

# UCSU STUDENT GROUP FUNDING BOARD CODE

## CHAPTER 1 - GENERAL PROVISIONS

### § 101: Creation of Student Group Funding Board

- (a) The University of Colorado Student Union hereby establishes a Student Group Funding Board; referred to herein as either Student Group Funding Board or "SGFB." The SGFB is authorized to allocate all funds appropriated to it in the UCSU budget.
- (b) The SGFB shall be made up of the following:
  - (1) A member of the UCSU Executive Staff, selected by the Executive(s).
  - (2) A UCSU Executive(s) or his/her designee.
  - (3) A non student staff employee of the Student Organization Finance Office, selected by the Director of the Student Organization Finance Office.
  - (4) A member of the Council of Colleges and Schools, appointed by the Legislative Council President and confirmed by a majority, present and voting, of the Legislative Council.
  - (5) A member of the Representative Council, appointed by the Legislative Council President and confirmed by a majority, present and voting, of the Legislative Council.
  - (6) The President of the Legislative Council or his/her designee.
  - (7) Three (3) students-at-large, nominated by the executive(s) and appointed by a majority, present and voting, of the Legislative Council.

### § 102: Purpose

- (a) The SGFB is responsible for allocating operating funds to student groups at the University of Colorado.

### § 103: Definitions

- (a) Student Group: A Student Group as used in this Code is any student group that maintains a Student Organization Finance Office account. Accounts maintained by the Student Organization Finance Office for UCSU are not student group accounts for purposes of this Code.
- (2) Operating Funds: Operating funds are those funds necessary for the student group to fulfill its stated mission.
- (3) Appropriation: Money designated to the SGFB in the UCSU budget.
- (4) Allocation: The amount of operating funds the SGFB designates to a particular student group.
- (5) SGFB Budget: All allocations made by the SGFB within a fiscal year.

- (6) Student-at-large: A full fee paying member of the UCSU who holds no major position within the UCSU as defined by Article 1, Section D of the UCSU Constitution.

§ 104: Business Days

All deadlines or dates referenced herein that fall on a weekend or university holiday, as provided by the University Academic Calendar, shall be automatically extended until the next non-weekend day that the University is in session.

**CHAPTER 2 - SGFB MEMBER DUTIES AND RESPONSIBILITIES**

§ 201: SGFB Chair & Vice Chair

- (a) The member of the executive staff, as provided in Section 101(2)(a), shall serve as the Chair of the SGFB.
- (b) The SGFB will elect a Vice Chair from its membership. The Vice Chair shall be elected by a majority, present and voting, of the SGFB.
- (1) The Executive(s), members of the Legislative Council, and the Student Organization Finance Office staff member are ineligible to hold the Vice Chair.
- (c) The Chair shall prepare meeting agendas, preside over meetings, notify student groups of appearances before the SGFB, and issue written decisions of the SGFB.
- (1) Student groups shall be notified at least seven (7) calendar days before their scheduled appearance.
- (2) The student group may waive the seven (7) calendar day requirement.
- (d) The Vice Chair shall perform the duties of the Chair in his/her absence.
- (1) The Vice Chair shall coordinate an orientation and education of new SGFB members.

§ 202: Recording Secretary

- (a) The Chair shall ensure that minutes are prepared and made available in the UCSU office within 5 days of all SGFB meetings.

§ 203: Member Duties

- (a) Each member shall attend all scheduled SGFB meetings.
- (1) Unless specifically authorized by section 101(2)(a-h) a member may not designate another to vote in his or her place.
- (b) Each student-at-large member shall serve as a liaison between the SGFB and student group applicants.

§ 204: Member Vacancies

- (a) All vacancies on the SGFB shall be filled in the manner provided in §101(b).

§ 205: Member Removal

- (a) Members may only be removed for good cause. This includes, but is not limited to, failure to substantially perform one's duties, financial impropriety, violating the UCSU Constitution, the Student Fee Regulations, or this Code.
- (b) Student-at-large, Council of Colleges and Schools, and Representative Council, members may be removed from the SGFB by 2/3, present and voting, of the Legislative Council.
- (c) The Executive staff and Student Organization Finance Office staff member may be removed by the Executive(s) or the Director of the Student Organization Finance Office, respectively.
- (d) The executive(s) and the Legislative Council President may be removed from the SGFB only if removed from their underlying position, as provided in the UCSU Constitution and the UCSU Legislative Council bylaws.

**CHAPTER 3 - MEETINGS**

§ 301: Quorum

- (a) Five members of the SGFB are required for quorum.

§ 302: Roberts Rules of Order

- (a) Meetings shall be run according to the version of Robert's Rules of Order used by the Legislative Council, unless an alternate method is specified in this Code or in regulations promulgated by the SGFB.

