



Motion 10/11/16:4 Classification of Student Fees

Moved by: Stuart Clark

Seconded by: Saba Farbodkia

Amend P.1.2.1 and P.1.2.2 to read:

P.1.2.1 Definitions

- a. **“Opt-out”**: Where a member can elect not to pay an optional fee.
- b. **“Opt-out period”**: The times when a member may elect not to pay an optional fee as found in the Queen’s Guide to Registration and Fees.
- c. **“Student Activity Fee”**: Member payments for non-academic or non-tuition related items that are designed to enhance student life.
- d. **“Material Change”**: a change that would be reasonably expected to have an effect on the SGPS or SGPS members.

P.1.2.2 General

- a. From time to time, the SGPS shall establish, increase or cancel Student Activity Fees (**“Fee”**), paid by members, related directly to the upkeep and maintenance of campus student life and the SGPS at large.
- b. The SGPS may only establish a new Fee, or increase an existing fee, if there has been an open, honest, and fair referendum on the establishment, or increase, of that Fee.
- c. The payment expectation for a given Fee is either:
 - a. **Mandatory**, in which all members must pay the fee, or
 - b. **Optional**, where members have a choice to Opt-out of the fee during the designated opt-out period.
- d. There are four types of Student Activity Fees:
 - a. **SGPS Fees**, which are mandatory fees strictly limited to the upkeep and operation of the SGPS, SGPS programming, faculty specific programming, and capital projects
 - b. **University and AMS Fees**, which are mandatory fees limited to the upkeep and operation of registered Queen’s University (**“University”**) and Alma Mater Society (**“AMS”**) services used by members of the SGPS.
 - c. **Club Fees**, which are optional fees used to provide funding to ratified clubs under the AMS/SGPS Joint Club Office
 - d. **External Fees**, which are optional fees used to provide funding to organizations external to the SGPS, Queen’s University, or the AMS.

Motion 10/11/16:5 Eligibility for Student Fees

Moved by: Stuart Clark

Seconded by: Saba Farbodkia

Amend P.1.2.3 to read:

P.1.2.3 Eligibility

- a. Only eligible groups are entitled to establish or receive a Fee.
- b. The eligibility of a group to receive a Fee is determined by the Finance and Services Committee (“**Committee**”) and is assessed each year for both prospective Fees and pre-existing Fees.
- c. A group that satisfies each of the following requirements, as outlined in the following Subsections P.1.2.3.c.a, and P.1.2.3.c.b, affirmed with a 2/3 majority of the Committee shall be deemed to be eligible:
 - a. The group shall satisfy each of the requirements for any of the following categories of fees:
 - i. A group’s Fee is an eligible **SGPS Fee** if:
 1. The fee is proposed by the SGPS Executive to the Committee, and
 2. The fee is for the purpose of either:
 - a. The SGPS Society Fee;
 - b. The funding of a single SGPS service;
 - c. The funding of a single SGPS fund;
 - d. The funding of a member Faculty or Departmental Society;
 - e. The funding of the SGPS Health and Dental Plan;
 - f. The funding of a membership to a provincial or national student advocacy body; and,
 - g. The funding of a single capital project.
 - ii. A group’s Fee is an eligible **University and AMS Fee** if:
 1. The group proposing the fee is either Queen’s University or the AMS;
 2. The fee is for the purpose of funding a service or body controlled by either Queen’s University or the AMS;
 3. There is no duplication between the service offered and an existing SGPS program, office, commission, or service; and,
 4. The dollar value of the Fee is demonstrably connected to the benefit of the service to SGPS members.
 - iii. A group’s Fee is an eligible **Club Fee** if:
 1. The group proposing the fee is a ratified club under the Joint SGPS/AMS Clubs Office;
 2. The club proposing the fee does not:
 - a. Engage in partisan advocacy for a political party; or,
 - b. Fund a salary of an employee.
 - i. For the purposes of this section, ‘salary’ means compensation for fulfilling the terms of employment calculated on a set, yearly amount.
 3. The club for which the fee is for is inclusive of all SGPS members and all SGPS members shall be eligible to be involved in the group or receive benefit from the group’s activities; and,
 4. The dollar value of the fee is demonstrably connected to the benefit of the service to SGPS members.
 - iv. A group’s Fee is an eligible **External Fee** if:
 1. The group proposing the fee is an organization external to control by the SGPS, Queen’s University or the AMS;
 2. The organization proposing the fee does not:

