

3-28-2011

Senate Bill 2011.0001

Student Government Association BBC, Florida International University

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SENATE BILL

Florida International University – Student Government Council – Biscayne Bay Campus

- Agenda Item:** **Revising the Finance Code to meet current day standards**
- Authors:** Ms. Sagine Delly, Hospitality & Tourism Management Senator
- Sponsors:** Mr. Pablo Hasbel, Senator-at-Large
 Mr. Jerveris Floyd, Hospitality & Tourism Management Senator
- Committee:** Finance Committee
- Date:** March 28, 2011
- In support of** **Revising the Finance Code to meet current day standards,**

**FLORIDA INTERNATIONAL UNIVERSITY
 STUDENT GOVERNMENT ASSOCIATION-BISCAYNE BAY CAMPUS
 TITLE VIII: FINANCE CODE**

Chapter 800 INTRODUCTION

800.1 It is the goal of the SGC-BBC Finance Code to provide clear, concise policies for the SGC-BBC in financial management and budget planning. This policy, and other such guides, set forth by the SGC-BBC shall be the foundation from which monetary decisions are based in answering the needs of the student body. While many of the considerations made by the SGC-BBC rest in individuals' judgments, such actions should bear the support of fair and consistent understanding of the SGC-BBC Finance Code. The finance code may be amended by a 2/3 vote of the SGC-BBC Senate.

800.2 The administration of this policy shall be supervised by the SGC-BBC Finance Committee

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on behalf of the Student Government and its membership. Duly constituted by the SGC-BBC Constitution and Statutes, the Committee shall provide for the enforcement of this policy through its in-depth consideration and supervision of the receipt and disbursement of Activities and Service funds. The studies conducted by the Committee shall be in the name of the SGC-BBC Senate. These studies shall provide the student governance sufficient recommendation and information to enable the SGC-BBC Senate to protect funds abuse and to enable the SGC-BBC to most efficiently utilize available funds.

Chapter 801 GENERAL

The purpose of the Finance Code is to provide a procedure which:

- A. Assures full implementation of Florida Statutes governing the Activity and Service fee 1009.24(10)(b)
- B. Facilitates positive and effective interaction between the university administrators and the Student Government Association (SGC-BBC) in the allocation and expenditure of funds derived from Activity and Service Fees (A&S) periodically collected and deposited at Florida International University.
- C. Define and outline the standards of financial accountability and fiscal management.
- D. Is applicable to all A&S recipients Governing Councils, Standing Councils and registered student organizations which are affiliated with Student BBC-Government Association. Non A&S Fees shall be exempt from the Finance Code.

Chapter 802 DEFINITIONS

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- 802.1 Activity & Service Fees (A & S) – the fees collected as a component of tuition which are to be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The A&S fund may not be used to benefit activities for which an admission fee is charged to students, except for Student Government Association sponsored concerts.

- 802.2 Budget – plan of financial operation embodying an estimate of proposed expenditures for a given period or purpose and the proposed means or sources for financing such.

- 802.3 Fiscal Year – the fiscal year of the Student Government of Florida International University shall be from July 1 to June 30.

- 802.4 SGA Activity and Service Business Office (ASBO) – The office services the accounting, budget process, travel, and/or purchasing needs of A&S Fee funded organizations.
 - A. The ASBO will coordinate training regarding fiscal procedures for all Student Organizations and any A&S Fee funded entity.

 - B. The ASBO will be responsible for publishing a policies and procedures Financial Manual for A&S Fee budgeting and expenditures. The ASBO is part of the Division of Student Affairs of FIU.

 - C. The ASBO will be responsible for creating and distributing the annual budget process timeline and sending all related correspondence to account

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managers of A & S Fee funds.

- 802.5 Student Organization – any organized student group registered with the Florida International University Division of Student Affairs.

- 802.6 Program – is defined as an entity which receives its operating revenue directly from allocation within the A&S Fee Budget. A program shall provide direct service to the Student Body of Florida International University. Programs may include but are not limited to: Student Programming Council, Student Organizations Council, Black Student Union, Panther Power, Tri-Council and other entities coordinated and overseen by Student Affairs but paid by A&S Fees.

- 802.7 A & S Fee funded departments – a Student Affairs department that receives its operating revenue directly from allocation within the A&S Fee Budget and whose duties, compositions and mission are outlined in statute.

- 802.8 University Wide Committee – an SGA Committee that includes the executive boards of both MMC and BBC campus Student Government Councils.

