

Policy on Fee Levy Applications

Oversight Body: CSU Chief Electoral Officer, CSU Membership, CSU Judicial Board, CSU Elections Officers, CSU Council

Date Passed by Council: 2020-05-28

Date of Next Review: March, 2023

Related policies, bylaws, legislation: CSU By-Laws, CSU Code of Conduct, Positions Book, other Policy Books in Standing Regulations.

Definitions

“By-Laws” means the By-Laws of the Concordia Student Union;

“Chairperson” means the Chairperson of Council;

“Code” means the Revised Code of CSU Standing Regulations;

“Council” means the Council of Representatives of the Student Union;

“day” means a business day which excludes Saturdays, Sundays, Good Friday, Easter Monday, third Monday of the month of May, Quebec’s National Holiday, Canada Day (or July 2nd if July 1st falls on a Sunday), Labour day, Thanksgivings day, Concordia University Holidays where the University is closed and any days starting December 20th until January 5th inclusively. These days shall not be calculated in calculating any delays under the Bylaws, regulations or policies of the Student Union;

“Employee” means a person employed by the Student Union or its subsidiary, other than an Officer of the Student Union or its subsidiary;

“Executives” means a member of the Executive of the Student Union;

“General Meeting” means an annual, special, or informational general meeting of the Student Union, as defined in the By-Laws;

“member” means a person who fulfills the conditions of membership under section 3.1 of the By-Laws;

“office” means the office of a Coordinator or the office of a Representatives for a particular faculty, as the case may be, unless otherwise specified;

“public notice” means publication on the Council electronic mailing list, the CSU website and placement of posters on the Student Union bulletin board;

“Representative” means a duly elected member of Council who has taken office;

“Student Union” means the Concordia Student Union

“subsidiary” means any company operated by the CSU and its various operations;

“these regulations” means the regulations inside this Code;

“in writing” means either by a hard copy or via electronic mail;

“University” means Concordia University.

Purpose

This policy serves as the mechanism for university fee levies and non-CSU groups to add a fee-levy or change an existing fee-levy.

Scope

1. This policy applies to all CSU and non-CSU groups, their applications, and their review by the Fee Levy Review Committee. This outlines the committee’s responsibilities and the group applying’s responsibilities.
2. These regulations apply to all Annual General Elections, By-Elections, Special Elections, and Referenda of the Student Union.
3. Any ordinary motion, resolution or regulation that deviates from these regulations can only be adopted with a clause stating that the motion operates regardless of the Code of Standing Regulations. The clause must state which article(s) are not to be applied towards the motion. Such a motion requires a 2/3 majority vote and will cease to have effect four months following its approval.
 - 3.1. Notwithstanding this, sections 1.2.2, 1.2.3, 1.3.1, 1.3.2, 1.4.1, or 1.4.3. in this policy cannot be notwithstood under this clause.
4. The following is a list of general provisions to apply to this policy:
 - 4.1. English and French can be used equally in any Student Union Meetings and elections materials.

- 4.2. Any individual, club or student association who wish to use the Student Union logo must get permission from the CSU.
- 4.3. In the case of any discrepancy between these regulations and the By-Laws, the latter shall prevail.
- 4.4. In the case of any discrepancy between these regulations and any other regulations, these regulations shall prevail.

Policy Statement

Section 1: Fee Levies

Subsection 1: General Provisions

- 1.1.1 The CSU may approve the collection of fees from its membership through referendum.
- 1.1.2 Applications may be submitted by mail, electronic mail, or in person to the Chairperson of the Fee Levy Review Committee.

Subsection 2: Non-CSU Groups Applying for a New Fee Levy

- 1.2.1 Any non-CSU group seeking a new fee levy must have been functioning at least a full year before the submission of its application to Fee Levy Review Committee for review.
- 1.2.2 Any non-CSU group seeking a new fee levy must submit an application to the Fee Levy Review Committee for review and approval no later than the Monday following September 15th for consideration during the fall by- election, or no later than the first Monday of December for consideration during the March general elections. This application must contain:
 - 1.2.2.1 The group's constitution and regulations
 - 1.2.2.2 A list of at least 3 officers responsible for the organization
 - 1.2.2.3 A petition in support of the fee levy's collection, containing the name, faculty, student ID number, and signature, of at least 750 undergraduate students
 - 1.2.2.4 The group should prepare a draft question to be approved by council and the CEO.
(e) Any and all other documentation relating to the group's organizational structure and processes.
 - 1.2.2.5 An internal complaints policy
 - 1.2.2.6 Previous year's budget.

1.2.2.7 Expected budget for the following year taking the new fee levy into consideration.

1.2.3 Notwithstanding regulation 1.2.2, an application for a new University fee levy must be submitted to the Fee Levy Review Committee for review and approval no later than the Monday following September 15th for consideration during the by-election, or no later than the first Monday of December for consideration during the March general elections. The application must contain:

1.2.3.1 A description of the University unit that will administer the fees, and a projected three-year breakdown of services and activities that will be funded by the fee collected.

