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Resolution 2013.0005

Student Government Association BBC, Florida International University

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SENATE BILL

Florida International University – Student Government Council – Biscayne Bay Campus

Agenda Item: Adding the BBC Finance Code as Article IX in the Statutes

Authors: Mr. Christopher Morisset, Comptroller

Sponsors: Ms. Kerline Honore, Senator At Large/ Spea
Ms. Olivia Dehaarte, Senator At Large/ Finance Committee Chair
Mr. Allhan Mejia, Lower Division Senator

Committee: Of the Whole

Date: December 2nd, 2013

In support of: Adding the BBC Finance Code as Article IX in the Statutes

SECTION I. Short Title

This bill may be cited as the “2013 Addition of the Finance Code to the SGA BBC Statutes”

SECTION II. Purpose

- (i) To align University-Wide Budget process with most recent court opinion.
- (ii) To allow for a fail-safe method to the University-Wide Budget process.
- (iii) To implement deadlines which allow each senate adequate time to deliberate on each budget.
- (iv) To align Campus-Specific Budget process with most recent court opinion.
- (v) To allow for a fail-safe method to the Campus-Specific Budget process.
- (vi) Increase the amount of absences a Finance Committee member may have per semester from one (1) a year to two (2) per semester.
- (vii) To add SOC as a body recognizing student organizations.
- (viii) Minor grammatical changes.

SECTION III. Modifying the BBC Campus Specific Finance Code

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ARTICLE III. FINANCE CODE

Section 3.01 General

- (a) The purpose of the SGA Campus Specific Finance Code is to provide clear, concise policies for each Student Government Council in financial management and budget planning. This code and other such guides set forth by the SGA shall be the foundation upon which monetary decisions are based in answering the needs of the Student Body.
- (b) The administration of this code shall be supervised by the University-Wide Council in collaboration with each campus' SGC Senate Finance Committee on behalf of the Student Government Council - Biscayne Bay Campus and the Student Government Council - Modesto A. Maidique Campus and its membership. Duly constituted by the SGA Constitution and SGC Statutes, the Senates' Finance Committees shall provide for the enforcement of this policy through its in-depth consideration and supervision of the receipt and disbursement of Activity and Service Fee funds and the respective Senate Finance Committee Funds.

Section 3.02 Purpose, Authority and Leadership

- (a) The purpose of the Finance Code is to provide a procedure which:
 - (i) Assures full implementation of Florida Statutes governing the Activity and Service Fee 1009.24(10)(b).
 - (ii) Facilitates positive and effective interaction between the university administrators and the Student Government Association (SGA) in the allocation and expenditure of funds derived from Activity and Service (A&S) Fee funds periodically collected and deposited at Florida International University.
 - (iii) Defines and outlines the standards of financial accountability and fiscal management.
 - (iv) Is applicable to all A&S Fee funds recipients, Governing Councils, and registered student organizations which are affiliated with the Student Government Association. Funds that are not from the A&S Fee shall be exempt from the Finance Code.
- (b) Authority
 - (i) The allocation and expenditure of these funds shall be determined by the SGA through

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the University-Wide Council and the individual Student Government Councils. The SGA University-Wide Council is responsible for allocating for “University-Wide” expenses, and the SGC-MMC and SGC-BBC respectively are responsible for the allocation and expenditure of A&S Fee funds for each corresponding campus.

(c) Leadership

(i) The following are the roles of the administrators that are involved in the budgeting process:

- (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 Fee funds.
- (2) **Vice President for Student Affairs (VPSA):** It shall be the responsibility of the VPSA or his or her designee to evaluate the recommendations of allocations of A&S Fee funds, proposed changes in matters, which deserve the attention of the University President.
- (3) **SGA Activity and Service Business Office:** It shall be the responsibility of the SGA A&S Business Office (ASBO) Assistant Director to evaluate the recommendations of allocations of A&S Fee funds, proposed changes in matters, which deserve the attention of the VPSA. This official will be held responsible for the updating of ASBO on a weekly basis. In addition, this individual is responsible to serve as an ex-officio member of the Senate Finance Committee without voting power, which shall include the following responsibilities:
 - a) Monitor budget appropriations and expenditures.
 - b) Present a financial report of the previous semester to the SGC Finance Committee at or before the second regularly scheduled meeting of the next academic semester; this includes the Summer semester. All reports shall indicate the amount of income, of expenditure, and balance under each item budget by the Student Government Council.