§ 303: Absence of Chair and Vice Chair

- (a) In the absence of the Chair and the Vice Chair the most senior member of the SGFB shall preside over SGFB meetings.

§ 304: Student Advisory Members

Three (3) student Advisory members may be appointed by a majority, present and voting, of the SGFB. Each shall have the same qualification as student-at-large members. Student Advisory Members shall attend meetings and be entitled to the same rights, privileges, and responsibilities as the student-at-large members of the SGFB, except they shall have no vote.

**CHAPTER 4 - SGFB ALLOCATION TIMELINE**

§ 401: Timeline for Student Group Applications and Hearings

- (a) Applications for student group funding for the next fiscal year shall be available the first Monday after Fall Break.
- (b) Student Group Funding Board Applications shall be due on the second Friday of spring semester.

- (c) The SGFB will review applications as a board within the third Friday of the spring semester.
- (d) SGFB hearings shall be held within the fifth Friday of spring semester.
- (e) The SGFB shall hold meeting with student groups to discuss the allocation decision within the seventh Friday of spring semester.

§ 402: Timeline for SGFB Budget

- (a) The SGFB shall prepare its budget and present it to the UCSU Finance Director one week before finance board hearings.
- (B) The SGFB shall allocate monies to student groups based upon the University fiscal year. Allocations should be made and finalized by the beginning of the fiscal year.

**CHAPTER 5 - STUDENT GROUP FUNDING ELIGIBILITY**

§ 501: Eligibility

To be eligible for funding from the student group funding board a student group shall have a student group account, shall meet open access requirements, and shall submit an application, as provided in this chapter.

§ 502: Student Group Accounts

- (a) All student groups shall have a board or other equivalent decision making body that is comprised entirely of full fee paying members of the UCSU, as defined by Article I of the UCSU Constitution.
  - (1) This board shall have authority over the allocation request and over the spending of allocated funds. Nothing in this section should be construed to prohibit a student group from paying money allocated to the student group to a local, state, national, or international organization of which the student group is a member. In the event that money is paid to an outside organization:
    - i. The local board of students must remain in control of the funds allocated from the SGFB.
    - ii. The local board of student will ensure that all monies paid are used in a manner compliant with all applicable rules and regulations set forth by UCSU and State, Federal, or international law.
- (b) “Signers” on the student group’s Student Organization Finance Office account must:
  - (1) Be full fee paying members of the UCSU.
  - (2) Not be signers on more then one (1) student group account.
  - (3) Not hold a major position within the UCSU as defined by Article I of the UCSU Constitution.

§ 503: Student Group Open Access Requirements

- (a) All student groups must hold at least one (1) organizational meeting during the Fall and Spring semester. These meetings must be open to all CU-Boulder students.
  - (1) The student group must be open to membership, participation, or involvement by all CU-Boulder students for all activities that student fees are used to finance. Individuals who are disruptive or otherwise interfere with a student group's operations may be removed from events without violating this section.
- (b) If the student group assesses any membership fee, this fee must be waived by the student group if it presents a barrier to membership or leadership positions.
- (c) Any selection process or other limitation made for student group travel or participation in competitive events must be made in a reasonable manner, which is rationally related to the purpose or mission of the student group. This process must not violate any provisions of the Student Fee Regulations.

§ 504: Application

- (a) Any student group that complies with this Code may submit an application for funding of its organizational costs from the SGFB.
- (b) Incomplete or late applications will be accepted at the sole discretion of the SGFB.
- (c) The application shall include:
  - (1) An application form developed by the SGFB in conjunction with the Student Organization Finance Office.
  - (2) The student group's mission statement.
  - (3) A budget.
  - (4) Plans relating to the student group's undertakings in furtherance of their stated goals.
  - (5) Year end budgeting form, if the student group received SGFB funds the previous year.
  - (6) Information that would demonstrate the student group's eligibility for funds.
  - (7) Plans relating to the paying of student fee monies to an outside organization. This includes, but is not limited to, annual dues, fees and operating expenses.
  - (8) Any further information requested by the SGFB.

§ 505: Club Sports Eligibility

- (a) Any student group whose primary function is participation in competitive athletic events is ineligible for funding by the SGFB

§ 506: Travel and Events

- (a) A student group is ineligible for funding for travel or events, as defined by the Student Fee Regulations, unless the event or travel has occurred in a substantially similar fashion for the previous three fiscal years.
- (b) Substantially similar events and travel may include, but are not limited to; annual travel to competitions, conferences, or symposia; lecture series; and any other undertakings that the group has made that are similar in type, expense, duration, and purpose for the previous three fiscal years.