- 802.9 Governing Council – An SGA entity that receives its operating revenue directly from allocation within the Activity and Service Fee Budget and whose duties, composition and responsibilities are outlined within the SGA Constitution and its own SGC Statutes, which shall provide direct service to the student body

- 802.10 Standing Council - an entity that receives its operating revenue directly from the allocation authorized by SGA and whom follows their own statutes represented by their own executive board yet who are financially overseen by a governing council such as the Student Government Association.

Chapter 803 FINANCIAL AUTHORITY

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The allocation and expenditure of A&S funds shall be determined by the SGA through the University Wide Council and the individual Student Government Councils, MMC and BBC separately. The SGA University Wide Committee is responsible for allocating for “University Wide” expenses, and the individual SGC is responsible for the allocation and expenditure of A&S fees for its campus. The following are the roles of the administrators that are involved in the budgeting process:

803.1 University President

Statutory authority is vested in the University President. The University President has delegated authority and accountability to the Vice President for Student Affairs as his/her representative in administration and management of the A&S Fees.

803.2 Vice-President for Student Affairs (VPSA)

It shall be the responsibility of the VPSA or his/her designee to evaluate the recommendations of allocations of A&S funds, proposed changes in matters, which deserve the attention of the University President.

803.3 A&S Business Office

It shall be the responsibility of the A&S Business Office Assistant Director to evaluate the recommendations of allocations of A&S funds, proposed changes in matters, which deserve the attention of the VPSA. This official will be held responsible for confirming updates made into the ASBO on a monthly basis. In addition, this individual is responsible to serve as an ex-officio member of the BBC-Finance Committee without voting power, which shall include the following responsibilities:

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1. Monitor budget appropriations and expenditures.
2. Present a financial report of the previous semester to the BBC-Finance Committee Chair at or before the second regularly scheduled meeting of the next academic semester. This includes the summer semester as well. All reports shall indicate the amount of income, of expenditure and balance under each item budget by the Student Government Council.
3. Ensure that the Finance Code Chapters 804 & 805 is enforced.

Chapter 804 SGC-BBC FINANCE COMMITTEE

804.1 Introduction

- A. The Finance Committee chair shall serve as the treasurer for the SGC-BBC Finance committee budget.
- B. The purpose of the SGC-BBC Finance Committee is to assure that the funds of the SGC-BBC are properly handled for the benefit of all students. To this end, the Finance Committee will hear presentations on, investigate, and deliberate over all requests for funding in a timely and judicious manner.
- C. All SGC-BBC allocations from the SGC-BBC Finance committee budget must be referred to the Finance Committee before consideration by the Senate. The SGC-BBC Senate reserves the right to remove funding requests from the Finance Committee upon a two-thirds (2/3rd) vote by the Senate.

804.2 Finance Committee Composition

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Membership

A. The BBC-Finance Committee shall consist of $\frac{1}{4}$ of the current senate seats filled plus the SGC-BBC Comptroller. Each member shall have one (1) vote except the Comptroller whom has only a tie breaking vote. The committee will consist of the following:

- 1) At least one graduate student representative.
- 2) At least one lower division representative.
- 3) At least one Representative at-Large.
- 4) At lease one, but up to three representatives from the remaining members of the SGC-BBC Senate.

All representatives are nominated by the SGC-BBC Senate Speaker and Comptroller. In the case that there is no graduate senator, an additional representative from the SGC-BBC senate may replace them.

B. If a finance committee member has been removed, the Senate Speaker and Comptroller shall elect an alternate to replace outgoing voting member. The alternate will become a permanent-voting member. In the event that the Finance Chair resigns, the Comptroller will chair the meetings without a right to vote, until a new Chair has been appointed.

D. The Comptroller and the SGC-BBC President shall serve in an advisory capacity to the Finance Committee, and shall have all rights of regular members, except he or she may not vote.

804.3 Eligibility, Appointment, and Removal from the Committee

A. The SGC-BBC President and Vice President are ineligible to be voting members of the committee.

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- B. Elected SGC-BBC Standing Council Officers, Governing Council, Project Directors, and their Assistants shall be ineligible to be members of the committee due to inherent conflicts of interest.
- C. The terms of the BBC-Finance Committee members shall be one (1) fiscal year.
- D. Vacancies on the Committee shall be appointed by the President and Comptroller.