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c) Ensure that the Finance Code is enforced.

Section 3.03 Definitions

(a) Activity & Service (A&S) Fee

(i) The fee collected as a component of tuition which is 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 fund may not benefit activities for which an admission fee is charged to students, except for Student Government Association sponsored concerts.

(b) Budget

(i) 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.

(c) Fiscal Year

(i) The fiscal year of the Student Government of Florida International University shall be from July 1 to June 30.

(d) 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. The ASBO is part of the Division of Student Affairs of FIU.

- (i) The ASBO will coordinate training regarding fiscal procedures for all student organizations and any A&S Fee funded entity.
- (ii) The ASBO will be responsible for publishing a Policies & Procedures Financial Manual for A&S Fee budgeting and expenditures. This should be made available online through a link provided on the ASBO Web-Interface.
- (iii) The ASBO will be responsible for creating and distributing the annual budget process timeline and sending all related correspondence to account managers of A&S Fee funds.

(e) Student Organization

(i) Any organized student group registered with the Florida International University

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Division of Student Affairs:

(f) Program

(i) 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, Homecoming, Panther Rage, Student Program Committee, Residence Hall Association, Council for Student Organizations, and other entities coordinated and overseen by Student Affairs but paid by A&S Fee funds.

(g) A&S Fee Funded Departments

(i) 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.

(h) Senate Finance Committee

(i) The Senate Finance Committee is the Committee composed of Senators at each SGC that shall be charged with the distribution of funds at their corresponding SGC.

(i) Signatory Authorities

(i) Any university official who must sign off on any expense, including advisors.

Section 3.04 Florida Statutes

(a) Florida Statutes - 1009.24 State University Student Fees

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

(b) The Activity & Service Fee

(c) The Activity and Service Fee is established by the FIU Board of Trustees on the Modesto A. Maidique Campus and the Biscayne Bay Campus per Florida Statute 1009.24(10)(a).

(d) Any 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 each SGC President. The remainder of the Committee shall be appointed by the University President.

(i) An increase in the Activity and Service Fee may occur only once each fiscal year and must be implemented beginning with the Fall term.

(ii) A chairperson, appointed jointly by the University President and the Student Body Presidents, shall vote only in the case of a tie.

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- (iii) The recommendations of the Committee shall take effect only after approval by the University President, after consultation with the SGC Presidents, with final approval by the FIU Board of Trustees.
- (e) The student Activity and Service fees shall 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, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts.
 - (i) The allocation and expenditure of the fund shall be determined by the Student Government Association of the University, except that the President of the University may veto any line item or portion thereof within the budget when submitted by the Student Government Association legislative body.
 - (ii) The University President shall have fifteen (15) school days from the date of presentation of the budget to act on the allocation and expenditure recommendations, which shall be deemed approved if no action is taken within the fifteen (15) school days.
 - (1) If any line item or portion thereof within the budget is vetoed, the Student Government Association legislative body shall within fifteen (15) school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the University President vetoes any line item or portion thereof within the new budget revisions, the University President may reallocate by line item that vetoed portion to bond obligations guaranteed by Activity and Service Fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and utilized as stipulated in the Accumulated Cash Balance Policy (ACBP).

Section 3.05 Budget Process

(a) Budget Approval Process Chronology

- (i) The chronological process for preparing the annual SGA fiscal budget shall be as follows:

- (1) The Office of Financial Planning and Strategic Development submits to the

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Student Government preliminary projected figures of enrollment as well as fee revenue for the next year. These figures are only projections.

