feb. 18-21), hours will be:

- Mon., Feb. 18: Closed (Family Day; statutory holiday)
- Tues.-Thurs., Feb. 18-20: 9:30-5:00
- Fri., Feb. 21: 9:30-2:30 (regular hours)

**December Survey – iPad winner**

The iPad prize for a randomly selected respondent to the December survey will be sent by courier to the recipient this week. The winner was Lisa Stone.

**6. REPORT OF THE VICE-PRESIDENT (FINANCE)**

With respect to the 2013 audited financial statements:

- MAPS’ bookkeeper has prepared an initial income statement
- A detailed fee reconciliation is needed from Financial Services
- The general ledger is being reviewed by Arlen and Moore. Some corrections are required to posting to individual expense lines and accruals remain to be completed.
- Audit staff have been in the MAPS office this week doing field work as scheduled

The University’s Director of Finance has committed to transferring half the fees held in trust now and the balance after MAPS’ audited financial statements for 2013 are submitted. A copy of Nancy Gray’s email is appended to the master copy of the minutes.

**7. REPORT OF THE SECRETARY**

Moore advised that notice of the AGM was emailed to the membership on the weekend. A copy of the email is appended to the master copy of the minutes. A second notice with the final agenda will be emailed to the membership in late February.
As a result of the decision by each An, Berhanu, and Liauba to retire from the Board at the AGM, and the conclusion of Hill and Huber’s terms at the AGM, there will be a total of five seats on the Board up for election (5 seats each for 2 years, 2 seats each for 1 year). This will establish the staggered terms required by MAPS’ by-laws and provide for the election at the 2015 AGM of 4 seats each for a 2-year term.

8. CLOSED SESSION

Motion: Moved by Huber, seconded by Arlen to move in to closed session. 
Carried.

RETURN TO OPEN SESSION

9. OTHER BUSINESS

None.

10. SUMMARY OF FOLLOW-UP ACTION

Karen Wilkinson to send the iPad to Lisa Stone.

11. NEXT SCHEDULED MEETINGS

Board of Directors: March 25, April 29
Annual General Meeting: March 25

12. ADJOURNMENT

Motion: Moved by Berhanu, seconded by Arlen to adjourn. 
Carried.

6:30 p.m.

These minutes were duly approved by the Board at its meeting on March 25, 2014.

_______________________________  _______________________________
Jacqueline Arlen, President    David Moore, Secretary
Issue: The lawyer representing MAPS in the legal action brought by Sam Minniti will only discuss the case with voting members of the Board of Directors. She believes this is a matter of maintaining solicitor-client privilege of discussions with the client (MAPS, as represented by voting members of the Board). The issue is that no current member of the Board has the historical context to review and meaningfully comment on the large volume of documents presented by the plaintiff in the case.

MAPS' corporate secretary has more than 30 years of experience with student governance at McMaster, including over 11 years on the MAPS Board (1996-2008) and two terms as MAPS' president. He is registering in a CCE course and as such is a fee paying member of MAPS eligible for appointment by the Board to fill one of the two vacancies that currently exist.

Action: Appoint David Moore to fill a vacancy on the Board of Directors, for a term to end at the 2014 AGM, in order that he can support MAPS' president in representing the Board in discussions with the lawyer.

MOTION: Moved by Arlen, seconded by Huber that David Moore be appointed to fill a vacancy on the board of directors for a term to end at the conclusion of the 2014 annual general meeting of MAPS.

VOTE:

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How this works: For time-sensitive matters when convening a Board meeting is difficult or not possible, a motion voted on by e-mail is a fast way to conduct business. Once you have reviewed this motion, you may either vote on it immediately, or you may contact Jackie Arlen or Dave Moore to obtain more information. Voting on this motion will close when one of the following occurs:

1. all members have voted
2. motion passes (4 or more votes in favour), fails (4 or more votes opposed), or other combinations (i.e., 3 in favour 4 abstain)
3. After 11:59pm Thursday, March 6, 2014

To vote, respond directly to Jackie with your vote. The decision will be read into the minutes of the next meeting and a copy of this form appended to the master copy of the minutes.
Issue:  MAPS has four signing officers on record at its financial institution: president, first vice-president, second vice-president, and vice-president (finance). The last of these positions is now vacant with Jackie Arlen’s election as president. Emily Cerantola is out-of-province for six weeks. This leaves only Jackie Arlen and Jeannie An to sign cheques, and makes cheques payable to them problematic (since neither should sign a cheque payable to themselves).