804.4 Finance Committee Duties and Responsibilities

- A. The Finance Committee shall be comprised of Finance Committee Chairperson, the SGC-BBC Comptroller and five additional senators appointed through a majority vote of the SGC-BBC Senate.
- B. The BBC-Finance Committee is responsible in preparing and submitting a complete budget proposal to the SGC-BBC, based on the projected budget from the SGA University Wide Council.
- C. The Finance Committee is responsible for handling all financial matters of the SGC-BBC Finance Committee Budget. This includes receiving, analyzing and reviewing all budgets and financial requests dealing with SGC-BBC funds, examining requests from the SGC-BBC Finance Committee Budget, and ensuring that funds are spent appropriately in accordance with SGC-BBC and University Financial policies.
- D. The BBC Finance Committee shall be responsible for analyzing all requests for funding from the SGC-BBC Contingency Fund. The analysis shall include: a) an examination of necessary documents and articles in the request to see that

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they are appropriate to the program, b) surety that the figures are correct for the quantities demanded, and c) see that the requests are in accordance with SGC-BBC and University policies.

- E. The BBC-Finance Committee shall consider extraordinary transfers of funds whether within a particular entity, or between one or more entities. Based on sound business reasoning, and provided that no conflict exists between the original basis for funding and the reason for the transfer, the BBC-Finance Committee shall consider and vote on such request.
- F. The BBC-Finance Committee shall hold weekly meetings wherever possible, shall consider all financial matters promptly, and must take a vote on all financial matters presented in the meetings. Quorum must be met to vote on any proposals.
- G. During the course of the year, the BBC-Finance Committee shall make recommendations to the SGC-BBC Senate regarding new financial policies, or possible statutes and guideline revisions.
- H. The SGC-BBC Senate may approve, reject, amend or refer back to the BBC-Finance Committee the proposed SGC-BBC Budget. A rejected budget shall be returned to the BBC-Finance Committee for revision. The SGC-BBC may amend the proposed budget by a two-thirds (2/3rd) vote.

804.5 BBC Finance Committee Members

Each member of the Finance Committee shall be responsible for attending all Finance Committee meetings and voting on all financial matters presented in the meetings by the Finance Committee Chairperson. If absent two or more times (unexcused) he/she will be removed from the Finance Committee and an alternate shall replace the member.

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804.6 BBC Finance Committee Chairperson

- A. The Finance Committee Chairperson shall preside over all Finance Committee meetings. The Finance Chair is responsible for receiving, preparing and distributing all materials required for the meetings. Notification of meeting time and location should be given to the SGC-BBC Council and Finance Committee members. While voting in a Finance Committee meeting on a proposal, the Comptroller has the tie-breaking vote.

804.7 Comptroller

- A. The Comptroller shall be in charge of carrying out the distribution of the budget and the auditing and advising of the SGC-BBC.
- B. The Comptroller shall attend all Senate and Executive meetings.
- C. The Comptroller shall be an ex-officio member of the Finance Committee. As such, he or she shall serve an advisory role within the committee, working to ensure compliance with all protocol and regulations of the University and SGC-BBC in allocating funds.
- D. The Comptroller shall provide to the committee detailed reports of budgetary requests. The Comptroller shall work to adequately process budgetary requests in compliance with budgetary policy.
- E. The Comptroller shall attend the annual SGC-BBC Retreats to become familiar with the SGC-BBC and its operations, and to receive instructions regarding the financial goals and policies of the SGC-BBC for the upcoming year.

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- F. The Comptroller shall help all SGC-BBC funded entities officers and Program Directors with any financial problems that might occur, and ensure that the financial policies and procedures facilitate and do not impede student programming.
- G. The Comptroller is responsible with the A&S Business Office Accountant to sponsor a workshop in the Fall and Spring semesters for the sole purpose of familiarizing clubs and organizations with this Finance Code.
- H. The SGC-BBC Comptroller is responsible for the transfer and disbursement of funds held in all accounts. All release of funds, requests for disbursement or transfer of SGC-BBC funds may not be completed without the signature of the Comptroller and a university designated staff member.
- I. The Comptroller shall approve funding distribution and travel policies for standing councils.

804.8 Conflict of Interests

- A. At no time shall a Finance Committee member use her/his affiliation with the Finance Committee in an effort to achieve personal benefits (i.e. extortion, receiving bribes, etc.). Subject to the due process provisions of the SGC-BBC Constitution, violation of this rule shall result in the immediate expulsion of said member from the Finance Committee if the evidence is sufficient to warrant this action. Individuals violating this rule may, upon recommendation by the Finance Committee, be referred for disciplinary action as specified in the Student Code of Conduct.
- B. At no time shall the Comptroller hold any executive board position in a standing council or in a SGC-BBC standing committee. This does not apply to holding executive board position of a club or honor society.