## CHAPTER 6 - STUDENT GROUP ALLOCATIONS

### § 601: Allocation Considerations

(a) When making determinations about allocations to student groups the SGFB shall consider:

- (1) The ability of the SGFB money to help the student group to effectively meet its goals;
- (2) The educational, civic, and cultural benefit to the campus and the greater community;
- (3) Cost effectiveness and efficiency of the student group, its events, and travel;
- (4) Whether a substantially equivalent educational, civic, or cultural, benefit is provided or need is being met by an existing group;
- (5) The number of participants;
- (6) The number of participants may be considered for the sole purpose of allocating funding for costs that vary with participation;
- (7) The amount of money that the SGFB receives to allocate to student groups;
- (8) The result of an applicable advisory initiative, in conformity with a viewpoint neutral funding policy

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### § 602: Line Item Allocations

(a) The SGFB shall allocate funds to the following line items:

- (1) Payroll; payroll shall be funds used to compensate employees.
- (2) Operations; operations shall include, but is not limited to, office supplies, printing and copying costs, and postage.
- (3) Events; events shall fund any event or events, as defined by the Student Fee Regulations. Each individual event shall be funded as a separate line item under events.
- (4) Travel; Travel shall include airfare, registration costs, lodging, and ground transportation. Each individual trip taken by a student group shall be funded as a separate line item under travel.

- (5) Dues; dues shall include any funds that the student group will pay for services from a local, state, national, or international organization of which the student group is a member.

§ 603: Student Fee Regulations

All funding allocations shall be made in conformity with the Student Fee Regulations.

§ 604: Advisory Initiative

- (a) Any student group may, as set forth in the UCSU Election Code, place an initiative before the members of the UCSU.
- (b) This initiative cannot bind the UCSU to collect or distribute student fees in any manner. The results of any initiative that requests the allocation of student fees to a student group shall be advisory only.

**CHAPTER 7 - SGFB HEARINGS & VOTING**

§ 701: SGFB Hearings

- (a) The SGFB shall hold hearings with each applicant to determine both the student group's eligibility and to determine an allocation to the student group.
- (b) The SGFB shall vote by a majority, present and voting, to determine whether the student group is eligible for funding as provided for under this code.
- (c) The SGFB shall take a second vote, by a majority, present and voting, to make an allocation to the student group.
- (d) When all allocation decisions have been made the SGFB shall prepare the SGFB budget. This budget must be approved by a majority, present and voting, of the entire SGFB.

§ 702: Legislative Council Approval

- (a) The Legislative Council shall approve or reject, without amendment, by a majority present and voting, the SGFB budget.
- (b) The Legislative Council shall approve the SGFB Budget through a bill that shall be presented to the Executive(s) for signature, veto, or enactment without action.
- (c) Upon approval of the SGFB budget the allocations shall become final and the Student Organization Finance Office shall disburse the funds as allocated.

§ 703: Provisional and Supplemental Funds

- (a) If the SGFB has any additional funds after making allocations as provided in § 501 the SGFB may allocate provisional or supplemental funds.

(1) It is the intent of the Legislative Council that the SGFB will allocate funds to all eligible groups in the manner provided by this code. The SGFB should not purposefully reserve funds for provisional or supplemental allocations.

(b) The chair may make a one time provisional allocation, up to \$500, per fiscal year per eligible student group, if;

(1) The student group was formed after the application deadline.

(2) The student group became eligible after the application deadline.

(3) The Chair of the SGFB shall maintain records and shall inform the SGFB of all provisional allocations.

(4) If the Chair determines that sufficient funds are available, he or she may schedule a supplement funding hearing schedule to occur in the fall. Supplemental funding shall occur through the hearing process outlined in §701.

(5) Provisional and supplemental allocations shall comply with the eligibility, allocation, and viewpoint neutral requirements set forth in this code. The supplemental budget shall be approved by the Legislative Council in the manner provided in § 702.

#### § 704: Rollover of Funds

(a) Any monies that remain in a student group account, from SGFB allocations, may be carried over to the next fiscal year.

(1) Any money paid to an outside organization in surplus at the end of the fiscal year must be transferred back to the student group's SOFO account.

(b) Any monies that are rolled over shall be considered an allocation by the SGFB for the fiscal year into which the monies were rolled over.

### CHAPTER 8 - VIEWPOINT NEUTRALITY

#### § 801: Viewpoint Neutrality

(a) All funding decisions by the SGFB and the UCSU Legislative Council must be made in a viewpoint neutral manner, in conformity with the United States Supreme Court's decisions in *Southworth v. Board of Regents of the University of Wisconsin*, 529 U.S. 217 (2000).

