

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: 23/09/2021

Date of Next Review: September 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;

“Cooperative” means an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise.

“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;

“General Meeting” means an annual or special general meeting of the Student Union, as defined in the respective By-Laws, or of a non-CSU group as the case may be, as defined in the group’s constitution;

“member” means a person who fulfills the conditions of membership for the CSU under section 3.1 of the By-Laws, unless otherwise stated;

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

“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 or remove 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, 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 1.1.1, 1.1.3, 1.1.4, 1.2.1, 1.2.2, 1.2.3, 1.2.4., 1.4.1, 1.4.2, 1.4.3, or 2.2 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 interchangeably in any Student Union Meetings and elections materials.
 - 4.2. Any individual, club or student association who wishes 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.

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.
- 1.1.3 The Fee Levy Review Committee must approve an application prior to it being discussed at Council for approval for referendum.
- 1.1.4 The Fee Levy Review Committee reserves the right to deny an application based on the criteria and application requirements outlined below.

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 3 years full year before the submission of its application to Fee Levy Review Committee for review.
- 1.2.2 Any non-CSU group seeking a fee levy must either be a Nonprofit or Cooperative Organization.
 - 1.2.2.1 Any non-CSU group seeking a fee levy must have been incorporated as a Nonprofit or Cooperative for at least one year prior to application.
- 1.2.3 The mandate or the mission of the group must focus on supporting or providing services to fee-paying undergraduate students, community members, and/or marginalized communities.
- 1.2.4 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 General Elections. This application must contain:
 - 1.2.4.1 The group's incorporation documents, constitution and other regulations.
 - 1.2.4.2 A list of at least 6 officers responsible for the organization.
 - 1.2.4.3 A petition in support of the fee levy's collection, containing the name, faculty, student ID number, and signature, of at least 3000 undergraduate students.

- 1.2.4.4 The group should prepare a draft question that clearly states the amount of the fee-levy, to be approved by council and the CEO.
 - 1.2.4.5 An internal complaints policy.
 - 1.2.4.6 Previous year's budget.
 - 1.2.4.7 Expected budget for the following 3 years taking the new fee levy into consideration.
- 1.2.5 Notwithstanding the above, 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:
- 1.2.5.1 A description of the University unit that will administer the fees.
 - 1.2.5.2 A projected three-year breakdown of services and activities that will be funded by the fee collected.
 - 1.2.5.3 A petition in support of the fee levy's collection, containing the name, faculty, student ID number, and signature, of at least 3000 undergraduate students.
 - 1.2.5.4 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.

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 constitution.
 - 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 that clearly states the change in the amount of the fee-levy to be approved by council and the CEO.
 - 1.3.1.7 An internal complaints policy.

- 1.3.2 Notwithstanding the above, 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 3 years.
 - 1.3.2.3.1 In the event of the University unit that administers the fee being in existence for less than 3 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.
- 1.3.3 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 A request to remove a non-CSU group's fee levy in its entirety may be submitted either by a petition of the members of the Student Union, or through a resolution taken by the members of the fee-levy group in question at a General Meeting of the group 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.
- 1.4.2 The Petition must include:
- 1.4.2.1 The group's full name.
 - 1.4.2.2 A petition in support of the fee levy's removal, containing the full name, faculty, student ID number, and signature of at least 3000 undergraduate students.
 - 1.4.2.3 A draft question that clearly states the current amount of the fee-levy to be approved by Council and the CEO.
 - 1.4.2.4 A factual explanation of the reasoning underlying the request.
- 1.4.3 A resolution by the members at a General Meeting of the group will be accepted as an immediate removal of the fee levy. To recover the fee levy the group will have to reapply as stipulated in subsection 2.

- 1.4.4 The removal of a University fee levy is at the discretion of the University.

Section 2: Decision-making

2.1. The Fee Levy Review Committee shall consider the following criteria in making a decision to recommend sending a question to referendum:

2.1.1 Creation of a new Fee-Levy:

2.1.1.1 In the case of a new non-CSU group seeking a fee levy, the Committee shall:

2.1.1.1.1 Verify the signatures on the submitted petition.

2.1.1.1.2 Consider whether the wording of the question is factual and not prejudicial to the outcome.

2.1.1.1.3 Determine whether the group's proposed constitution would reasonably allow such an organization to operate and manage the funds being requested.

2.1.1.1.4 Determine that the requested funds accurately reflect the group's goals.

2.1.1.1.5 Determine that its internal complaints policy allows for a survivor centric and anti-oppressive approach to handling cases of harassment, discrimination and sexual violence.

2.1.1.1.6 Determine that its internal complaints policy allows for a fair and efficient resolution process to conflicts which may arise.

2.1.1.1.7 Determine that requirements for membership are reasonably accessible to all Concordia undergraduate students.

2.1.1.2 In the case of a new University fee levy, the Committee shall

2.1.1.2.1 Verify the signatures on the submitted petition.

2.1.1.2.2 Consider whether the wording of the question is prejudicial to the outcome.

2.1.1.2.3 Determine that the requested funds accurately reflect the fee levy's goals.

2.1.2 Modification of an existing Fee-Levy:

2.1.2.1 In the case of a request to modify an existing fee levy, the Committee shall:

2.1.2.1.1 Verify that all of the appropriate documentation has been submitted.

2.1.2.1.2 Verify that the group has been following the mandate given to it at the previous referendum.

2.1.2.1.3 Consider whether the proposed question is factual and not prejudicial to the outcome.

2.1.2.2 In the case of a request to modify an existing University fee levy, the Committee shall:

2.1.2.2.1 Verify that all of the appropriate documentation has been submitted

2.1.2.2.2 Consider whether the proposed question is prejudicial to the outcome.

2.1.3 Removal of an existing Fee-Levy:

2.1.3.1 In the case of a request for a fee levy's elimination, the Committee shall:

2.1.3.1.1 Verify the signatures on the submitted petition or verify the authenticity of the submitted minutes from the General Meeting, as appropriate

2.1.3.1.2 Consider whether the wording of the question is factual and not prejudicial to the outcome.

2.1.3.1.3 Verify the reasoning for the group's removal be fair and factual.

2.1.3.2 In the case of a request for a University fee levy's elimination, the Committee shall play no role as the removal is at the discretion of the University.

2.2. Any resolution to put a fee levy to referendum, shall require ratification by a 2/3 majority of the Council of Representatives.