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- C. No individual member of the Finance Committee shall vote on any matter in which the committee feels there is a conflict of interest with that individual. The conflict of interest is established then an alternate member will be appointed to vote on said issue.

Chapter 805 FLORIDA STATUTES 1009.24 State university student fees

Student fees shall be expended for lawful purposes in accordance with F.S 1009.24

805.1 The Activity & Service Fee Committee

F.S 1009.24(9) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees. When duly established, the fees shall be collected as component parts of tuition and fees and shall be retained by the university and paid into the separate activity and service, health, and athletic funds.

F.S 1009.24(10)(a) Each university board of trustees shall establish a student activity and service fee on the main campus of the university. The university board may also establish a student activity and service fee on any branch campus or center. Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the Student Body President. The remainder of the committee shall be appointed by the University President.

A chairperson, appointed jointly by the University President and the Student Body President, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the University President, after

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consultation with the Student Body President, with final approval by the university board of trustees. An increase in the activity and service fee may occur only once each fiscal year and must be implemented beginning with the fall term. The Board of Governors is responsible for adopting the rules and timetables necessary to implement this fee.

805.2 Student Health Fee

F.S 1009.24(11) Each university board of trustees shall establish a student health fee on the main campus of the university. The university board of trustees may also establish a student health fee on any branch campus or center. Any subsequent increase in the health fee must be recommended by a health committee, at least one-half of whom are students appointed by the Student Body President. The remainder of the committee shall be appointed by the University President. A chairperson, appointed jointly by the University President and the Student Body President, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the University President, after consultation with the Student Body President, with final approval by the university board of trustees. An increase in the health fee may occur only once each fiscal year and must be implemented beginning with the Fall term. The Board of Governors is responsible for adopting the rules and timetables necessary to implement this fee.

805.3 Student Athletic Fee

F.S 1009.24(12) Each university board of trustees shall establish a separate athletic fee on the main campus of the university. The university board may also establish a separate athletic fee on any branch campus or center. Any subsequent increase in the athletic fee must be recommended by an athletic fee committee, at least one-half of whom are students appointed by the Student Body President. The remainder of the committee shall be appointed by the

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University President. A chairperson, appointed jointly by the University President and the Student Body President, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the University President, after consultation with the Student Body President, with final approval by the university board of trustees. An increase in the athletic fee may occur only once each fiscal year and must be implemented beginning with the Fall term. The Board of Governors is responsible for adopting the rules and timetables necessary to implement this fee.

805.4 Capital Projects

F.S 1009.24(8) The Capital Improvement Trust Fund fee is established as \$2.44 per credit hour per semester. The building fee is established as \$2.32 per credit hour per semester.

F.S 1013.74 University authorizations for fixed capital outlay projects

F.S 1013.74 (3) Other than those projects currently authorized, no project proposed by a university which is to be funded from Capital Improvement Trust Fund fees or building fees shall be submitted to the Board of Governors for approval without prior consultation with the student government association of that university. The Board of Governors may adopt rules which are consistent with this requirement.

Chapter 806 GENERAL REGULATIONS AND POLICIES

A. All expenditures of A&S Fees shall be conducted through regulations, policies and procedures of Florida International University and follow all applicable State of Florida guidelines: i.e. purchasing, travel, employment, etc.

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- B. The allocation and expenditure of student A&S Fees shall be determined by the SGA University Wide Committee and by the Modesto Maidique Campus and Biscayne Bay Campus Finance Committees under the applicable provisions of the laws of the State of Florida, the rules of the Board of Regents (BOR), and the applicable provisions of this Finance Code.
- C. A&S Fees may not benefit activities for which an admission fee is charged to students except for SGA sponsored concerts pursuant to Florida Statutes 1009.24(10)(b).
- D. No A&S Fee money may be deposited by any entity into an off-campus bank account.
- E. The officers of any A&S Fee Funded organization must be elected according to their constitutions or by-laws.
- F. No A&S Fee account may go into deficit.
- G. All meetings of A&S funded organizations must be open to the public in addition to being publicized in a timely manner.
- H. All A&S Fees funded organizations shall be open to all students at no charge with the exception of Student Government Association sponsored events such as concerts, in addition to being publicized in a timely manner. Under no circumstances can any A&S funded organizations charge a fee to FIU students for participation.
- I. All A&S Fee funded organizations are required to be fiscally responsible as outlined in the SGC-BBC's Finance Code.
- J. The SGC-BBC governance shall allocate funds for student programs and

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activities that will benefit the student population. Those funds allocated to SGC-BBC services and programs shall be administered according to this policy and other such guides. The SGC-BBC Finance Committee shall monitor these funds.