- (2) The ASBO will make available budget request forms for any interested parties wishing to request funds of the A&S Fee 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 (3) years.
- (3) The ASBO will schedule a Budget Hearing following the deadline for request forms. The purpose of this hearing is to give an opportunity for requesters to make presentations and to be able to respond to questions from representatives. This hearing will also be advertised and open to the public; groups making requests should be expected to attend.
- (4) The University-Wide Budget Committee will first prepare a budget draft to determine fixed expenses for University-Wide expenses.
- (5) The University-Wide Budget Committee will then prepare a budget draft for MMC and BBC, once the University-Wide figures have been decided and then remainder of these fees split by the University-Wide Budget Committee.
- (6) 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 the University-Wide Budget Committee to make any necessary adjustments due to any discrepancy between budget figures and projections to ensure a balanced budget.
- (7) After the start of the Spring semester, the University-Wide Budget Committee will finalize its budget at one of its regularly scheduled meetings and then present the budget to the University-Wide Council. A rejected budget shall be returned to the University-Wide Budget Committee for revision.
 - (a) The University-Wide Budget must be proposed to the MMC and BBC Senate by the first Monday of March.
 - (b) Upon approval of the University-Wide Budget Committee, the University-Wide Budget shall be voted on by the MMC and BBC Senate and passed with a two-thirds (2/3) vote of each senate A

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rejected budget shall be returned to the University-Wide Budget Committee for revisions.

(i) Shall a University-Wide Budget not receive two-thirds (2/3) approval of the MMC and BBC Senate by the last Monday of March the original University-Wide Budget proposal shall be adopted.

1. The University-Wide Budget Committee must submit a revised budget at the following regularly scheduled Senate meeting from the meeting that the budget was denied by either SGC Senate.

(8) The finalized budget will be submitted to the University President via the Vice President of Student Affairs for approval or it can be vetoed. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.

(ii) Once the budget has been finalized and the University President has signed it into effect, the newly elected SGC President and Comptroller will have the duty to authorize 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.

(1) The designee from A&S Business Office and/or the Comptroller will inform all funded entities of approved allocations within ten (10) days of the budget being approved by the Vice President of Student Affairs, and thus request an itemized budget from each entity by a certain deadline to be established by the Comptroller and/or the President.

(2) The Campus-Specific Budget Committees will then review individual budgets. The University-Wide Council will grant ultimate approval of University-Wide allocations.

(a) Each Campus-Specific Budget must be proposed to their respective Senate by the Monday following the approval of the University-Wide Budget.

(b) Upon approval of the Campus-Specific Budget Committee, the

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Campus-Specific Budget shall be voted on by respective SGC Senate and passed with a two-thirds (2/3) approval of that senate.

(i) Each respective Senate has the power and ability to modify any line items on their campus-specific budget with a two-thirds (2/3) vote of the respective Senate.

(ii) Shall a Campus-Specific Budget not receive a two-thirds (2/3) approval of its respective Senate by the last regularly scheduled senate meeting the original Campus-Specific Budget proposal of that campus shall be adopted.

(3) No disbursements will be allowed for any groups or entities that have not received proper authorization.

Section 3.06 Funding Procedures

(a) All transactions will be facilitated, monitored, and reviewed by each SGC Senate Finance Committee, Comptroller, and the A&S Business Office.

(b) Each SGC's Senate Finance Committee shall have a given amount to distribute to the Student Body per request. All Senate Finance Committee Appropriations must be approved by a majority vote of the corresponding Senate.

(i) All Finance Committee Requests shall be processed requested by filing a Finance Committee Request Form. The Finance Committee Request Form for both campuses shall be the same document requiring the same basic information required by the Finance Code.

(1) The Finance Committee Request Form to be used University-Wide by both SGC-MMC and SGC-BBC must be approved by the University-Wide Council.

(2) Each request for funding submitted to either Finance Committee must be submitted at least one (1) month prior to the date the funds are needed.

(3) All Finance Committee requests may only be granted if they benefit more than one (1) student.