In an informal discussion amongst Arlen, An, Huber, and Moore after the conclusion of the formal Board meeting on February 11, it was agreed to seek Board approval of making Jeff Huber a signing authority at the credit union.

Action:  To approve the designation of Jeff Huber as a signing authority on the MAPS account at the credit union.

MOTION:  Moved by Arlen, seconded by An to designate Jeff Huber as a signing authority on the MAPS account at the credit union.

VOTE:

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3. After 11:59pm Thursday, March 6, 2014

To vote, respond directly to Jackie with your vote. The decision will be read into the minutes of the next meeting and a copy of this form appended to the master copy of the minutes.
Issue: At its meeting on January 14, 2014, the Board of Directors approved the appointment of David Moore as Chief Returning Officer (CRO) to administer the elections associated with the annual general meeting. Since that time, the Board has appointed Moore to fill a vacancy on the Board to facilitate his discussions with MAPS legal counsel.

As a voting member of the Board, and a registered part-time student at McMaster, Moore is eligible to stand for election to a full term and has advised the President of his intention to do so in order to continue supporting MAPS in legal matters currently before the Association. As such, the Board needs to appoint a new CRO.

Jackie Osterman (MAPS executive director 2000-2005) has experience administering MAPS’ elections and has indicated her willingness to serve at the pleasure of the Board. Kim Pastrak, a MAPS employee for over seven years, has the experience to be able to respond to members’ questions.

MOTION: Moved by Arlen, seconded by Moore to approve the appointment of Jackie Osterman as chief returning officer and Kim Pastrak as deputy returning officer for 2014.

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1. all members have voted
2. motion passes (4 or more votes in favour), fails (4 or more votes opposed), or other combinations (i.e., 3 in favour 4 abstain)
3. After 11:59pm pm Sunday, March 16, 2014

To vote, respond directly to Dave with your vote. The decision will be read into the minutes of the next meeting and a copy of this form appended to the master copy of the minutes.
Email message:

Send from avpac@mcmaster.ca

Subject: CCE Student Survey

Dear xxx:

Thank you for choosing a program at McMaster University’s Centre for Continuing Education (CCE). I hope that you are enjoying your experience.

I am writing today to ask for your feedback regarding membership in the McMaster Association of Part-time Students (MAPS).

As a student taking courses through CCE, you are automatically a member of MAPS. When you pay for your courses, $7 per unit ($21 per 3 unit course), is transferred to MAPS as membership fees. Please see the MAPS website for information about services: http://www.mcmaster.ca/maps/

Please click here to complete the survey: <insert link>
This link is uniquely tied to this survey and your email address. Please do not forward this message.

We would appreciate your response by March 16, 2014.

If you have questions or would like additional information, please feel free to contact:
Julianne Simpson
Executive Assistant, Provost and VP Faculty
simpjul@mcmaster.ca

Thank you again for choosing McMaster University as your education provider. I wish you all the best with your studies.

Sincerely,

Susan Searls Giroux
Associate Vice President (Faculty)
Professor of English and Cultural Studies
University Hall, Rm 203
1280 Main Street West
Hamilton, ON L8S 4K1
Survey re CCE Students and MAPS – March 2014

Survey questions:

1. Before receiving this survey, were you aware that as a CCE student, you are a member of MAPS?
   - Yes
   - No
   - Not sure

2. Do you feel that you receive value for your MAPS fees?
   - Yes
   - No
   - Not sure

3. Would you like to continue being a member of MAPS?
   - Yes
   - No
   - Not sure

4. Comments:

Thank you for taking the time to provide input.
March 12, 2014

Mr. Sean Van Koughnett
Associate Vice-President (Students & Learning) and Dean of Students
McMaster University
Email: avpstudents@mcmaster.ca

Re: MAPS fees assessed to CCE students in 2013-2014 Fall-Winter Academic Session

Dear Sean:

Earlier this week MAPS’ auditor sent me a membership fee reconciliation for 2013. This had been provided by Financial Services to support preparation of our audited financial statements for the MAPS fiscal year ended December 31, 2013. The document noted that $73,724 in MAPS membership fees collected from CCE students during the 2013-2014 fall-winter academic session were originally included, but had been removed because “per direction of the Board, these fees will be re-directed to CCE.” With respect, this is not what the Board approved.