- a. Engage in partisan advocacy for a political party; or,
 - b. Fund a salary of an employee.
 - i. For the purposes of this section, 'salary' means compensation for fulfilling the terms of employment calculated on a set, yearly amount.
 - 1. The organization for which the fee is for is inclusive of all SGPS members and all SGPS members shall be eligible to be involved in the group or receive benefit from the group's activities; and,
 - 2. The dollar value of the fee is demonstrably connected to the benefit of the service to SGPS members.
- b. The following conditions further restrict eligibility:
- i. No athletic team is eligible to receive a Fee;
 - ii. No SGPS, AMS or University committee is eligible to receive a Fee;
 - iii. No group shall be eligible for more than one Fee;
 - iv. No group, except for the SGPS itself, shall be eligible to obtain a fee for the purposes of a single, one-time capital purchase;
 - v. Fees must be used overwhelmingly for the purpose to which a group has applied for their creation;
 - vi. Fees must overwhelmingly be used within the year they are collected; and,
 - vii. No commercial or otherwise for-profit group or organization may be eligible for a Fee.
- d. The Fee from an eligible group shall be classified for the purposes of ratification as either an **SGPS Fee, University and AMS Fee, Club Fee, or External Fee** according to the category satisfied in meeting its eligibility requirements.
- e. Where a group does not meet eligibility requirements as determined by the Committee, the VP Finance & Services shall notify the group with reasons for the decision and offer the group forty-eight (48) hours to amend and resubmit its fee proposal for reconsideration by the Committee.
- a. This shall not permit any group from extending a deadline for elections or referendums as set out by the SGPS CRO.

Motion 10/11/16:6 The Referendum Process

Moved by: Stuart Clark

Seconded by: Saba Farbodkia

Amend P.1.2.4 to read:

P.1.2.4 Establishing, Increasing and Renewing Student Activity Fees

- a. A referendum on a Fee is required in order to:
 - a. Establish a new Fee; or,
 - b. Increase the dollar value of an existing Fee.
- b. All Fees, except those Fees outlined in P.1.2.4.d (Special Rules for SGPS Fees), must be passed by a 2/3 referendum vote held at the same time and on the same system as the annual SGPS executive election as outlined in B.10:
 - a. A fee that fails to achieve the requisite 2/3 majority results in a referendum is cancelled, with any uncollected or withheld funding reallocated to the SGPS Bursaries and Grants Program.
 - b. For further clarification, the length of the campaign, validation and nomination period are subject to the regulation of the SGPS Chief Returning Officer ("CRO").