(4) No student or organization may request funds more than one time per semester and from only from one SGC Finance Committee.

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- (5) No student or organization may engage in double dipping of A&S Fee Funds from the Finance Committee and another A&S Fee funded organization.
- (ii) Each SGC’s Senate Finance Committee must adhere to the following stipulations when appropriating funds:
 - (1) All requesting entities must provide proof of outside fundraising or intent to fundraise.
 - (2) All disbursements shall have the approval by signature of the Comptroller and/or the SGC President, as well as the A&S Business Office designee of the Vice President of Student Affairs.
 - (3) For disbursements of \$3,000 or more, three (3) signatures are required: the Comptroller, the SGA President, and the SGA Advisor.
 - (4) Appropriations or transfers of any contingency shall be approved by the SGA President and the Comptroller, as well as the Vice President of Student Affairs or his/her designee.
 - (5) Monthly financial reports shall be made available to the SGC President, as well as the SGC, to review, detailing any disbursements and money transfers by the A&S Business Office.
 - a) This report is to be completed by the Comptroller of each SGC.
- (c) If a request is not approved by the SGA-BBC Finance Committee, the applicant shall have the right to file a written appeal with the Senate Speaker. Should the Speaker approve the written appeal, the applicant shall present their case before the Senate.
 - (i) In order to appeal, the applicant shall state his/her reason for the appeal and should have submitted all required documents in a timely manner.
 - (ii) It is important that the applicant be present during the Senate Meeting and/or Session, but will not be required to attend the Senate Meeting/Session.
- (d) If the speaker decides to hear the appeal, the Senate will review the request and decide whether or not the Request should be funded.
 - (i) With a majority vote during a Senate Meeting and/or Session, where there is a quorum, the Senate can approve or deny the appeal.
 - (ii) All proper documentation should be available to all Senators in order for them to review. Once decision is made, the Speaker will have 48 hours to contact the requester regarding the Senate’s decision concerning the appeal.

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- (1) If the appeal is approved, the speaker will assign a Senator to write the appropriation and ask for two sponsoring Senators.
 - (2) The appropriation will then be written and submitted to the SGC-BBC President.
- (e) 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 annual Financial Training Seminar hosted by the A&S Business Office and the SGA Comptroller. The training will adequately cover expenditure transactions, SGA Finance Code, good business policies and procedures. The workshop will be offered in each Fall and each Spring semester of each year announced by the SGC Comptroller’s Office. No organization may use their funds without attending this program.
- (f) In order for a student organization to receive funds, the following guidelines must be adhered to:
- (i) The organization must be officially registered with the Council for Student Organizations or Student Organization Council.
 - (ii) Organizations must re-register each Fall and each Spring semester to complete eligibility requirements.
 - (iii) The President and Treasurer of each student organization are required to sign the Statement of Understanding.
 - (iv) New organizations must be registered with the Council for Student Organizations before receiving funds.
 - (v) All signatory 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 is in compliance.
- (g) Upon the allocation of A&S Fee Funds, the President and the Treasurer of each entity shall be required to sign the Statement of Understanding and have a copy of the most recent SGA Finance Code on record at all times. Disregard of this requirement can be considered sufficient cause to freeze present funds and denial of further funding.
- (i) The Statement of Understanding shall contain the following statement:
 - (1) The undersigned herein designated as (Name of Organization) fully

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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. Any clarification required in regards to the laws and procedures of these funds shall be requested from the respective SGC Comptroller. Finally, the undersigned understands that any violations of this Finance Code will be prosecuted to the full extent of the law.

- (h) All signatory authorities having approval of financial transactions must complete an annual Financial Training Seminar and SGA Online Financial Certification. Violation of this rule will result in penalties from SGA such as organizational funds being frozen into the organization comes into compliance.
- (i) All signatory authorities will be held responsible to the adherence of Florida statutes pertaining to A&S Fee funds, FIU Policies and Procedures and the SGA Finance Code. Violation of this rule may result in a review and due diligence process by the FIU administration.

