

FINANCE BOARD

(UNIVERSITY BOARD ON STUDENT FINANCE)

BYLAWS

I. Introduction

The basic documents defining the purpose, general policies, composition, and accountability of the University of Colorado at Boulder University Board on Student Finance (hereinafter referred to as the Finance Board), are contained:

- A. In the UCSU/Boulder Chancellor's Working Agreement: A Guarantee of Rights (hereinafter referred to as the Autonomy Agreement) approved by the Executive Council on January 31, 1980, and approved by the Board of Regents on February 15, 1980, and:
- B. In the University of Colorado at Boulder Student Union (hereinafter referred to as UCSU) constitution dated April 14, 2003.

The UCSU constitution was first approved in a student referendum on February 26 and 27, 1974 and by the Regents on March 27, 1974, and was subsequently revised and amended on May 23, 1992, August 28, 2001, and September 4, 2001. The Bylaws of the Finance Board are consistent with these documents

II. Purpose

The purpose of the Finance Board is to make recommendations to appropriate University authorities about the level and distribution of student fees and about the designation of activities to receive student fee support, hereinafter referred to generally as cost centers. In making its recommendation, the Finance Board's ultimate standard is the welfare of the University and in particular the welfare of the student body. Since its special area of responsibility is fiscal, the board has the obligation to develop and maintain policies and procedures which assure a responsible level of management and review of student fee funds, not only of funds under its direct control (student fees), but also of funds allocated to any area incorporated under the Autonomy Agreement. Student fees are monies collected according to a rate schedule set by the Regents from student designated kinds of student-oriented activities, which, by state or University policy, can be financed only partially, if at all, from state appropriations, tuition, or other funds available to the University.

III. Governance

A. Membership

- 1. The Finance Board shall include seven (7) student voting members.
 - a. Two to be chosen by the Executives from the UCSU Representative Council, One each semester. The Legislative Council must approve this choice.
 - b. Two to be appointed by the Legislative Council.
 - c. Two to be appointed by the Finance Board with Legislative Council ratification.
 - d. The Finance Board Chair, to be appointed by the Executive, subject to approval by a majority vote of the Finance Board and ratification by the Legislative Council. The Finance Board Chair may be removed by two-thirds vote of the entire Finance Board, or directly by the Executive, as provided for in the UCSU Constitution.
 - e. There shall also be a UCSU Director of Finance whose specific duties shall be defined in the manner of the Executive Staff, who shall serve on the Finance Board as an ex-officio member.

2. The Finance Board may also include two non-students (as defined by the UCSU Constitution), making the total voting membership of the Finance Board nine (9).
 3. The Finance Board shall also have non-voting advisory members.
 - a. There shall be four additional permanent ex-officio positions.
 - i) One shall be the UCSU Legislative Council President Pro Tempore or that official's designee.
 - ii) One shall be the Student Organizations Finance Director or that official's designee.
 - iii) One shall be a Council of Colleges and Schools representative chosen by the Council of Colleges and Schools.
 - iv) One shall be an Executive or that official's designee.
 - b. Additionally, up to six students may serve as ex-officio members at any one time. They shall be interviewed by the Finance Board and elected by a majority vote of voting members. Ex-officio members include participating as a member of the Finance Board, but without voting privileges. During Finance Board meetings, ex-officio members may offer and second motions.
- B. Terms of Voting Members
1. Representative Council members shall serve one year beginning May 1, if appointed in the spring semester, and November 1, if appointed in the fall semester.
 2. Student members appointed under sections III.A.1.b&c. shall serve for two years with terms starting the date of their ratification. One student from each selection procedure shall be chosen annually.
 3. The term of the Finance Board Chair shall be one year, beginning June 1.
 4. Non-student members shall serve for three years from the date of appointment.
- C. Terms of Non-voting Members
1. Ex-officio members outlined under section III.A.3.b. shall serve a term of two (2) years from the date of their membership.
 2. All other ex-officio members are permanent positions, which change as the person holding that position changes as defined by the UCSU Constitution.
- D. Students and Non-students
1. A student shall be defined as any full mandatory fee-paying member of the University of Colorado Student Union enrolled in at least six credit hours.
 2. A non-student shall be defined as any non-student who is affiliated with the University.
- E. Officers
1. Chair
 - a. Selection: See III.A.1.d. The Chair shall be appointed by the Executives, approved by the Finance Board, then ratified by the Legislative Council.
 - b. Term: See III.B.3. The term shall be one year.
 - c. Duties: The chair shall be the presiding officer of the Finance Board. The Chair shall schedule Finance Board meetings, prepare the agenda, handle all routine correspondence, keep the Finance Board informed of pertinent information regarding cost centers, assure that all requests addressed to the Finance Board receive proper consideration by it, appoint subcommittees, and carry out other duties as specified in the bylaws or assigned by the Finance Board.
 - d. Compensation: The Chair shall receive a salary from funds provided in the UCSU budget in an amount and at intervals prescribed by UCSU Legislative Council action. See 57 Legislative Council Bill 12.
 - e. Removal: The Chair may be removed from the position by a two-thirds vote of the ratified voting membership of the Finance Board, or directly by the