- c. Expiry of University and AMS Fees, Club Fees, and External Fees – Fees deemed to be “University and AMS Fees”, “Club Fees”, or “External Fees” under P.1.2.3.d shall expire after three (3) academic years following a successful referendum result.
 - a. During any academic year of a Fee’s collection, the group may apply under either P.1.2.4.e or P.1.2.4.f to establish a new Fee or increase an existing Fee for the next three (3) academic years following that referendum.
 - b. For further clarity, should a group with an existing student fee apply under either P.1.2.4.e or P.1.2.4.f, to establish a new Fee or increase an existing Fee, but fail to achieve the required votes in a referendum, the existing Fee shall continue uninterrupted until the conclusion of the original three (3) academic years.
- d. Special Rules for SGPS Fees - Fees deemed to be “SGPS Fees” under P.1.2.3.d shall have unique rules that govern the expiry of Fees, establishment of new Fees, and increases in existing Fees.
 - a. Non-Expiration of SGPS Fees – SGPS Fees shall not expire and shall not be subject to renewal by referendum.
 - b. Establishment of New SGPS Fees – The process for establishing a new SGPS Fee shall require a 2/3 referendum vote as outlined in P.1.2.4.b and follow the ratification procedures as set out by P.1.2.4.e.
 - c. Increases to Existing SGPS Fees – The VP Finance and Services may unilaterally increase the amount for an existing SGPS Fee on the coming year’s fee slate only if:
 - i. The increased fee is either:
 - 1. The SGPS Society Fee and the increase is less than or equal to five per cent (5%);
 - 2. For the purpose of funding the SGPS Health and Dental Plan; or,
 - 3. For the purpose of funding membership to a provincial or national student advocacy group and the increase is less than or equal to five per cent (5%).
 - ii. All other increases to existing SGPS Fees not enumerated under the conditions set by P.1.2.4.d.c.i shall require a 2/3 referendum vote as outlined in P.1.2.4.b and follow the ratification procedures as set out by P.1.2.4.f.
- e. Establishing New Student Activity Fees - For a new Fee to go to referendum, the Fee and its recipient shall satisfy each of the following conditions:
 - a. The group must be an eligible group as designated under P.1.2.3;
 - b. The group shall submit a Fee Proposal Package to the Committee no later than the last day of the nomination period as set by the CRO under P.9.
 - i. This package, created to assist in the Committee’s determination of eligibility, shall contain:
 - 1. A written description of the group or organization seeking the Fee and specific purpose for which the Fee revenue will be used.
 - 2. A detailed budget and financial information that clearly indicates how the fee will be spent;
 - a. For further clarification, registered charities and non-profit organizations shall include their most up-to-date annual report and audited financial statements.
 - 3. A petition that specifies the Fee to be established and bears the signatures of at least 7.5% of ordinary Society members, in accordance with the guidelines set forth in B.10 and P.9, delivered to the CRO;
 - 4. A detailed report answering the following questions:
 - a. Why is your group seeking a Fee?
 - b. What direct benefit will SGPS members derive from granting your group a Fee?
 - c. How is the dollar value of the Fee related to the benefit you are proposing to provide?
 - d. When was your group established?

- e. If you have collected a Fee in the past, what initiatives and/or opportunities have you provided the Queen's Community with the collected funds?
 - 5. Answers to any other questions as prescribed by the Committee included in the nomination package.
- c. Upon completion of the requirements as laid out in Subsections P.1.2.4.e.a and P.1.2.4.e.b, Council shall require a majority vote to add the Fee to the referendum ballot.
- f. Increasing a Pre-Existing Student Activity Fee - For a currently established Fee to be increased at referendum, the Fee and its recipient group shall satisfy each of the following conditions:
 - a. The group must be an eligible group as designated under P.1.2.3;
 - b. The group shall submit a Fee Proposal Package to the Committee no later than the last week of January of a given academic year.
 - i. This package, created to assist in the Committee's determination of eligibility, shall contain:
 - 1. A written description of the group or organization seeking the Fee and specific purpose for which the Fee revenue will be used. This description shall not exceed 500 words.
 - 2. A detailed budget and financial information that clearly indicates how the fee will be spent;
 - a. For further clarification, third-party organizations to the SGPS, AMS or Queen's University shall include their most up-to-date annual report and audited financial statements.
 - 3. A petition that specifies the Fee to be established and bears the signatures of at least 10% of ordinary Society members, in accordance with the guidelines set forth in B.10 and P.9, delivered to the CRO;
 - 4. A detailed report answering the following questions:
 - a. Why is your group seeking a Fee increase? What circumstances have changed to necessitate a change in your Fee?
 - b. What direct benefit have SGPS members derived from your Fee?
 - c. Is there any added benefit SGPS members will receive as a result of an increase in your Fee?
 - d. When was your group established?
 - e. What initiatives and/or opportunities have you provided the Queen's Community with the funds collected? Will these initiatives change with the increase to your Fee? If so, how will they change?
 - c. Upon completion of the requirements as laid out in Subsections P.1.2.4.f.a and P.1.2.4.f.b, Council shall require a majority vote to add the Fee to the referendum ballot.
- g. Cooling off period – A group may only apply for an activity fee twice out of every three (3) academic years.
 - a. This period is waivable upon a majority vote of the Committee.
- h. All sections of the Fee Proposal Package that do not include sensitive personal information shall be made publicly available to society members for review during the referendum period.