Section 3.07 Spending Regulations

- (a) All expenditures of A&S Fee funds shall be conducted through regulations, policies, and procedures of Florida International University and follow all applicable State of Florida guidelines.
- (b) The allocation and expenditure of student A&S Fee funds shall be determined by the SGA University-Wide Budget Committee and by the MMC and BBC Senate 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 Fee funds 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). A&S Fee funded events that generate revenue must return revenue funds to the A&S Fee account from which the event originally received funds from to offset the event costs. If ticket revenue is not used within the fiscal year it is generated, the money will revert to SGA Reserves as stipulated in the Accumulated Cash Balance Policy.

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- (d) No A&S Fee monies 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 statutes.
- (f) No A&S Fee account nor budget line item may go into deficit.
- (g) All meetings of A&S Fee funded organizations must be open to the public, in addition to being publicized in a timely manner, with a minimum of forty-eight (48) hours of public notice.
- (h) All A&S Fee funded organizations are required to be fiscally responsible as outlined in the SGA Finance Code.
- (i) The SGC governance shall allocate funds for student programs and activities that will benefit the student population. Those funds allocated to SGC services and programs shall be administered according to this policy and other such guides. The SGC Senate Finance Committee shall monitor these funds.
- (j) Seeking the optimum use of SGC funds, the following criteria shall be considered by the Finance Committee when determining the appropriateness and priority of allocations:
 - (i) Whether or not this is a type of organization or activity that can be supported by the SGC funds under current financial policies.
 - (ii) The number of students being served by the group's program.
 - (iii) The general values and scope of services provided to the student population.
- (k) The Student Government Association Finance Code is governed by University and state regulations and directives. Student Activity Fees are public funds, which must be administered in a manner consistent with the educational purpose of Florida International University.
- (l) Each Senate Finance Committee and SGC Senate may place stipulations on the use of funds or recommend guidelines in the operations of a new SGC program or established organizations. All stipulations shall be binding.
- (m) Honorariums or stipends shall not be appropriated to resource people who are on the University payroll as staff or faculty.
- (n) All student organizations, standing councils, and Governing Councils receiving A&S Fee monies must sign a Statement Of Understanding to be prepared and administered by the SGC Comptroller before funds are released.
- (o) No A&S Fee funds allocated to any Student Government funded organizations are to be

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expended on any of the following:

(i) Any fund-raising entities, except for Student Government approved events, including but not limited to:

- (1) Alternative Breaks
- (2) Dance Marathon
- (3) All Nighter for the Poor
- (4) Relay for Life
- (5) First Generation Scholarships
- (6) Any other events or organizations must be approved by the University-Wide Council.

(ii) Per Diem expenses for any club or organization.

(iii) Monetary prizes.

- (1) Exceptions may be made on a case by case basis by the University-Wide Council.

(iv) Support for or in behalf of any political campaign.

- (1) 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.

(v) Alcoholic beverages or product with alcohol content and any related items or services such as bar tending, both on and off campus.

(vi) Tobacco, firearms, and any form of illegal drugs or contraband.

(vii) Subsidizing membership dues of any organization.

- (1) FIU required memberships (i.e. the BMI License) and SGA required memberships (i.e. FSA, USSA) shall be exempt from this clause.

(viii) Personal gifts and personal use items.

(ix) Decorative items for offices.

(x) Subsidizing in whole or in part of any private corporation.

(xi) Tips and/or gratuities.

(xii) Food may not be purchased for executive board meetings, or any meeting or event with an expected attendance of fewer than ten (10) students.

(xiii) Items or services that go directly to community programs instead of the FIU community. This includes contributions and donations to community programs.