Executives, as provided by the UCSU Constitution. *

2. Vice Chair
 - a. Eligibility, Election, Term: The Vice Chair shall be chosen from all voting members of the Finance Board. Representative Council members on the Finance Board shall not hold this office. The Vice Chair shall be elected by the Finance Board annually with the term of office beginning on June 1, and ending the following May 31, except in the case of vacancies.
 - b. Duties: The Vice Chair shall preside and otherwise serve as Chair in the event of the Chair's absence or incapacity. The Vice Chair shall keep the Chair and other members of the Finance Board informed of the pertinent information regarding cost centers. The Vice Chair shall perform such other duties as assigned by the Chair or the Finance Board.
 - c. Removal: The Vice Chair may be removed from the position by a two-thirds vote of the entire ratified voting membership of the Finance Board.
 - d. Vacancy: If the Vice Chair position should fall vacant, the Finance Board shall select a replacement to fill the unexpired portion of the term.
3. Recording Secretary
 - a. The Chair shall make such arrangements as necessary with the UCSU Office Staff to assure that all meetings of the Finance Board are properly recorded.

F. General Conduct and Reporting of Finance Board Meetings.

1. Open to the public, unless moved into Executive Session by a motion adopted by 2/3rds vote, by those present and voting.

All meetings of the Finance Board shall be open to the public.
2. Open Records

All actions of the Finance Board shall be a matter of public record. The recording secretary shall be responsible for assuring that copies of minutes of meetings, approved by the Finance Board, and other documents presented to the Finance Board are provided to Finance Board members. The recording secretary, at the beginning of the fiscal year, shall notify the Boulder Campus officer directly in charge of student affairs, UCSU Executives, and the appropriate faculty and staff governance bodies that minutes of the Finance Board are available and will be sent upon request. In addition, the recording secretary will notify cost centers and other areas concerned with Finance Board actions affecting those areas, that copies of pertinent minutes and any related documents are available upon request.
3. No issue may be discriminated against on the basis of viewpoint, ideology, religion, gender identity, sex, sexual orientation, marital status, age, physical ability, veteran status or any other characteristics not directly related to the funding in question.
4. Quorum

A quorum shall consist of a majority (5) of voting members.
5. A voting member may offer his/her vote to a proxy who shall be an ex-officio member of the Finance Board, provided the Chair is notified in advance.
6. Conflict of interest

A conflict of interest may occur whenever a vote by a Finance Board member has the potential to be self-serving to himself or herself or to an organization in which the Finance Board member has a special interest outside of a typical student user of the organization. Finance Board members should refrain from voting if the potential of a conflict of interest exists. If a Finance Board member does not refrain from voting in the event of a potential conflict of interest, the Finance Board, upon 2/3 vote of the voting members present, may require the Finance Board member to abstain from voting.
7. Attendance by Finance Board Members
 - a. Representative Council Members

If a Representative Council appointee to the Finance Board misses two consecutive meetings, the Chair will introduce the matter for Finance Board discussion. Upon recommendation by a majority vote of the Finance Board, the Chair shall notify the President Pro Tempore of the UCSU Legislative

increase the level of student fees without substantial cause. The Finance Board shall take particular care always to review carefully and to reduce the budget of cost centers which, in the Finance Board's judgment, should receive increasing or total support from general University funds or other sources, or which, as relative evidence shows, are of declining or no longer of any importance in contributing to general University personnel policies and practices and Budget Office guidelines on price level changes. In the event of any appreciable reduction of receipts below the budget level of student fees incoming during the summer and fall terms of a fiscal year, the Finance Board shall, after consultation with appropriate administrative authorities and major cost centers, determine what steps to take to minimize or forestall withdrawals from the Central Reserve (ECR).

