

Bylaw 8200

A Bylaw Respecting Student Representative Association Finances

Short Title

1. This Bylaw may be referred to as the “Student Representative Association Finances Bylaw”.

Definitions

2. For the purposes of this Bylaw:
 - a. All definitions in Section 2 of the Bylaw Regarding Student Representative Associations shall read into Section 2 of this bylaw;
 - b. “Student Representative Association Membership Fee” shall be any fee that is recognized as such under this bylaw and includes Faculty Association Membership Fees and Faculty Association Special Fees.
 - c. “Faculty Association Membership Fee” shall be any fee that is recognized as such under this bylaw;
 - d. “Faculty Association Special Fee” shall be any fee that is recognized as such under this bylaw;
 - e. “Faculty Association Fee” shall refer to “Faculty Association Membership Fee” and/or “Faculty Association Special Fee” as the context requires;
 - f. “Campus Association Transfer Payment” shall be any transfer payment that is recognized as such under this bylaw;
 - g. “Faculty Membership Fee” shall be any fee that is recognized as such under this bylaw;
 - h. “Financial statements” shall be a balance sheet and a profit and loss statement.
 - i. “Accountant” shall be a person with the designation of CA, CMA, or CGA as recognized by Canadian accounting bodies.

Delegation

3. All determinations by the Students’ Union required by this bylaw, which are not reserved for Students’ Council itself, shall be made by Audit Committee in consultation with:
 - a. The Vice President (Academic) on issues concerning academic-based Associations;
 - b. The Vice President (Student Life) on issues concerning Residence Associations;
 - c. Students’ Council on issues concerning Associations they have delegated representative authority to.
4. Discover Governance shall maintain a schedule of all mandatory membership fees and transfer payments.

Fees

5. No Association shall collect a mandatory membership fee that has not been passed by a referendum.

Reporting

6. All Associations shall provide an annual report of their finances to the Students’ Union within four months of the end of the Association’s fiscal year.
7. This report shall include:
 - a. The Association’s current fiscal year’s budget;
 - b. The previous fiscal year’s reviewed financial statements;

- i. Associations that collect a mandatory fee or transfer payment must submit a review of the previous fiscal year's financial statements, completed by a qualified accountant or accounting firm.
 - ii. All other Associations must submit a review of the previous fiscal year's financial statements completed by an external, qualified, and impartial individual or group.
- c. Evidence that the reviewed financial statements were completed by an individual or group that is external, qualified, and impartial;
- d. For Associations that collect a Student Representative Association Membership Fee, Faculty Membership Fee or Campus Association Transfer Payment, evidence of compliance with SU Bylaw;
- e. For Associations that collect a Student Representative Association Membership Fee, or Campus Association Transfer Payment, evidence of compliance with SU contracts, if applicable;
- f. For Associations that collect a Faculty Membership Fee, evidence of seeking alternatives to the fee;
- g. For Associations that collect a Faculty Membership Fee, a recommendation regarding the continuation or termination of the Faculty Membership Fee; and
- h. Such other information as may be required by the Audit Committee.
- 8. Financial irregularities shall be immediately reported by the Association to the Students' Union.
- 9. Audit Committee retains the authority to conduct an investigation in to the finances or operations of an Association, or to request that the Association submits the results of an audit to the Committee.
- 10. No funds raised by a mandatory fee shall be dispersed to an Association until such time as the funds have been received from the Office of the Registrar and the Students' Union Audit Committee has approved this dispersal.
- 11. Any funds not dispersed to the Association may be dispersed by the SU per the original intent of the fee. Funds not dispersed as such shall be held in trust by the Students' Union until the Association has demonstrated financial accountability.

Student Representative Association Fees: Purpose and Eligibility

- 12. The purpose of a Student Representative Association Fee is to provide financial support for the operation of an Association, if applicable, including fees for membership in relevant regional or national organizations.
- 13. The purpose of a Faculty Association Special Fee is to provide financial support for special initiatives or projects of the Association and is not to be used as part of the operating budget of an Association.
- 14. An Association is eligible to create a Student Representative Association Fee.

Student Representative Association Fees: Creation Procedure

- 15. The Association shall consult with its Departmental Associations and Affiliated Associations, if such exist, regarding the creation and administration of a Student Representative Association Fee. The Association shall consult with its membership, at a General Meeting, regarding the creation and administration of a Student Representative Association Fee.
- 16. The Association shall notify the Students' Union by November 15th, of the year before the fee is to be implemented, of its intent to create a Student Representative Association Fee.