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- (xiv) Gift cards, raffle tickets and material prizes.
- (xv) Rental of or expenditures towards functions hosted in private residences.
- (p) Any SGA funded entity 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 each SGC's Senate Finance Committee.
- (q) Any A&S Fee funded events that will be open to the community must give admission priority to the students of Florida International University.
- (r) The Council for Student Organizations (CSO) and Student Organizations Council (SOC) constitutions and point systems must be approved by their respective SGC Senates.
- (s) Student organizations cannot charge membership fees unless national dues are charged (i.e. Honor Society).
- (t) Organizations receiving A&S Fee funds shall provide a monthly reconciliation report detailing the use of the monies allocated to them to be submitted to their respective SGC Comptroller within 2 weeks of the end of each month.

Section 3.08 Student Government Advertising

- (a) Printed or publicity materials shall include, but not be limited to, brochures, pamphlets, posters, advertisements, programs, handbills, stationery, and letters.
- (b) SGA shall be said to sponsor any organization or program to which SGA allocates funds and/or office space.
- (c) All events and projects funded partially or totally with SGA funds must use the word "SGA" in speaker introductions, must publicly acknowledge their connection with the Student Government Association, and must use the SGA logo in all printed advertising.
- (d) All organizations and programs which are sponsored by SGA and which advertise with fliers, posters, or other printed media, must include the SGA logotype (symbol) at the bottom of such advertising. The logotype shall read: "Paid for by the SGA" or "Sponsored by the SGA."
- (e) Each standing council or programs funded by the Student Government Association shall be held responsible for including the SGA logotype and logo in all of its advertising.
- (f) In the event that there is little or no room to include the logo on printed media (e.g., an advertisement smaller than one-eighths [1/8] of a page), the SGA logo may be omitted with the approval of the SGC President.

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- (g) Publication of any and all printed or publicity materials bearing the SGA/Student Government Association logo do not necessarily reflect the views of Student Government or the Student Body.
- (h) Permission to invoke the endorsement of the Student Body by any group must have written authorization by the Student Body President.
- (i) Any organization not receiving funds from SGA that wishes to invoke the SGA logo, or a statement invoking the support or endorsement of Student Government, on any printed or publicity materials must have written authorization from the SGC President where the publicized event is being hosted.
- (j) A copy of all printed materials bearing the SGA logo shall be submitted to the corresponding SGC in order to receive approval.
- (k) Upon the first violation of these prerequisites, the Student Government Office will notify the organization's President, faculty advisor, and the SGA Comptroller, the Senate Speaker and the Chief Justice of the corresponding SGC where the violation occurred. 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.
- (l) Both SGC-MMC and SGC-BBC must use the same Student Government Association logo on all advertisements sponsored by either SGC.

Section 3.09 Fiscal Accountability

- (a) All entities receiving A&S Fee funding shall be subject to audit by the Student Government Association at any time.
- (b) The SGC Senates may request an audit by majority vote on any student organization or club receiving A & S Fee funds. Once requested, the Operational Review Committee shall be charged with performing the audit, and submitting a report by the deadline specified in the motion to audit made in the Senate floor.
- (c) During the period of April 1st through June 30th of each fiscal year, the Student Body

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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 Councils in order to prevent excessive expenditures by student organizations at the end of the fiscal year. If both the President and the Comptroller of the Student Body deem it appropriate, they may revert excess funds over the twenty-five (25%) percent limit immediately.

(d) Misuse of Funds

(i) Types of Misuse

(1) Budget deficits

a) Budgets deficits shall be defined as when any entity funded by SGA has incurred in expenses that total an amount greater than the allocation made to that entity for that fiscal year.

(2) Overspending

a) Overspending shall be defined as when any entity funded by SGA incurs in expenses for a particular event, project, or program that total an amount greater than what was stipulated in the budget allocated to that entity in its budget.

i) Overspending of line items is prohibited. Organizations which receive line item budgets or special requests are solely responsible for not overspending their line item amounts as allocated.

b) The SGC is not obligated to fund any outstanding obligations of an organization that has overspent A&S Fee funds. The only permitted retroactive funding from Student Government is for outstanding obligations of an organization which overspent Student Government funds and that has an approved payment plan.

i) The payment plan must be approved by the respective SGC Senate before being put into effect.

c) Future funding of any organization that has overspent SGA funds will be contingent on the performance of the conditions stated in the established payment plan. The SGC Senates shall be the exclusive judges of such performance.