7. It shall be general policy of the Finance Board that unanticipated revenues and deficits be credited or deducted from the given area's fund balance. In the event that a specific fund balance is not sufficient to cover a deficit, the issue will be handled in a manner consistent with the Reserve Policy.

B. Board Accounts

1. Fund Balance

- a. Each UCSU Cost Center shall be allowed to maintain an autonomous fund balance.
 - i) Any surplus in a cost center's operating budget will accumulate in its fund balance.
 - ii) At the close of the fiscal year, each UCSU cost center may retain 70% of its individual fund balance and 30% will be transferred to the SOR.
 - aa) Legal Services shall be exempt from this section of the Reserve Policy as it is in conflict with the Code of Professional Responsibility to share profits with a non-legal entity. Therefore, no portion of the Legal Services fund balance will contribute to the Supplemental Operating Reserve (SOR).
 - iii) Each area will be able to allocate monies from its fund balance to recover nonrecurring, unanticipated deficits and/or supplemental expenditures. Expenditures for new programs and program expansion/improvements from fund balances must be approved in advance by the Finance Board.
 - aa) Each Joint Board must approve any expenditure from its fund balance by a 2/3 vote of the voting members of the Joint Board. When school is not in session, if the entire Joint Board cannot be assembled for an expenditure request, the Board or Board Chair may approve the expenditure from its fund balance by a majority vote of all present voting members. Any approved fund balance expenditure by a Joint Board must be submitted in writing to the Finance Board Chair for his/her approval and signature within five (5) working days.
 - bb) Each non-Joint Board area must have its fund balance expenditure approved by the Finance Board Chair or by a majority vote of all voting members of the Finance Board.
 - cc) At the discretion of the Finance Board Chair, the matter for action may be submitted to Finance Board

- for review.
- dd) In emergency situations, the Finance Board reserves the right to expend monies from any Joint Board reserve in accordance with the Finance Board Bylaws. This action shall take a 2/3 vote of the Finance Board voting membership. When school is not in regular spring or fall session, if the appropriate Joint Board cannot be assembled for an emergency expenditure, the Finance Board can approve an emergency expenditure from that Joint Board fund balance by a majority of present voting members.
 - iv) Whenever a Joint Board or non-Joint-Board area budget shows a deficit at the close of the fiscal year, causes shall be outlined and presented in its year-end report. Upon receipt of this report, the Finance Board shall review the deficit and act upon it. Suggested courses of action would be:
 - aa) Reduce previously budgeted expenses in the current year operations budget.
 - bb) Transfer funds from the Supplemental Operational Reserve (SOR) governed by the Finance Board. Further, Finance Board shall define possible solutions to eliminate future deficits.

2. Emergency Contingency Reserve (ECR)

In years when student fee collections exceed budgeted expectations, the Finance Board shall add to the Emergency Contingency Reserve with a maximum cap of \$500,000.

- a. Allowable expenditures will be:
 - i) Student Fee shortfalls guaranteed within the ECR minimum with the first \$175,000 dedicated solely to this purpose.
 - ii) Plant emergencies defined as unanticipated or anticipated extraordinary events.
- b. Should the Emergency Contingency Reserve fall below the minimum balance of \$250,000, the Finance Board will consider appropriate measures.

3. Supplemental Operating Reserve (SOR)

The Finance Board shall maintain a Supplemental Operating Reserve fund with a maximum cap of \$500,000 unearmarked.

- a. SOR shall be used to fund UCSU cost center areas for non-recurring, unanticipated operating expenditures when the area's individual fund balance is not sufficient.
- b. All SOR expenditures must be approved by Finance Board.
- c. The Emergency Contingency Reserve/SOR shall maintain a maximum balance of \$1,000,000 unearmarked. This reserve amount shall be subject to annual review. If, on January 31, the amount in reserve exceeds this limit, the excess must be used to fund capital equipment replacement and/or improvements or allocated to offset the following fiscal year's student fees.
- d. A written request must be submitted to the Finance Board for approval of Supplemental Operating Reserve expenditure. The release of these funds shall be contingent upon a 2/3 approval of all voting members during the regular spring or fall sessions. The release of funds shall be contingent upon a majority approval of voting members when school is not in regular fall or spring session.