Motion 10/11/16:7 Reporting Obligations

Moved by: Stuart Clark

Seconded by: Saba Farbodkia

Amend P.1.2.5 to Read:

P.1.2.5 Continuous Reporting Obligations, Cancellation and Reallocation of Fees

- a. **Continuous Reporting Obligations** - All eligible groups who obtain a Fee through the SGPS must comply with the continuous reporting obligations in order to continue to receive disbursements of that Fee. Failure to submit the required documents by the prescribed deadline or refusal to submit complete information will result in the suspension of the fee according to P.1.2.5.d.
- b. A group's continuous reporting obligations will be subject to any of the following standards congruent with the classification of the fee under P.1.2.3.d.
 - a. **SGPS Fee** continuous reporting obligations shall consist of:
 - i. Adhering to the SGPS By-Laws and Financial Policy disclosure obligations.
 - b. **University and AMS Fee** continuous reporting obligations shall consist of:
 - i. An annual report containing:
 1. Usage and participation statistics for the service or body by Society members;
 2. Financial information on how the fee was spent for that year; and,
 3. A list of any Material Changes (as defined by P1.2.1.e) to the group receiving the Fee.
 4. A letter from the group naming the executive team or coordinator along with their contact information;
 - c. **Clubs Fee** continued reporting obligations shall consist of:
 - i. A letter from the Joint AMS/SGPS Club Office certifying the ratification for the coming academic year;
 - ii. An annual report which contains:
 1. A summary of the club's activities over the past year demonstrating how it involved SGPS members and a description of how the fee has been used;
 2. A description how the club's activities perform a unique service or create a unique space not provided by existing SGPS, AMS, university or other fee-funded services
 3. A letter from the group naming the executive team along with their contact information;
 4. Annual financial statements/bank statements for the previous year;
 5. A budget for the previous year; and
 6. Any other financial information as to verify that disbursed Fees were used for their intended purpose.
 - iii. A proposed club budget for the coming year; and,
 - iv. Any other information as requested by the Committee to aid in the determination of the Fee's continued eligibility.
 - d. **External Fee** continued reporting obligations shall consist of:
 - i. An annual report which contains:
 1. A summary of the organization's activities over the past year demonstrating how it involved SGPS members and a description of how the fee has been used;
 2. A description how the club's activities perform a unique service or create a unique space not provided by existing SGPS, AMS, university or other fee-funded services
 3. A letter from the group naming the executive team, board of directors, or leadership team along with their contact information;
 4. Financial information depending on the sophistication of the group:

- a. Registered charities and non-profit organizations - The most up-to-date annual report and audited financial statements.
 - b. All other organizations - Annual financial statements/bank statements for the previous year.
 - ii. A proposed budget for the coming year; and,
 - iii. Any other information as requested by the Committee to aid in the determination of the Fee's continued eligibility.
- c. All Groups required to report materials including annual reports, financial statements, yearly budgets, etc. under P.1.2.5.b to the Committee must do so no later than March 1st of each year.