- K. Seeking the optimum use of SGC-BBC funds, the following criteria shall be considered by the BBC-Finance Committee when determining the appropriateness and priority of allocations:
 1. Whether or not this is a type of organization or activity that can be supported by the SGC-BBC funds under current financial policies.
 2. The number of students being served by the group's program.
 3. The general values and scope of services provided to the student population.

- L. The Student Government Council BBC Finance Policy is governed by University and State Regulations as well as directives. Student Activity fees are public funds, which must be administered in a manner consistent with the educational purpose of Florida International University.

- M. The BBC Finance Committee and the SGC-BBC Senate may place stipulations on the use of funds or recommend guidelines in the operations of a new SGC-BBC program or established organizations. All stipulations shall be binding.

- N. Honorariums shall not be appropriated to resource people who are on the University payroll as staff or faculty.

- O. All student organizations, standing councils and governing council receiving A&S monies must sign a Statement of Understanding per Chapter 810 before funds are released.

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- P. All standing councils funded by SGC-BBC are required to have at least 1 executive board member attend 2 or more SGC-BBC General Meetings per month. Failure to do so will result in penalties provided in Chapter 814 herein.
- Q. A&S Fee may not be allocated to nor expended for:
1. Any fund-raising entities, except for student government sponsored events.
 2. Per Diem expenses for any club or organization.
 3. Monetary Prizes, except for student government sponsored events.
 4. Support or in behalf of any political campaign.
 - a) Political campaigns shall be defined as any person or party running for any position in: Student Government Elections or Any Campus Election; Local Elections; State Elections and/or National Elections.
 5. Alcoholic beverages or product with alcohol content and any related items or services such as bar tending both on and off campus.
 6. Tobacco, firearms and any form of illegal drugs or contraband.
 7. Subsidize membership dues of any organization.
 8. Personal gifts and personal use items.
 9. Decorative items for offices.

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10. Subsidize in whole in part of any private corporation.
11. Tips/Gratuities.
12. Food may not be purchased for executive board meetings, or any meeting or event with an expected attendance of fewer than 10 students.
13. Items or Services that largely benefit community programs instead of the FIU community. Contributions/donations to community programs.
14. Gift cards, raffle tickets and prizes (iPods, radios, etc.)
15. Support of religious groups or religious functions.
16. Rental of or expenditures towards functions hosted in private residences.
17. Admission to FIU students funded for events in whole or in part with A&S Funds except in the case of SGA sponsored concerts.
18. Stipends or payment to current FIU faculty or staff.

Any organization or standing council may apply for the funding of publications. All publications must be stored in the University library or in the Department of Campus Life. Any exceptions must be approved by the Finance Committee.

Chapter 807 BUDGET CHRONOLOGY & APPROVAL PROCESS

807.1 University Wide

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The process for preparing the annual SGA fiscal budget shall be the following:

1. The office of Financial Planning and Strategic Development submits to the student government preliminary projected figures of enrollment as well as fee revenue for the next year. It will be understood that these figures are only projections. It should be the responsibility of the Office of Financial Planning and Strategic Development to determine the overhead expense to be included in such projections.
2. The Finance Committees at each campus will make available budget request forms for any interested parties wishing to request monies of the A&S fund. These forms, along with a deadline, will be advertised and also distributed to any existing funding entities, as well as any entity that had received funding within the past three years. The request must specify from which campus they request funds, University Wide, MMC or BBC.
3. The Finance Committees will schedule Budget Hearings for those interested parties requesting monies of the A&S fund for both university wide and campus specific. The purpose of this hearing is to give an opportunity for requestors to make presentations and to respond to questions from representative(s). This hearing will also be advertised and open to the public; groups making requests should be expected to attend.
4. Budget hearings commence and the University Wide Committee determines budget allocations for university wide expenses. The campus specific committees will also hear their individual budget request. During this time, SGC-BBC will request an itemized budget from each entity (a certain deadline will be established by the Comptroller and/or the BBC-Student Body President).
5. The BBC-Finance Committee will review hearings to prepare a proposed

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budget allocation to be voted on by a simple majority vote.