4. Cost Center Board Powers in Authorizing Budget Changes
 - a. Cost Center Boards, by a 2/3 vote, can authorize a single transfer of funds between cost center budget pools if the total dollar amount of the change is less than \$500 or 5% of the annual amount budgeted to the budget pool the money is transferred from, whichever is greater.
 - b. Finance Board approval is required for any transfers not meeting the above provisions.

- C. Supervision of Student Fee Accounts
It is the responsibility of the Board Chair, with the assistance of the Student Organization Finance Office, to maintain close and competent supervision of the student fee accounts and to report to the Finance Board the effect of significant proposed budget changes.

- D. Processing Budget Requests
 1. General Policies
 - a. Academic activities
Requests to provide student fees support for any activity for which academic credit is given or which is otherwise related to the University curriculum or to academic research will generally not be considered by the Finance Board, on the grounds that the sources of funding should properly be academic. Requests for support for activities that appropriately fall under the category of institutional research will tend to be similarly regarded. In any case, the Finance Board will not undertake consideration of such requests until written evidence has been submitted demonstrating that funding from the appropriate sources was solicited and explaining why such funding was denied or insufficient.
 - b. Recruiting Activities
University policies and practices with respect to the recruiting of prospective students are subject to internal regulation as well as by the Colorado Commission for Higher Education. The Finance Board will not undertake any request for supporting a recruiting activity except on written endorsement of the Chancellor of the Boulder Campus.
 - c. Loans
Loans will not be made.
 - d. Partisan Political Politics
In conformity with the Laws of the Regents, the UCSU Constitution and Bylaws, and the Student Fee Regulations, the Finance Board will not entertain requests for student fee support of partisan political activities.
 - e. “Cause” activities
The Finance Board recognizes that at any given time there may be student interest in dozens of politically nonpartisan activities dedicated to promoting a cause with religious, social, political, economic, or cultural implications. In deciding whether such an activity should be supported by student fees at all, the Board will take heavily into consideration demonstrated evidence of substantial student concern, as for example, a student referendum. As a matter of procedure, requests for funding of “cause” activities, which involve speakers, festivities, or other “events” shall be

referred by the Finance Board Chair directly to the Cultural Events Board, and the Chair shall refer activities to the appropriate UCSU agency for its prior review and recommendation to the Finance Board.

- f. Capital shall be defined as per the definition set out in the University Fiscal Policy.
- g. Other criteria for evaluating budget requests.
 - i) In evaluating requests, the Finance Board should consider the benefit to the student body.
 - ii) For the same reason, the Finance Board is generally reluctant to provide support for programs in which funds provide direct benefit to individuals (e.g., salaries, board and room), unless it can be shown that these individuals are providing services of value to the student body.
 - iii) In evaluating requests, the Finance Board considers whether current student participation figures justify continuation or expansion of the service or activity, or whether student interest (as expressed, for example, in a referendum) justifies initiation or termination of the service or activity.
 - iv) In evaluating requests, the Finance Board considers whether the service or activity is of significant value to the students served. The Finance Board expects all services and activities to seek funds from alternative sources, if available, and usually requires written evidence that such funding has been sought, but denied. Alternative sources of funding are funds obtained from other sources than Boulder Campus student fees
 - v) In evaluating budget proposals, the Finance Board considers whether the request involves a commitment for student fee financing which entails costs that are or could in the future become prohibitive. For example, in the case of a request for funding of equipment purchases, the Finance Board must be informed whether the equipment would require expensive maintenance or frequent replacement.
 - vi) If the service or activity calls for contractual commitments from the Finance Board, the Finance Board requires an evaluation of the contract from appropriate University and/or student officials.
 - vii) The Finance Board will not consider funding requests for capital improvements outside of cost centers.

