To Implement the Partitioning of the Association Buffer Fund into the Undergraduate Buffer Fund and the Graduate Buffer Fund
Review of Special Fees Committee Bill VI

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

Submitted: April 20, 2004

Action Requested: Approval by 2/3

WHEREAS to the Special Fees system has been split both politically and financially since Fiscal Year 1996, and the General Fee has been split politically and financially since FY2000,

WHEREAS to the Association Buffer Fund has not reflected these splits,

WHEREAS a fair and historically based partition of the Buffer Fund would reflect the long standing split nature of the Fee system,

WHEREAS ASSU Financial Manager Kyle Alisharan and ASSU Capital Group Director Garrett Reed have researched the historical levels of the Association Buffer Fund, and have created an accurate model that tracks a theoretical split between Undergraduate Buffer Fund and Graduate Buffer Fund from FY1996,

WHEREAS the historical model of the split was determined as follows:

Beginning in FY1996, the split of the Association Buffer Fund was assumed to be strictly by population, as all contributions to the Fund were made on a population basis,

From FY1997 to FY1998, contributions to the Association Buffer Fund were calculated by population according to the actual fees levied to each population,

From FY1999 to FY2004, contributions to the Association Buffer Fund through fees and withdrawals by student groups and refunds were totaled to determine the net change in the Undergraduate Buffer Fund and Graduate Buffer Fund,

At the end of winter quarter of fiscal year 2004 the Association Buffer Fund (Account #2-2100-0-0-2250) held approximately $315,909.
As a result of these calculations, as of the end of winter quarter FY2004, the Undergraduate portion of the Association Buffer Fund was approximately $123,295, and the Graduate portion of the Association Buffer Fund was approximately $192,614.

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

THAT

The Association Buffer Fund be split into two funds: the Undergraduate Buffer Fund and the Graduate Buffer Fund,

The ASSU Financial Manager shall create the Undergraduate Buffer Fund and Graduate Buffer Fund, and dissolve the Association Buffer Fund, and retire the account number for the Association Buffer Fund,

As of the end of Winter Quarter 2004, the Undergraduate Buffer Fund be set at $123,295, and the Graduate Buffer Fund be set at $192,614.

Article VI, Section 7.A.7.a currently reads:
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.

Article VI, Section 7.A.7.a shall be replaced by:
Graduate Refund Cost and Undergraduate Refund Cost surcharges — shall cover the direct and indirect costs of providing refunds of the General and Special Fees for the relevant populations. This surcharge shall be calculated independently for the Graduate and Undergraduate populations. They shall be held in a Graduate Student Administrative Cost surcharge account and an Undergraduate Administrative Cost surcharge account.

Article VI, Section 7.A.8 currently reads:
At the end of the fiscal year, any balance in the Refund Cost, Rounding, and Administrative Cost surcharge accounts shall be debited or credited to the Special Buffer Fund.

Article VI, Section 7.A.8 shall be replaced by:
At the end of the fiscal year, any balance in the Graduate and Undergraduate Refund Costs, Graduate and Undergraduate Rounding, and Graduate and Undergraduate Administrative Cost surcharge accounts shall be debited or credited to the relevant population’s Buffer Fund.

Appendix I Section 4.E.1.b.ii currently reads:
In the event that the constitution, structure, finances, policies, or operations of such an organization is substantially modified, as defined by the relevant Association legislative
bodies, so as to impair student control and/or prevent the Special Fee funds from being used for the purposes for which they were originally intended, the relevant Association legislative bodies may by a 2/3 vote pass a resolution halting the disbursement of Special Fee funds to that organization. Upon the approval of such a resolution, any and all Special Fee funds already disbursed to the organization shall revert to the Association and shall be placed in the Special Buffer Fund.

Appendix I Section 4.E.1.b.ii be replaced by:
In the event that the constitution, structure, finances, policies, or operations of such an organization is substantially modified, as defined by the relevant Association legislative bodies, so as to impair student control and/or prevent the Special Fee funds from being used for the purposes for which they were originally intended, the relevant Association legislative bodies may by a 2/3 vote pass a resolution halting the disbursement of Special Fee funds to that organization. Upon the approval of such a resolution, any and all Special Fee funds already disbursed to the organization shall revert to the Association and shall be placed in the relevant population’s Buffer Fund. If a joint group, then the funds shall be split into the Graduate and Undergraduate Buffer Funds to reflect the monetary contributions of each population.

Appendix I Section 4.E.4 currently reads:
If a Special Fee request which has met all Elections Commission deadlines is left off the ballot, then the request may be funded from the Special Buffer Fund by a 2/3 vote of the Association legislative bodies.

Appendix I Section 4.E.4 shall be replaced by
If a Special Fee request which has met all Elections Commission deadlines is left off the ballot, then the request may be funded from the relevant population’s Special Buffer Fund by a 2/3 vote of the relevant Association legislative bodies.

Article VI, Section 7.A.17 shall be added, to read:
The Graduate Buffer Fund and Undergraduate Buffer Fund shall be administered by the relevant legislative bodies in a manner specified in their by-laws.