

Bylaw 8200

A Bylaw Respecting Faculty Association and Campus Association Finances

Short Title

1. This Bylaw may be referred to as the “Faculty Association and Campus Association Finances Bylaw”.

Definitions

2. For the purposes of this Bylaw:
 - a. all definitions in Section 2 of the Bylaw Regarding Faculty Associations shall read into Section 2 of this bylaw;
 - b. “Faculty Association Membership Fee” shall be any fee that is recognized as such under this bylaw;
 - c. “Faculty Association Special Fee” shall be any fee that is recognized as such under this bylaw;
 - d. “Faculty Association Fee” shall refer to “Faculty Association Membership Fee” and/or “Faculty Association Special Fee” as the context requires;
 - e. “Campus Association Transfer Payment” shall be any transfer payment that is recognized as such under this bylaw; and
 - f. “Faculty Membership Fee” shall be any fee that is recognized as such under the Bylaw Respecting The Students’ Union Faculty Membership Fees.
 - g. “financial statements” shall be a balance sheet and a profit and loss statement.
 - h. “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 the Vice President (Academic).
4. The Chair of Audit Committee shall maintain a schedule of Faculty Association Membership Fees, Faculty Association Special Fees, Campus Association Transfer Payments and Faculty Membership Fees.

Fees

5. No Association shall collect a mandatory membership fee that is not a Faculty Association Fee.

Reporting

6. All Associations shall provide an annual report of its finances to the Students’ Union within six 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 Faculty Association Fee or a Campus Association 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 Faculty Association Fee, Faculty Membership Fee or Campus Association Transfer Payment, evidence of compliance with SU Bylaw.
 - e. For Associations that collect a Faculty Association 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.
 - h. Such other information as may be required by the Audit Committee.
- 8. Financial irregularities shall be immediately reported by the Association to the Audit Committee.
 - 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 Faculty Association Fee or Campus Association Transfer Payment 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.

Faculty Association Fees: Purpose and Eligibility

- 11. The purpose of a Faculty Association Membership Fee is to provide financial support for the operation of an Association, if applicable, including fees for membership in relevant regional or national organizations.
- 12. 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.
- 13. An Association is eligible to create a Faculty Association Membership Fee and/or Faculty Association Special Fee.

Faculty Association Fees: Creation Procedure

- 14. The Association shall consult with its Departmental Associations and Affiliated Associations, if such exist, regarding the creation and administration of a Faculty Association Fee. The Association shall consult with its membership, at a General Meeting, regarding the creation and administration of a Faculty Association Fee.
- 15. 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 Faculty Association Fee.
- 16. 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.
- 17. 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 Faculty Association Fee.

18. The Faculty Association Fee shall only be implemented if approved in a faculty wide referendum where the following conditions are met:
 - a. All the base members of the Association as defined by the Bylaw Respecting Faculty Associations and Campus 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.
19. The Association shall confirm the referendum results, and compliance with Section 18 of this bylaw, to the Students' Union by March 31st, of the year the fee is to be implemented.
20. The Students' Union shall inform the Office of the Registrar of the implementation of the Faculty Association Fee by April 15th, of the year the fee is to be implemented.

Faculty Association Fees: Amendment Procedure

21. The proposal, as approved by Students' Council under Section 17 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 Faculty Association Fee.

Faculty Association Fees: Restrictions

22. For a Faculty Association Fee the proposal detailed in Section 16 and approved under Section 17 of this bylaw shall be subject to the following restrictions:
 - a. The Faculty Association Fee shall only be collected from the base members;
 - b. Base members classified as 'off campus' by the Office of the Registrar may be excluded from the Faculty Association Fee;
 - c. The Faculty Association Fee shall be assessed at a uniform rate for all base members;
 - d. The Faculty 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 Faculty Association Fee shall be collected for a term that does not exceed five years; and
 - f. The Faculty 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 Faculty Association Membership Fee the proposal detailed in Section 16 and approved under Section 17 of this bylaw shall be further subject to the following restrictions:
 - a. If 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.

Faculty Association Fees: Termination

24. Audit committee retains the authority to recommend to Students' Council that collection of a Faculty 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. The reported budget or financial statements don't reflect the allocation proposed to Students' Council.
25. Upon the derecognition of an Association with a Faculty Association Fee, Students' Council shall either terminate the Faculty Association Fee or allow the successor to the Association to also become the successor to the Faculty Association Fee.

Faculty Association Fees: Administration

26. The Faculty Association Fee shall be collected as part of the Students' Union fee by the Office of the Registrar and included on a student's fee assessment.
27. Upon the Association being demonstrated to be in compliance with Sections 6 and 7 of this bylaw the Audit Committee shall approve the dispersal of funds to that Association by June 30th of that fiscal year or within four calendar weeks, whichever is later.
28. Where the funds have been received by the Students' Union from the Office of the Registrar and where the Students' Union Audit Committee has approved the dispersal of funds, the funds shall be dispersed to the Association within two calendar weeks.

29. Campus Association Transfer Payments: General

30. 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.
31. All base members of the Campus Association, as defined by the Bylaw Respecting Faculty Associations and Campus Associations, shall have a percentage of their Students' Union membership fee transferred to the Campus Association with the remainder retained by the Students' Union.
32. 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.
33. 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.

Campus Association Transfer Payments: Administration

34. The Campus Association Transfer Payment shall be dispersed to the Association in a manner adhering to Sections 27 and 28 of this bylaw.