Subsection 3: Non-CSU Groups Modifying an Existing Fee Levy

1.3.1 Any non-CSU group seeking to modify their existing fee levy must submit an application to the Fee Levy Review Committee for review and approval no later than the last Monday of September for consideration during the fall by-election, or the last Monday of January, for consideration during the March general elections. The application must include:

1.3.1.1 The group's incorporation documents and general by-laws.

1.3.1.2 A list of at least 3 officers responsible for the organization.

1.3.1.3 An audit or review engagement prepared by an external accountant for the previous fiscal year.

1.3.1.4 Last published annual report.

1.3.1.5 Minutes of the last annual general meeting.

1.3.1.6 A draft question to be approved by council and the CEO

1.3.1.7 An internal complaints policy. Unlike applications to institute or remove a fee levy entirely, applications to modify an existing non-CSU group's fee may not be submitted by petition.

1.3.1.8 The names of at least 2 officers responsible for the application process, including no less than 1 officer from the University unit that will administer the fee, and no less than 1 undergraduate student.

1.3.1.9 A petition in support of the fee levy's collection, containing the name, faculty, student ID number, and signature, of at least 750 undergraduate students

1.3.1.10 The group should prepare a draft question to be approved by council and the CEO.

1.3.1.11 Any and all other documentation relating to the group's organizational structure and processes.

1.3.2 Notwithstanding regulation 1.3.1, an application for a modification of a University fee levy must be submitted to the Fee Levy Review Committee for review and approval no later than the last Monday of September, for consideration during the fall by-election, or the

last Monday of January, for consideration during the March general elections. The application must include

- 1.3.2.1 A description of the University unit that administers the fee, and a projected three-year breakdown of services and activities funded by the fee collected.
- 1.3.2.2 The names of at least 2 officers responsible for the application process, including no less than 1 officer from the University unit that will administer the fee, and no less than 1 undergraduate student.
- 1.3.2.3 The last published annual report, and a review of the annual financial reports of the past 5 years.
 - 1.3.2.3.1 In the event of the University unit that administers the fee being in existence for less than 5 years, the review of the annual financial reports since its creation.
- 1.3.2.4 A detailed breakdown of the use of the fee in the past 3 years
- 1.3.2.5 A draft question to be approved by Council and the CEO
- 1.3.2.6 Any other relevant documentation.
- 1.3.2.7 Unlike applications to institute or remove a fee levy entirely, applications to modify an existing non-CSU group's fee may not be submitted by petition.

Subsection 4: Non-CSU Groups Removal of an Existing Fee Levy

- 1.4.1 An application to remove a non-CSU group's fee levy in its entirety may be submitted either by a petition of the members or through a resolution of that group's Board of Directors no later than the last Monday of September for consideration during the fall by-election, or the last Monday of January for consideration during the March general elections. The application must include:
 - 1.4.1.1 The group's full name;
 - 1.4.1.2 A petition in support of the fee levy's removal, containing the full name, faculty, student ID number, and signature of at least 750 undergraduate students, OR a verified excerpt of the minutes from that organization's Board of Directors requesting the question;
 - 1.4.1.3 A draft question to be approved by Council and the CEO;
 - 1.4.1.4 An explanation of the reasoning underlying the request.
- 1.4.2 The removal of a University fee levy is at the discretion of the University.
- 1.4.3 For the purpose of respecting the delays and requirements set out above, item 3 in the Scope section of this policy (notwithstanding clause) may not be used to notwithstand regulations 1.2.2, 1.2.3, 1.3.1, 1.3.2, 1.4.1, or 1.4.3.

Section 2: Section 2: Decision-making

- 2.1. The Fee Levy Review Committee shall consider the following criteria in making a decision to send a question to referendum:
 - 2.1.1 In the case of a new non-CSU group seeking a fee levy, the Committee shall
 - 2.1.1.1 verify the signatures on the submitted petition
 - 2.1.1.2 consider whether the wording of the question is prejudicial to the outcome
 - 2.1.1.3 determine whether the group's proposed constitution would reasonably allow such an organization to operate and manage the funds being requested.
 - 2.1.2 In the case of a request to modify an existing fee levy, the Committee shall
 - 2.1.2.1 verify that all of the appropriate documentation has been submitted
 - 2.1.2.2 consider whether the proposed question is prejudicial to the outcome.
 - 2.1.3 In the case of a request for a fee levy's elimination, the Committee shall
 - 2.1.3.1 verify the signatures on the submitted petition or to verify the authenticity of the submitted minutes from the Board of Directors, as appropriate
 - 2.1.3.2 consider whether the wording of the question is prejudicial to the outcome.
- 2.2. Under no circumstances shall it take into consideration the mandate or mission of the group in question. The Committee's considerations should be restricted exclusively to the criteria above.
- 2.3. Regardless of what recommendation is brought to Council, the Committee shall ensure that all of the documents they receive as part of the application are submitted to Council and that the group making the application, as well as the group which is the object of the request as the case may be, shall be invited to the meeting of Council where the question is to be considered so as to respond to any questions or to speak to the substance of the application.
- 2.4. Any resolution to put a fee levy to referendum shall require a 2/3 majority vote of the Council of Representatives.
- 2.5. Should a new non-CSU group's fee levy question be approved by the members, the group, notwithstanding University units, will have to show the Student Union proof of incorporation before the results are brought to the university Board of Governors for adoption.