(b) All funding decisions will be made without regard to race, ethnicity, nationality, gender, gender identity, sexual orientation, marital status, age, physical ability, or veteran status.

(c) The SGFB is authorized to retain a legal professional for the purposes of developing viewpoint neutral funding guidelines, if funds are specifically appropriated to the SGFB for this purpose.

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#### §802: Discrimination Policy

(a) Student group funding decisions shall be made in a consistent manner based upon objective criteria stated within this code and in any regulations promulgated by the SGFB.

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§ 803: Judicial review

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- (a) The UCSU Appellate Court shall have jurisdiction to review eligibility and allocations determinations made by the SGFB.
- (1) The UCSU Appellate Courts jurisdiction is limited to ensuring that all eligibility and allocations decisions have been made in conformity with the UCSU Constitution, the UCSU Legislative Council Bylaws, this Code, and any regulations promulgated by the SGFB in furtherance of the execution of this Code.
  - (2) The UCSU Appellate Court lacks jurisdiction regarding the eligibility vote until the SGFB has made its final decision regarding eligibility.
  - (3) The UCSU Appellate Court lacks jurisdiction regarding the allocation decision until the allocations are final and all other remedies, excluding reconsideration of the bill approving the budget, have been exhausted.
- (b) The UCSU Appellate Court's jurisdiction is waived unless either a temporary restraining order or a final decision is filed with the UCSU office manager within 7 calendar days of the allocations becoming final.

## CHAPTER 9 - ENFORCEMENT OF UCSU POLICIES

### § 901: UCSU Policies

- (a) Once funds have been allocated to a specific line item or items the student group may not move funding from one line item to another without permission from the SGFB.
- (b) Student Groups shall comply with the UCSU Constitution, the Student Fee Regulations, and all other duly enacted legislation.

### § 902: Audit of Student Groups

- (a) The SGFB may audit any student group that receives an allocation from the SGFB.
- (1) SGFB may audit any student group that pays money to an outside organization on an annual basis, for student groups that maintain all funds in a SOFO account. An audit may be called by a majority, present and voting, of the SGFB.
  - (2) This audit may include a review of Student Organization Finance Office records as well as hearings to ensure that student groups are complying with all applicable UCSU legislation, regulations, and guidelines.
  - (3) In the event that student fee monies are paid to an outside organization, the student group will be required to demonstrate the manner in which the money was spent, and to prove it was spent in compliance with all applicable regulations.

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- i. The student group will be required to provide proof of all transactions. This should include, but is not limited to receipts, invoices and bills.
- ii. The SGFB shall audit any student group if a majority, present and voting, of the Legislative Council so requests.

(b) Decisions to audit a Student Group shall be made in a viewpoint neutral manner.

#### § 903: Mechanisms of Compliance

- (a) If the SGFB determines by a preponderance of the evidence that a student group has violated any UCSU legislation, regulations, or guidelines, the Legislative Council may, by a majority, present and voting, freeze the student group's Student Organization Finance Office account until the Student Group is brought into compliance.
- (b) If the SGFB determines by a preponderance of the evidence that a student group has violated any UCSU legislation, regulations, or guidelines, the Legislative Council may, by 2/3 present and voting, order any funds allocated by the SGFB or any other UCSU funding source returned to UCSU accounts.

#### § 904: Existing Referenda Fees

- (a) Student groups that receive referenda fees beyond Spring 2007 semester are required to submit materials to SGFB in the manner provided in section 504 during the Spring semester prior to each year of funding. These applications are solely for the execution of this section and shall not be construed as requests to the SGFB for funding.
- (b) SGFB will perform an audit of any group that does not submit an application as stated in subsection 1 of this section in the manner proved by section 902.
- (c) Based on application or audit, SGFB may respond as provided in section 903.

### **CHAPTER 10 - APPROPRIATION OF FEES TO SGFB**

#### § 1001: Appropriation Request

- (a) The SGFB shall prepare and submit a request for an appropriation of student fees to the UCSU Finance Board annually.
- (b) The annual appropriation to the SGFB shall only be for allocations to student groups or to retain legal counsel. All operational funds for the SGFB shall be appropriated to the UCSU operations account.

### **CHAPTER 11 - AUTHORITY TO PROMULGATE REGULATIONS**

#### § 1101: Authority and Limitations

- (a) The SGFB may promulgate regulations and draft forms that further the execution of this Code.
- (b) All regulations and forms must be made available to all members of the UCSU and the public. When regulations are promulgated they shall be sent, in electronic form if possible, to the

President of the Legislative Council, the Chair of the Legislative Council Rules Committee, and the UCSU office manager.