To Implement the Joint By-Law Changes Recommended by the Review of Special Fees Committee
Review of Special Fees Committee Bill II

Authors: Josh Shipp, ASSU Undergraduate Senate Chair; Chris Lin, Undergraduate Senator; Sandeep Wasan, ASSU Undergraduate Senate A&R Chair; Travis Hopp, Graduate Student Financial Officer; Robert Rudnitsky, Graduate Student Council Representative; Surya Singh, Graduate Student Council Member

Sponsors: Review of Special Fees Ad Hoc Committee; Kyle Alisharan, ASSU FM, SSE CEO; Nadiya Figueroa, ASSU President

Submitted: February 17, 2004

Action Requested: Approval by 2/3 of the Undergraduate Senate
Approval by 2/3 of the Graduate Student Council

WHEREAS Appendix I, Section 4.E.15 of the Joint By-Laws states:

15. No Special Fee request shall be placed on the ballot except in accordance with the provisions of Article V, Section 2 of the Constitution, and unless its budget meets all specifications detailed above. No Special Fee request whose placement on the ballot requires the submission of petitions shall be placed on the ballot unless the petitions submitted meet all of the above requirements.

SHALL NOW INCLUDE THE ADDITION:

If a group petitions successfully to be placed on the ballot the elections commission must notify the relevant legislative bodies within 24 hours of presentation of the petition and inform them on their constitutional right to place a note on the ballot, as outlined in the constitution Article V, Section 2.A.6.e.

WHEREAS Article VI, Section 7d, 1a of the Joint By-laws states

a. All eligible students who file a Fee refund request prior to 5:00 P.M. on the third Friday of any quarter shall be mailed a refund check for that quarter and all subsequent quarters during the fiscal year for which the student remains enrolled. All checks must be mailed by the seventh week of the quarter.

SHALL BE STRUCK AND REPLACED WITH:

a. All eligible students who file a Fee refund request between 8:00AM of the first day of a quarter and 5:00 P.M. on the third Friday of any quarter shall receive the requested
refund on their University Bill or as a mailed check for that quarter. Credits or checks shall be issued by the seventh week of the quarter. The ASSU Financial Manager may open the fee refund window earlier, but not later, at his or her discretion.

b. Due to the differing schedule of the Law School Academic Calendar, Law Students shall have their refund requests automatically rollover to all future academic terms during that same Fiscal Year. Refunds will be distributed according to the schedule detailed above.

c. When students request refunds, they shall be presented with a set of anonymous, confidential survey options for each group explain why they are receiving a refund. These questions, and the entire refund site design, will be proposed by the Refund Coordinator and approved by each of the relevant legislative bodies prior to the beginning of the Fiscal Year. Aggregate survey data may be provided to groups.

d. Students may alter their Fee refund requests at any during the year. The modified request will take effect during the quarter submitted if submitted before 5:00 P.M. on the third Friday of the quarter, or else it shall take effect during the following quarter(s).

d. Exceptions to this policy will be allowed if and only if authorized by a 2/3 vote of the relevant Association legislative bodies, provided that previous notice has been given.

e. The Financial Manager shall make available to any student group receiving a Special Fee a list of the student identification numbers of all students who requested Fee refunds from that group. This list shall be made available no later than noon on the Monday following the Fee refund deadline.

f. The refund amount for a group shall be defined as the total amount of quarterly refunds for the group. If this amount exceeds the Refund Cost Surcharge collected for that group for that quarter for that population, the group shall be financially responsible for covering that excess.

1. Joint groups shall have two independent refund amounts. The Graduate refund amount shall be defined as the total amount of quarterly refunds obtained by Graduate students for the group. The Undergraduate refund amount shall be defined as the total amount of quarterly refunds obtained by Undergraduate students for the group.

2. In the event of an excess refund amount, the Financial Manager is authorized to collect that amount from the group’s accounts in the following order:
   i. Fee Reserves
   ii. Operating Budgets
   iii. All other assets as specified in the contract signed prior to being placed on the ballot

WHEREAS Article VI, Section 7.A.7.a of the Joint By-Laws states:

7. At the time that it approves these Schedules, the relevant Association legislative bodies shall set the amounts of the following surcharges, and approve line-item budgets for their expenditure where appropriate:
   a. Refund Cost surcharge — shall cover the direct and indirect costs of providing refunds of the General and Special Fees.
7. At the time that it approves these Schedules, the relevant Association legislative bodies shall set the amounts of the following surcharges, and approve line-item budgets for their expenditure where appropriate:
   a. Refund Cost surcharge — shall cover the direct and indirect costs of providing refunds of the General and Special Fees. This surcharge shall be calculated independently for the Graduate and Undergraduate populations.

WHEREAS Appendix I, Section 6.B.2 of the Joint By-Laws currently states:
   The next sections shall list the candidates, slates, Special Fee requests, General Fee issues, and ballot measures in the following order: Constitutional Amendments, Referenda, Special Fee requests, General Fee issues, Presidency, the relevant Association legislative bodies, and, if appropriate, the Class Presidents.

SHALL BE STRUCK AND REPLACED WITH:
   The next sections shall list the candidates, slates, Special Fee requests, General Fee issues, and ballot measures in the following order: Constitutional Amendments, Referenda, Joint Special Fee requests, relevant undergraduate or graduate Special Fee requests, General Fee issues, Presidency, the relevant Association legislative bodies, and, if appropriate, the Class Presidents.

WHEREAS Appendix I, Section 4.C.1.d of the Joint By-Laws currently states:
   The signature pages shall consist of a series of signatures, associated with the appropriate printed name and student identification number of each petitioner.

SHALL BE STRUCK AND REPLACED WITH:
   The signature pages shall consist of a series of signatures, associated with the appropriate printed name, student identification number, and the enrollment status (graduate or undergraduate) of each petitioner. The total number of graduate and undergraduate petition signers should be compiled and presented to the election commission when submitting the petitions.

WHEREAS Appendix I, Section 4.E.7 of the Joint By-Laws governs special fee requests, including those for joint groups.

APPENDIX I, SECTION 4.E SHALL BE AMENDED TO INCLUDE
   8. A returning special fee group desiring to change its funding population must re-petition the relevant population as specified in Article V, Section 2.A.6.a or Article V, Section 2.A.6.b of the ASSU Constitution. This does not apply to groups changing their funding population from Joint to Graduate or Undergraduate.

AND ALL SUBSEQUENT NUMBERED PARAGRAPHS BE RE-NUMBERED APPROPRIATELY.