To Implement the Near-Term Solutions Recommended by the Review of Special Fees Committee
Review of Special Fees Committee Bill I

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Sponsors: Review of Special Fees Ad Hoc Committee;
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Action Requested: Approval by 2/3

WHEREAS the Special Fees system allows for student to receive refunds from each group,

WHEREAS the refund rates of many groups are excessively high, threatening the financial stability of the Association Buffer Fund,

WHEREAS the Review of Special Fees Committee recommends that a near-term solution is necessary to ensure the financial stability of the Association Buffer Fund and the Special Fees system,

WHEREAS Article V, Section 5.A of the ASSU Constitution states:
The By-Laws of the relevant Association legislative bodies shall govern the distribution of the General and Special Fees. The relevant Association legislative bodies shall retain ultimate authority over the distribution of General and Special Fees.

WHEREAS Article V, Section 7.A of the ASSU Constitution states:
The Financial Manager shall have the power to make rules and regulations governing the operation of the fund and the handling and protection of the monies deposited with it, including the powers to make a charge against any organization to cover the expense of handling that organization’s funds and to determine the disposition of funds deposited in inactive or unclaimed accounts. The Association legislative bodies shall retain the ultimate authority over all rules and regulations of the Fund.

WHEREAS Article VI, Section 7.A.14,15 of the Joint By-Law states:
14. Any student organization receiving a Special Fee or funds from a General Fee during the current fiscal year, or having unexpended funds originally derived from such a source, shall be required to expend all funds of that organization in accordance with its
budget as authorized by the members of the Association (when its Special Fee request was approved) or by the relevant Association legislative bodies (when an allocation of funds from a General Fee was approved), unless and until a budget modification has been approved. The process by which budget modifications may be approved shall be specified in a Funding Policy adopted by the relevant Association legislative bodies. No funds shall be disbursed to a student organization not satisfying this requirement.

15. At the close of a fiscal year, any unexpended funds (including budget reserve funds) in the account of a student organization which were originally derived from a General or Special Fee shall remain subject to the budgetary supervision of the Association. The process by which a budget for the expenditure of such funds is authorized shall be specified in a Funding Policy adopted by the relevant Association legislative bodies. No such funds shall be expended except in accordance with an authorized budget.

WHEREAS Special Fee groups should maintain their reserve levels in the current fiscal year, in the event that they are charged for excessive refunds,

WHEREAS legislation to implement long-term changes to the Special Fees system as recommended by the Review of Special Fees Committee is forthcoming,

THEREFORE BE IT ENACTED BY THE GRADUATE STUDENT COUNCIL OF THIS ASSOCIATION:

THAT

In fiscal year 2004,

The Association Buffer Fund will cover actual quarterly Special Fee Refunds requested from each Special Fee group or Association General Fees up to 16% (inclusive) of their quarterly operating budget by the relevant funding population,

The ASSU Financial Manager will be instructed to charge refunds above 16% to the respective Special Fee group or General Fee,

This charge will be deducted from the group’s or fee’s reserves by the ASSU Financial Manager before the end of the quarter,

If a group’s or general board fee’s reserve account is insufficient to cover said charges, the remainder of the charge will be covered by the Association Buffer Fund,

At the end of the fiscal year, money left in any Special Fee group operating budget or General Fee fund, shall go towards any outstanding refund charges above 16% before being transferred to the reserve,

The ASSU Financial Manager shall reclaim reserves of inactive groups, and place this money in the special fee buffer fund,
The ASSU Undergraduate Senate and Graduate Student Council shall exercise extreme prudence in approving Special Fee group budget modifications and reserve transfers.