2. General Procedures

- a. At least 10 copies of the budget request must be submitted to the Finance Board Chair a minimum of three business days (excluding the day of Finance Board meetings) prior to the meeting at which time it is desired that the request be considered. The Chair shall in turn give the Finance Board members copies at least three business days prior to such meeting. The written request must be prefaced by a statement defining the purpose of the agency or organization and, in the case of

an organization, a description of its membership policy, including dues, if any, and the current size of membership. Normally not more than two representatives of a requesting body shall make the formal presentation to the Finance Board. The Chair of the Finance Board may, however, after consultation with the representatives of the requesting body and the concurrence of the Finance Board, extend recognition to other members of the requesting body who wish to participate in the discussion on the request.

- b. In the case of a student agency or organization request, the Finance Board Chair shall first automatically refer the request to the appropriate UCSU body or University board for review and possible funding from their reserves or from monies disbursed annually to them for such reallocation. In no case shall the Finance Board consider a request without prior recommendation and review by the appropriate body.

3. Recurring Allocations

- a. The Finance Board shall require all cost centers seeking to have fee support to continue to submit budget requests in accordance with a calendar to be adopted by the Finance Board.
- b. These budget requests shall include all information specified in writing by the Finance Board. The information shall be organized in a form specified or prepared by the Finance Board.
- c. All cost centers, with the exception of Wardenburg, the UMC, and the Recreation Center, may submit a separate request for non-recurring capital allocations falling outside of the scope of the annual budget requests.
 - i) Requests for capital expenditures to occur within three fiscal periods will be considered.
 - ii) This budget request will follow the format specified under section IV.D.3.b.
 - iii) Allocations tentatively approved under Section IV.D.3.c. will be subject to review during each annual budget review until the allocation occurs.
 - iv) The Finance Board shall schedule and hear all budget requests under Section IV.D.3.b. in conjunction with the hearing set out under Section IV.D.3.c.
- d. Additional information, as specified by the Finance Board, shall be given to enable the Finance Board to review and assess the cost center's indexes to trends in student use and benefit from the activity provided by the cost center.
- e. The Finance Board shall schedule a hearing for each cost center to present its request formally. The Finance Board's final budget recommendation shall be submitted to the UCSU Legislative Council for approval and/or amendment prior to submission to the Executives and Regents.

4. Non-recurring Allocations

- a. Any cost center may submit a request for a non-recurring allocation. However, the request will only be considered after review by an appropriate UCSU body or University board.
- b. The Finance Board shall not entertain any request, after the fact, to cover losses rising from fund raising events.
- c. The Finance Board shall not entertain any request for an activity—such as dances, speakers, and conventions—not open to all students.
- d. The Finance Board generally shall not make non-

recurring allocations for travel expense or conference fees. Funding of these types of expenses should be anticipated and provided for in the cost center's annual budget.

5. Other Special Requests

a. For Emergencies

The Finance Board shall consider requests from cost centers for funding costs of emergencies. An emergency is an extraordinary, unanticipated situation such as a natural disaster, a severe epidemic, or a sudden and critical reduction in non-student fee income. The Finance Board shall, in reviewing the request and making any allocation, adopt whatever procedure it considers appropriate to the emergency situation.

V. Review Of Operating Budget Management of Fee Recipient Areas

To assure responsible use of funds it has allocated to fee recipient areas, the Finance Board may from time to time require appropriate financial reports from one or more of those fee recipient areas in a form prescribed by the Finance Board. The request to the fee recipient areas must be made in writing and delivered in time to allow the fee recipient areas at least two weeks to prepare and submit the report. The report may be reviewed by the Finance Board at least one meeting prior to the meeting at which the head of the area may be requested to appear for a hearing on the report.

Consistent with University internal fiscal policy, the Finance Board may request the Student Organization Finance Office to restrict the rate of spending of any fee recipient area when the rate appears excessive and without adequate cause.

Amended and Approved November 18, 1997

Amended and Approved August 28, 2001

Amended and Approved September 4, 2001

Amended May 29, 2003

Amended and Approved December 2, 2003

Ratified by leg council 2/04

Amended by finance board September 2004

Amended & ratified by Leg Council October 2005

Amended by Finance Board April 2007

*** It has been ruled by the UCSU Appellate Court, that a 2/3 vote means 2/3 of the entire voting membership, and not just those present and voting, unless otherwise stated.**