6. The proposed finalized budget for BBC will be submitted to the SGC-BBC President via the Comptroller for approval or it can be vetoed. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.
7. After the start of the Spring Semester, the University Wide Committee, together with campus specific committees, will finalize its budget at one of its regularly scheduled meeting. Upon the University Wide Budget being set, the remainder of these fees is to be split between the Modesto Maidique Campus (MMC) 76%, and the Biscayne Bay Campus (BBC) 24%. Campus specific committees will adjust their proposed budget as needed to prevent any overages from the projected split of moneys.
8. The finalized budget (both university wide and campus specific) will be submitted to the University President via the Vice-President of Student Affairs for approval or it can be vetoed. A rejected budget shall be returned to the respective Finance Committee for revision. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.
9. Once the Budget has been finalized and the University President has signed it into effect, the newly elected SGC-BBC Student Body President and Comptroller will have the duty to authorize and inform entities of their individual budgets. This should be done by July 1, whereas after that date no disbursements will be allowed if a budget has not been authorized.
10. The office of Financial Planning and Strategic Development will update budget projections as necessary during the course of the year. It is the responsibility of both the University Wide Committees and campus individual Finance Committees to make any necessary adjustments due to any

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discrepancy between budget figures and projections to ensure a balanced budget.

Chapter 808 FUNDING & DISBURSEMENTS

808.1 In order to receive funding, a student organization must be recognized for the fiscal year by their sponsoring governing council. No student organization shall be allowed to access any funds allocated to them without both the Organization's President and Organization's Treasurer attending a mandatory Financial Training Seminar hosted by A&S Business Office and the SGC-BBC Comptroller. This seminar shall be given at the beginning of each Fall and Spring semester. The training will adequately cover expenditure transactions, SGC-BBC Finance Code, good business policies and procedures. The workshop will be offered in the Fall term each year announced by the Comptroller's Office. No organization may use their funds without attending this program and signing a Statement of Understanding per Chapter 810 of this Finance Code.

808.2 In order for an organization to receive funds the following guidelines must be followed:

- A. The organization must be officially registered with the Council for Student Organizations before receiving funds.
- B. Organizations must re-register each Fall & Spring semester to complete eligibility requirements.
- C. The President and Treasurer of each Student Organization are required to sign the Statement of Understanding.
- D. All signature authorities receiving Student Government funds must complete the annual Financial Training Seminar. Violations of this rule will result in organizational funds being frozen until the organization comes into compliance. In the event that the authorities are unable to attend the seminar, the organizations president and treasurer must take

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it upon themselves to schedule an interview with the comptroller to determine that they understand the policy and its required procedures. In which the comptroller will cosign the Statement of Understanding in order to bring the organization into compliance.

808.3 All disbursements shall have the approval by signature of the Comptroller and/or the SGC-BBC President as well as the A&S Business Office designee of the Vice-President of Student Affairs.

808.4 No student organization shall receive additional funds from SGC if that organization or sponsoring organization has already received its budget from the A&S fees; this action is considered “double-dipping”. Only under Special Circumstances will those entities requesting additional funds be given, if and only if all of the following provisions are met:

1. The program/event must be open to the entire FIU student body and expect a minimum of 50 students.
2. Must have a keynote speaker which has been approved by the entities advisor.
3. Must reflect an educational lesson.
4. Must fully exhaust budget limit from sponsoring council.
5. Must prove that fundraising has been attempted and exhausted.
6. Must receive permission and recommendation from advisor.
7. Must provide line by line expense items and attach quotes along with

The Special Circumstances must be presented to the Finance Committee at least 8 weeks in advance of event. If funds are awarded, the following rules apply:

1. The Event must be marketed a minimum of 3 weeks prior to event.
2. Funds cannot be used to fund stipends for FIU faculty and staff.
3. If other funding is present, must exhaust all funding prior to expensing funds awarded by Finance Committee.
4. Must provide Event Audit Report which includes an attendance sheet and accounting balance sheet within five (5) business days of the event.
5. All unused funds must be returned to SGC with notification to Comptroller within

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the Event Audit Report.