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(ii) Penalty measures

(1) If an entity is found to be in violation of the Finance Code, the following actions may be taken as penalty measures by the Comptroller or President of the SGC:

- a) On a first offense, an organization’s funds will be frozen.
 - i) An account shall be frozen for a period not to exceed ten (10) school days. Two (2) school days prior to such freezing, the SGC President or the Comptroller must notify in writing to the Treasurer of the entity whose funds are being frozen and to the Senate, the reason of such action and the duration of the account freeze.
 - ii) If the violation is due to overspending, the entity shall be responsible for reimbursing the Student Government Association that amount. The amount overspent shall be taken from the organization's:
 - 1. Outside revenue.
 - 2. Existing line items of its current fiscal year budget or special requests.
 - 3. If the organization is unable to meet the obligation from the funds described, the organization's President and Treasurer must meet with the Comptroller to draft a payment plan and a definite timetable.
- b) On a second offense, during the current fiscal year, impeachment and removal proceedings may be initiated by the Senate against the President and Treasurer of the organization. The organization shall also be placed on probation if the violation is a deficit for a period of sixteen (16) weeks or until the violation is corrected, whichever happens sooner.
 - i) During the probation period the organization shall:
 - 1. Be required to eliminate the deficit by self-generated funds, or transfer of funds as recommended by the

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- Comptroller.
2. Not be eligible to receive additional funding without a two-thirds (2/3) approval vote of the Senate.
 3. Notice of probation and removal from probation shall be given in writing by the Comptroller to SGA A&S Business Office, Senate, and the Student Body President.
 4. Failure of an organization that has overspent Student Government funds to draft a payment plan within three (3) weeks of the occurrence, excluding summers, will constitute an additional violation of the Finance Code.
- c) If the organization, while on probation, violated the Finance Code, the Senate may bring proceedings to restructure or disband the organization.
 - d) Should a group violate any law within the statutes of the SGCs or Finance Code, the Comptroller has the discretion to ask for a written explanation of the circumstances.
 - e) Should a group violate any law within the statutes of the Florida International University Student Government Councils or Finance Code twice within a fiscal year, the Comptroller will have the discretion to suspend privileges of the individual or organization making requests until the Student Government Finance Committee can meet to determine further course of action in the violation.
 - f) No Activity and Service Fee money shall be appropriated for any organization that has been found responsible for misuse of Student Body funds twice within one (1) fiscal year, for a period of up to one (1) calendar year from the date of the violation

Section 3.10 Senate Finance Committee

(a) Purpose

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- (i) The Senate Finance Committee shall serve as the treasurer for each SGC’s Finance Committee budget. There shall be one (1) Senate Finance Committee at SGC-MMC and one (1) at SGC-BBC.
 - (ii) The purpose of the SGC Senate Finance Committee is to assure that the funds of the SGA are properly handled for the benefit of all students.
 - (iii) All SGC appropriations must be referred to the Senate Finance Committee.
 - (1) Graduate funding requests shall be exempt from the approval of the entire Senate.
 - (2) Appropriations over four hundred dollars (\$400) require the approval of a simple majority of the SGC Senate.
 - (3) Appropriations under four hundred dollars (\$400) may be approved or denied by the SGC Senate Finance Committee.
 - a) The Senate Finance Committee Chair must report all appropriations to be approved under four hundred dollars (\$400) to the Senate during their report.
 - b) The Senate Finance Committee may bring requests under four hundred dollars (\$400) to the full Senate for consideration with a simple majority vote of the committee.
 - c) The Senate may request the Finance Committee to bring an appropriation under four hundred dollars (\$400) to the full Senate for a consideration with a simple majority vote of the Senate.
 - d) Each SGC Senate reserves the right to remove or alter funding requests from the Senate Finance Committee upon a two-thirds (2/3) vote by the Senate.
 - (iv) Each SGC may create further procedural statutes for their respective Senate Finance Committee, but these may not supersede the University-Wide Finance Code nor alter place more restrictions on the funding policies.
- (b) Composition
- (i) Each SGC Finance Committee shall consist of six voting members plus the SGC Comptroller, who shall be a non-voting *ex-officio* member. Each member shall have one (1) vote. The committee will consist of the following:
 - (1) One Graduate Student Senator