17. The Association shall submit a proposal to Students' Council by December 15th, of the year before the fee is to be implemented. The proposal shall outline the following:
 - a. The purpose of the fee;
 - b. The amount, per student per term, of the fee;
 - c. The scope of membership of the fee;
 - d. The dates the fee is to begin and cease being collected;
 - e. The refund mechanism of the fee;
 - f. The allocation of the fee;
 - g. The financial oversight of the fee;
 - h. Proof of consultation as required by Section 14 of this bylaw; and
 - i. Endorsement of the fee by the Association.
18. Students' Council shall approve or deny the proposal no less than 30 days before the commencement of voting in the Executive and Board of Governors elections, of the year the fee is to be implemented, or within four weeks of the submission of the proposal, whichever is later. The proposal, as approved, shall govern the implementation and administration of the Student Representative Association Fee.
19. The Student Representative Association Fee shall only be implemented if approved in a referendum where the following conditions are met:
 - a. All the base members of the Association as defined by the Bylaw Respecting Student Representative Associations are eligible to vote;
 - b. A minimum voter turnout of 15% was achieved;
 - c. A majority of votes cast are in favor of the fee; and
 - d. The referendum was conducted in accordance with the Association's legislation and Students' Union bylaw.
20. The Association shall confirm the referendum results, and compliance with Section 19 of this bylaw, to the Students' Union by March 31st, of the year the fee is to be implemented.

Student Representative Association Fees: Amendment Procedure

21. The proposal, as approved by Students' Council under Section 18 of this bylaw, shall only be amended by the joint consent of the Association and Students' Council. Amendments shall not result in an increase in the duration or amount of the Student Representative Association Fee.

Student Representative Association Fees: Restrictions

22. For a Student Representative Association Fee the proposal detailed in Section 17 and approved under Section 18 of this bylaw shall be subject to the following restrictions:
 - a. The Student Representative Association Fee shall only be collected from the base members;
 - b. For Faculty Associations, base members classified as 'off campus' by the Office of the Registrar may be excluded from the Faculty Association Fee;
 - c. The Student Representative Association Fee shall be assessed at a uniform rate for all base members;
 - d. The Student Representative Association Fee shall begin being collected on September 1st, of the year the fee is to be implemented and shall cease being collected on August 31st, of the year the fee is to be terminated;
 - e. The Student Representative Association Fee shall be collected for a term that does not exceed five years; and

- f. The Student Representative Association Fee shall have a mechanism by which those members who are philosophically opposed or unable to pay the fee shall be reimbursed.
- 23. For a Student Representative Association Membership Fee the proposal detailed in Section 17 and approved under Section 18 of this bylaw shall be further subject to the following restrictions:
 - a. If Program or Departmental Associations exist then a portion, based on enrolment or another method satisfactory to Students' Council, of the fee shall be designated for supporting them; and
 - b. If Affiliated Associations exist then a portion, based on a method satisfactory to Students' Council, of the fee may be designated for them.

Student Representative Association Fees: Termination

- 24. Audit committee retains the authority to recommend to Students' Council that collection of a Student Representative Association Fee cease at the beginning of the next academic year, if:
 - a. The Association acquires probationary status;
 - b. The Association fails to report, as outlined in sections 6 and 7, in this Bylaw;
 - c. Audit Committee is not satisfied that submitted financial reports meet the requirements of this Bylaw; or
 - d. The reported budget or financial statements don't reflect the allocation proposed to Students' Council.
- 25. Upon the derecognition of an Association with a Student Representative Association Fee, Students' Council shall either terminate the Student Representative Association Fee or allow the successor to the Association to also become the successor to the Student Representative Association Fee.

26. Campus Association Transfer Payments: General

- 27. The purpose of a Campus Association Transfer Payment is to provide financial support for the operation of a Campus Association. Only a Campus Association is eligible for a Campus Association Transfer Payment.
- 28. All base members of the Campus Association, as defined by the Bylaw Respecting Student Representative Associations, shall have a percentage of their Students' Union membership fee transferred to the Campus Association with the remainder retained by the Students' Union.
- 29. The percentage of the Students' Union membership fee transferred to the Campus Association shall be determined by dividing the net Political/Governance spending of the Students' Union by the net Students' Union membership fees collected; then multiplying this number by one hundred; then subtracting this number from one hundred.
- 30. The percentage of the Students' Union membership fee transferred to the Campus Association may be recalculated upon the mutual agreement of the Campus Association and the Students' Union. Notwithstanding this, the term between recalculations of the percentage of the Student's Union membership fee transferred to the Campus Association shall not exceed five years.