Chapter 809 ADMINISTRATIVE PROVISIONS FOR ENSURING FISCAL ACCOUNTABILITY

- 809.1 All entities receiving A&S Fee funding shall be subject to audit by the BBC-Student Government Council at any time. If person(s) not serving SGC-BBC wishes to audit said entity, request along with justifications of such request must be given to BBC-Senate to expedite investigation. The SGC-BBC Senate may, with just cause, request an audit by majority vote on any student organization or club receiving A&S Fee funds. Once requested, an Audit Committee shall be created and consist of the SGC-BBC Comptroller, who shall chair the committee and one member of each senate standing committee. These senators shall be considered members of the Audit Committee for the duration of the audit.
- 809.2 During the period of April 1st through June 30th of each fiscal year, the BBC Student Body President and the Comptroller together, may exercise the powers of either freezing or reverting unused funds remaining in student organizational accounts, standing councils and governing council in order to prevent excessive expenditures by student organizations at the end of the fiscal year. This also includes both Standing Councils and Governing Council. If both the President and the Comptroller of the BBC-Student Body deem it appropriate, they may revert excess funds over the twenty-five (25) percent limit immediately.
- 809.3 Appropriations or transfers of any contingency shall be approved by the SGC-BBC President and the Comptroller.
- 809.4 Monthly financial reports shall be made available to the SGC-BBC President, Comptroller, as well as one copy for the Council to review, detailing any disbursements and money transfers.

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Chapter 810 FINANCIAL RESPONSIBILITY TO ALL A&S FEE FUNDED ENTITES

Upon the allocation of A&S Funds, the president and the treasurer of each funded entity shall be required to sign the Statement of Understanding and have a copy of the most recent SGC-BBC Finance Code on record at all times. **Disregard to this requirement can be considered sufficient cause to freeze present funds and denial of further funding.**

Statement of Understanding

The undersigned herein designated as (Name of Organization) fully understands the Student Government Association "Finance Code" which applies to all funds allocated from the Student Government Budget. Furthermore, the undersigned will adhere to all applicable procedures for expending funds allocated from the Student Government Budget. Finally, the undersigned understands that any violations of this "Finance Code" will be prosecuted to the full extent of the law.

Signature, Treasurer, Date

Signature, President, Date

Signature, Comptroller, Date

Chapter 811 MISUSES OF STUDENT BODY FUNDS

811.1 Failure to comply with the provisions of the Finance Policy or procedures of the Financial Manual may result in action by the Comptroller to prevent further expenditures from the offending organization's fund.

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- 811.2 The Student Body President or the Comptroller may, upon finding an organization, standing councils and governing council in violation of the Finance Policy, freeze an account for a period not to exceed ten school days. Two school days prior to such freezing, the Student Body President or the Comptroller must notify in writing the treasurer of the organization, standing councils or governing council whose funds are being frozen and the Senate, the reason of such action and the duration of the account freeze. Upon two-thirds (2/3rd) vote of the Senate the reason of such action pertaining to this section by the Student Body President or the Comptroller may be rescinded.
- 811.3 Misuse of Student Body Funds or property and willful disregard of the Finance Policy by President (or equivalent), Treasurer (or equivalent), or any other individual either a member of a specific organization or individual student at large shall be chargeable by either the Comptroller or Student Senate acting upon recommendation of any of its members.
- 811.4 Should a group violate any law within the by-laws of the Florida International University Student Government Association or Finance Code, the Comptroller has the discretion to ask for a written explanation of the circumstances. The Treasurer will then have reasonable discretion to approve or not approve the money request.
- 811.5 Should a group violate any law within the statutes of the FIU-BBC Student Government Association Constitution or Finance Code twice within a fiscal year, the Comptroller will have the reasonable discretion to suspend privileges of the individual or organization making the request until BBC-Student Government Finance Committee can meet to determine further course of action in the violation.
- 811.6 No A&S Fee money shall be appropriated for any organization that has been found responsible for misuse of Student Body Funds twice within one fiscal year,

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for a period of up to one (1) calendar year from the date of the violation.

Chapter 812 BUDGET DEFICITS

812.1 Any student organization, standing councils and governing council that acquires a deficit in any budget line item category shall be placed on probation by the BBC-Finance Committee or by the SGC-BBC Senate. The probation shall terminate when said deficit is eliminated.

During the probation period the organization shall:

- A. Be required to eliminate the deficit by self-generated funds, or transfer of funds as recommended by the Comptroller.
- B. Not be eligible to receive additional funding without a two-thirds (2/3rd) vote of the Senate.

812.2 Notice of probation and removal from probation shall be given in writing by the BBC-Comptroller to SGA A&S Business Office, BBC-Senate and the BBC-Student Body President.

812.3 If it has been found that the Comptroller has approved an expenditure that in turn brings a budget line into deficit, the Comptroller may be put on probation for up to 10 weeks per instruction by the Student Body President. While on probation, the Student Body President must co-sign on all funds request made.