On June 6, 2013, the Board of Governors approved a motion to temporarily suspend collection of the MAPS fee and this took effect with the 2013-2014 fall-winter academic session (BoG Minutes, Volume 60, page 56):

“IT WAS DULY MOVED AND SECONDED,

“that the Board of Governors endorse the decision of the Administration to suspend the collection of fees on behalf of the McMaster Association of Part-time Students, until such time as the Administration decides otherwise.”

Dr. Wilkinson explained that the McMaster Association of Part-time Students (MAPS) fee of $7 per unit will remain on the books, but the collection of the fee will be suspended until the issues with MAPS are resolved. The University understands that the MAPS Board has been working hard to address concerns, but at this time the administration feels more action is required. The fees that have been collected will be held in trust until the situation is resolved.”

Fee collection was suspended for undergraduate degree students, but contrary to the Board resolution, fee collection continued uninterrupted from CCE students.
On December 12, 2013, the Board of Governors approved the 2014-2015 CCE fee schedule (BoG Minutes, Volume 61, page 20). The supporting material circulated to the Board included a memo from the chair of the University Student Fees Committee, Dr. Jacy Lee, which stated:

“Historically, fees levied by the McMaster Association of Part-time Students (MAPS) have been included in the published CCE tuition fees. The issue of whether or not CCE students will continue to be MAPS members has yet to be determined. If CCE students are deemed to continue to be MAPS members, the fees due to MAPS will be remitted by CCE from the tuition fees collected. Otherwise, CCE will use the equivalent funds to improve CCE services and offerings.”

The motion and the underlying approach captured in the supporting material was explicitly in relation to the 2014-2015 fee schedule (i.e. to be applied on a go-forward basis effective September 2014, and only if/when CCE students were no longer members of MAPS). This is an important distinction because (1) it does not apply to 2013-2014, and (2) CCE students continue to be members of MAPS in 2013-2014.

Students registering in CCE courses from September 2013 to present have been explicitly told in their registration confirmation that the amount they paid included $7 per academic unit in “student fees” [MAPS’ membership fee].

Given that the fees have been collected from CCE students since September, I respectfully suggest that they be allocated to a MAPS-directed purpose that is of direct benefit to CCE students and in keeping with a previous agreement between MAPS and the University. Specifically, I propose that these funds (and any other MAPS membership fees from CCE students collected in the 2013-2014 fall-winter session that may subsequently identified) be directed to honour MAPS 2013 and 2014 commitments, under The MAPS 30th Anniversary Part-Time Certificate Student Bursaries Award gift agreement (copy attached). In this way the funds will provide direct bursaries and build the endowment for future bursaries to support CCE students.

I ask that the University provide a breakdown of how much of the fees collected from CCE students were in relation to each the 2013 Fall Term and the 2014 Winter Term, since those separate amounts will need to be reflected in MAPS audited financial statements for its 2013 and 2014 fiscal years, respectively.
As I am sure you will appreciate, with MAPS annual general meeting just two weeks away I am anxious to have this matter resolved quickly so that the audited financial statements may be finalized for presentation at our AGM.

I will be pleased to meet with you to discuss if that would be helpful. Thank you for your attention of this matter.

Yours sincerely,

Jacqueline Arlen
President

cc: MAPS Board of Directors
    Roger Couldrey, Vice-President (Administration)

Attachment:
• MAPS-University Gift Agreement, 2008
GIFT AGREEMENT BETWEEN

McMaster Association of Part-Time Students
(The Donor)

AND

McMaster University
(The University)

I. THE GIFT

The McMaster Association of Part-Time Students has generously made a total pledge of $505,000 to McMaster University (hereinafter the “Gift”). This pledge will be provided in the form of cash according to the following schedule:

- 2008 $145k ($130k endowed, $15k expendable)
- 2009 $60k ($45k endowed, $15k expendable)
- 2010 $60k ($45k endowed, $15k expendable)
- 2011 $60k ($45k endowed, $15k expendable)
- 2012 $60k ($45k endowed, $15k expendable)
- 2013 $60k ($45k endowed, $15k expendable)
- 2014 $60k ($45k endowed, $15k expendable)

Please note that the expendable portion of the pledge will stay fixed, but the endowed portion of the pledge may be modified at the request of the Donor.