Motion 10/11/16:8 Suspension, Cancellation, and Appeal of Fees

Moved by: Stuart Clark

Seconded by: Saba Farbodkia

Note that this continues off of the previous section

- a. Suspension of Fee by the Committee - A Fee shall be deemed suspended if:
 - a. A group receiving a Fee no longer fulfills the eligibility requirements for that Fee as set out in P.1.2.2 and P.1.2.3; and/or
 - b. A group is not complying with the continuous obligation requirements as set out in P.1.2.4.
- b. If a Fee is suspended by the Committee, the group will be notified by the VP Finance and Services of the suspension immediately. All best efforts shall be made to contact the group facing suspension.
- c. The VPFS shall report to Council on the issuing of a suspension at the next Council meeting.
- d. A group with a Fee suspended shall not receive any future or outstanding disbursements of the Fee in question, however, the fee shall continue to be collected by the SGPS until such suspension is lifted or the fee is cancelled per this section.
- e. The VP Finance and Services shall call a meeting of the Committee within 30 days of the suspension and invite the suspended group to the meeting to discuss the reason(s) for suspension.
- f. Removing Suspension – Once the group has been provided with the reason(s) for suspension and how it can re-instate its Fee at the Committee, the group will be given 60 days to bring itself in compliance with P.1.2 unless they have received an express extension from the VPFS.
 - a. If a group corrects the reason for suspension, the Committee shall meet to review the group's progress and shall reinstate the fee upon a majority vote.
- g. If a group does not correct the reason for suspension within the 60-day period, the Committee shall make a report to Council that is to be presented at the next council meeting providing for:
 - a. The name of the group;
 - b. The classification of the fee for that group;
 - c. The reason(s) for suspension;
 - d. The current status with respect to correcting the reason(s) for suspension; and,
 - e. A recommendation to council on how to proceed.
- h. Permanent Cancellation – If the Committee recommends final cancellation of the fee, a motion shall be brought forward to Council by the VPFS seeking cancellation of the fee.
 - a. Cancellation of a fee is only permitted when recommended by the Finances and Services Committee, and requires a majority vote of Council.
 - b. Only Fees that are suspended may be cancelled.
- i. Cancellation of Fee by Group – If a group requests to no longer receive a Fee, the VP Finance and Services may immediately cancel the Fee and provide a letter at the next council meeting to council outlining why the Fee was cancelled.
 - a. Cancelled Fees shall be removed from the University Fee Slate at the earliest possible time and the SGPS shall neither collect nor disburse all monies related to the cancelled fee.

- j. Reallocation of Fees – If a Fee is cancelled and there are remaining, undisbursed funds, those funds will be permanently withheld from that group and reallocated to the SGPS Grants and Bursary Program for that given fiscal year.
- k. Mistake in Cancellation – If a Fee that is neither suspended nor cancelled is removed from the University Fee Slate (and is thus not collected for the year), the SGPS shall disburse a reasonable amount calculated on the basis of the dollar value of the fee and the average opt-out rate for that fees in that year.

Motion 10/11/16:9 Strike remaining old student fee policy from B&P

Moved by: Stuart Clark

Seconded by: Saba Farbodkia

Remove the Following Sections

P.1.2.6 Decreasing Student Fees

- a. All decisions to decrease fees must be provided to the VP Finance and Services prior to the deadline established by the Registrar's Office for publishing the Guide to Registration and Fees.
- b. A decision to decrease a fee does not relieve the responsible group for seeing that the fee is renewed.
- c. A fee decrease is not considered a renewal, therefore a decreased fee is still subject to the same timeline and procedures outlined in P.1.2.4.
- d. All class "A" and class "B" optional fees as well as class "A" and class "B" mandatory fees can be decreased by the responsible group giving notice to the VP Finance and Services.
- e. Class "C" optional and class "C" mandatory fees can be reduced by the VP Finance and Services.
- f. Any reduction in a class "C" optional fee or a class "C" mandatory fee must be reported to Council prior to and following the meeting of the Board of Trustees where student activity fees are approved.

P.1.2.7 Cancellation of Student Fees

- a. Where the VP Finance and Services has reason to suspect inappropriate use of student fee monies by a group collecting such fees (or if any group collecting fees ceases to exist), he or she may temporarily suspend remittance of such fees.
- b. Where remittance of fees is suspended, the VP Finance and Services shall call a meeting of the Finance and Services Standing Committee and invite the suspended group to discuss the problem.
- c. At the conclusion of the meeting, the Finance and Services Standing Committee may decide to re- instate remittance of the fees or may decide to refer the matter to Council for final cancellation of the fee. The Committee shall make a report to Council on whatever course of action it chooses.
- d. If the Finance and Services Standing Committee recommends final cancellation of the fee, Council may cancel the fee by a two-thirds majority vote.
- e. Class "D" mandatory fees are automatically cancelled within three hundred and sixty five (365) days after a valid SGPS/AMS service agreement expires.

P.1.2.8 Petitions Against Referendum Results

- a. Upon receipt of a petition to declare invalid a referendum result for a class "A" or a class "B" fee in accordance with P.9.5 and P.9.6, the question to be remitted to by-election shall contain the
- b. following three options:
 - (1) increase of the fee, including the amount of the increase;
 - (2) maintenance of the fee at the old level, including the amount of the old fee; and
 - (3) elimination of the fee entirely.