Chapter 813 OVERSPENDING OF APPROVED SPECIAL REQUESTS

An approved special request shall consist of Finance Committee Request for

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Funds in which the committee approves such request up to a designated amount and would require the amount to be paid for after the expense was incurred. Overspending would occur in the event that such entity exceeds the approved amount.

- 813.1 Entities which receive approval from the Finance Committee for special requests are solely responsible for not overspending their amount as allocated by the BBC-Finance Committee.
- 813.2 If overspending occurs, the organization is responsible for reimbursing Student Government Association that amount. The amount overspent shall be taken from the Organization's:
 - A. Outside Revenue.
 - B. Existing line items of it's:
 1. Current fiscal year budget
 2. Special request
- 813.3 If the organization is unable to meet the obligation from the funds described in Chapter 812.2, the organization's President and Treasurer must meet with the BBC-Comptroller to draft a payment plan and a definite time table for fundraising money.
- 813.4 Failure of an organization that has overspent Student Government funds to draft a payment plan within six weeks of the occurrence, excluding summers, will constitute misuse of Student Body funds.
- 813.5 The Student Senate is not obligated to fund any outstanding obligations of an organization that has overspent funds. The only permitted retroactive funding from Student Government is for outstanding obligations of an organization which overspent Student Government funds and has an approved payment plan.

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813.6 Future funding of any organization that has overspent Student Government Funds will be contingent on the performance of the conditions stated in the established Payment Plan. The SGC-BBC Senate shall be the exclusive judge of such performance.

813.7 Failure of any organization to complete the conditions specified in the Payment Plan shall constitute Misuse of Student Body Funds under the SGC-BBC Finance Code Chapter 810.

Chapter 814 PENALTY MEASURES

If a student organization, standing council or governing council is found to be in violation of the BBC-Finance Code the following actions may be taken.

- A) On a first offense an organization's funds will be frozen as provided in Chapter 810.2.
- B) On a second offense, during the current fiscal year, impeachment proceedings may be initiated by the Senate against the President and Treasurer of the organization. The organization may also be placed on probation for a period of 16 weeks.
- C) If the organization, while on probation, violated the BBC-Finance Code the Senate may bring proceedings to restructure or disband the organization.

Chapter 815 STUDENT GOVERNMENT ADVERTISING AND LOGO TYPE

815.1 Printed or publicity materials shall include, but not be limited to brochures, pamphlets, posters, advertisements, programs, handbills, stationery, and letters.

815.2 SGC-BBC shall be said to sponsor any organization or program to which SGC-BBC

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allocates funds and/or office space.

- 815.3 All events and projects funded partially or totally with SGC-BBC funds must use the word "SGC-BBC" in speaker introductions, must publicly acknowledge their connection with the Student Government Association, and must use the SGC-BBC logo in all printed advertising.
- 815.4 All organizations and programs which are sponsored by SGC-BBC and which advertise with flyers, posters, or other printed media, must include the SGC-BBC logotype (symbol) at the bottom of such advertising. The logotype shall read: "Paid for by the SGC-BBC" or "Sponsored by the SGC-BBC."
- 815.5 Each standing council or programs funded by the Student Government Association shall be held responsible for including the SGC-BBC logotype and logo in all of its advertising.
- 815.6 In the event that there is little or no room to include the logo on printed media (e.g., an advertisement smaller than 1/8 page) the SGC-BBC logo may be omitted.
- 815.7 Publication of any and all printed or publicity materials bearing the SGC-BBC/Student Government Association logo do not necessarily reflect the views of Student Government or the Student Body.
- 815.8 Permission to invoke the endorsement of the Student Body by any group must have written authorization by the Student Body President.
- 815.9 Any organization not receiving funds from SGC-BBC/Student Government Association that wishes to invoke the SGC-BBC/Student Government Association logo, or a statement invoking the support or endorsement of SGC-BBC/Student Government, on any printed or publicity materials must have written

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authorization from the Student Body President.

- 815.10 A copy of all printed material shall be submitted to the Student Government Office upon request.
- 815.11 Upon the first violation of Chapter 814, the BBC-Student Government Office will notify the organizational president, faculty advisor, Comptroller, Speaker of the Senate and Judiciary Committee. Upon the second violation in a fiscal year, the organization's funds may be frozen for thirty (30) days under the authority and action of the Comptroller. Upon the third violation in a fiscal year, funds may be frozen for seventy-five (75) days. Upon the fourth violation in a fiscal year, A&S funds may be closed to the organization for the remainder of the fiscal year. All notifications regarding violations and actions toward the organization's account must be made in writing and kept on file in the Comptroller's office.

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