II. PURPOSE

The purpose of the Gift is to establish The MAPS 30th Anniversary Part-Time Certificate Students Bursaries Award. Pending the approval of The Undergraduate Council Awards Committee at McMaster University, the terms of reference for the bursary will be as follows:

The MAPS 30th Anniversary Part-Time Certificate Students Bursaries Award
Established in 2008 by the McMaster Association of Part-Time Students (MAPS) to commemorate 30 years of MAPS Board leadership and growth along with the 30th Anniversary of MAPS. To be granted to students currently enrolled on a part-time basis who demonstrate
financial need. Preference to be given to students in a diploma or certificate program. Applications will be reviewed by the MAPS Awards Committee.

III. FURTHER TERMS

In addition to the foregoing, it is further agreed as follows:

a) Through this generous Gift an Endowed Trust Fund (the “Fund”) will be created subject to the terms of this Agreement.

b) Subject to approval of the appropriate University body the Fund will be known as The MAPS 30th Anniversary Part-Time Certificate Students Bursaries Award at McMaster University.

c) The annual allocation from the Fund consistent with the policy objectives described in The Expenditure Policy: General Trust Funds* (www.mcmaster.ca/univsec/policy/Expend-ExtRestEndow.pdf) will be made available by McMaster University to provide the funding for The MAPS 30th Anniversary Part-Time Certificate Students Bursaries Award in accordance with the conditions specified by this Agreement and provided sufficient investment income is generated by the Fund. A disbursement will be made from the annual expendable donations to grant bursaries to students. Disbursements will be made from the endowed fund when the fund has grown to $400,000 and adequate investment income has been earned.

d) The Vice-President of University Advancement at McMaster University will report on the status of the Fund to the Donor and provide recipient information.

IV. DONOR ACKNOWLEDGMENTS

a) The University is responsible for the management of the Fund with the goal that the real capital value of the Fund will be maintained in perpetuity in accordance with the terms of this Agreement and the University Statement of Investment Policies and Objectives-Investment Pool* (www.mcmaster.ca/bms/policy/invest/invest.pdf).

b) The Fund will be managed according to McMaster University’s Operational Policy and Procedures for Trust and Endowed Fund Management* (www.mcmaster.ca/bms/policy/finance/opguide.pdf).

c) The annual realized return on investments for Endowed Trust Funds is net of investment management fees and (currently) 1% trust fund administration fees.

* Donors who do not have access to the Internet may request copies of the McMaster policies referenced in this Agreement.
d) Both the McMaster Association of Part-Time Students and the University affirm that the Gift does not and shall not, in any way, compromise McMaster’s Mission and Vision Statement, constrain academic freedom on campus, as described in McMaster’s Statement on Academic Freedom* (McMaster website: www.mcmaster.ca/senate/academic/acafreed.htm), contravene any policy of the University or reflect negatively on the University’s public image.

c) The focus of the academic priorities at McMaster University may shift over time, and it may become impossible, inadvisable or impracticable to apply the annual income from the Fund for the purpose set out above. If McMaster University is of the opinion that a revised purpose is appropriate, the University shall exercise its discretion, in consultation with the Donor where possible, and use the annual income from the Fund to the best advantage of the University for other purposes consonant with the spirit and intent of the Donor’s gift. In any event, the support provided by the Gift shall be clearly identified with the name of the McMaster Association of Part-Time Students

Allan Wong
President
McMaster Association of Part-Time Students

Sam Minniti
Executive Director
McMaster Association of Part-Time Students

Peter George
President & Vice Chancellor
McMaster University

Roger Trull
Vice-President, University Advancement
McMaster University

Nov 20th 2008
Date

Nov 21, 2008
Date

Nov 22, 2008
Date

Nov 28, 2008
Date