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a) Should no Graduate Student Senator be able to serve on the committee due to time constraints the Graduate Senate delegation shall, by majority, vote on the appointment of another senator from the entire senate body.

1. Should the candidate decline then another representative shall be chosen by the Graduate Senate delegation until a representative is successfully chosen.

b) This candidate must still be confirmed by majority approval of the senate.

(2) One Lower Division Senator

(3) One At Large Senator

(4) Three Senators from the remaining members of the Senate

(ii) All members of the committee shall be elected via a nomination and approved by a simple majority of the Senate.

(iii) If a finance committee member has been removed, the Senate shall nominate a new member of the Senate to fill the vacancy.

(iv) The Finance Chairperson shall be elected by a simple majority voted of the Senate at a regular meeting of the new term prior to July 1.

(v) The Finance Chairperson shall preside over all Finance Committee meetings. The Finance Chairperson is responsible for receiving, preparing and distributing all materials required for the meetings, and for notifying the Senate and Finance Committee members of the time and location of the meetings.

(vi) The SGA Senior Accountant Manager, the VPSA, and the SGC President shall serve in an advisory capacity to the Finance Committee.

(c) Duties and Responsibilities

(i) Duties

(1) The Senates' Finance Committees are responsible for handling all financial matters of the SGC Finance Committee Budget. This includes receiving, analyzing, and reviewing all budgets and financial requests dealing with SGC funds, examining requests from the SGC Finance Committee Budget, and ensuring that funds are spent appropriately in accordance with SGC and University Financial policies.

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- (2) The Senate Finance Committee shall receive all Finance Committee Request Forms and examine these requests for compliance with the Finance Code.
- a) All requests that are in compliance with the Finance Code and are approved by the Committee shall be brought up to the SGC Senate where the request is taking place in the form of an Appropriation, and may be approved with a simple majority of the SGC Senate.
 - b) If after the approval of an appropriation by the Senate and the signature of the SGC President and/or Vice President of Student Affairs when applicable, the funds are not claimed within a period of one (1) month, and no notification is provided to SGA and the ASBO explaining why the funds haven't been claimed, then the appropriation shall be voided, and the funds shall be opened up for use in other appropriations.
- (3) The Finance Committee shall hold weekly meetings, 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.
- (4) During the course of the year, the Finance Committee shall make recommendations to the SGC Senates regarding new financial policies, or possible statute and guideline revisions.

(ii) Responsibilities

- (1) Each member of the Senate Finance Committee shall be responsible for attending all Finance Committee meetings and voting on all financial matters presented in the meetings by the Senate Finance Committee Chairperson. ~~If absent two (2) or more times, the senator will be removed from the senate finance Committee and an alternate shall be selected by the SGC senate to replace the member.~~ If absent three (3) or more times, per semester, the Senator will be removed from the Senate Finance Committee and an alternate shall be elected by the SGC Senate to replace the member.
- (2) Each SGC Finance Committee Chair shall make all documentation relating to each committee request available to the public upon request. Personal information relating to those making said request shall not be provided.

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- (d) Committee leadership and procedures shall be defined in each SGC's statutes.
- (e) Comptroller
 - (i) The Comptroller shall be in charge of carrying out the distribution of the budget and the auditing and advising of the SGC.
 - (ii) The Comptroller shall attend all Executive meetings at their corresponding SGC.
 - (iii) The Comptroller shall be an *ex-officio* member of the Finance Committee. As such, he/she shall serve an advisory role within the Committee, working to ensure compliance with all protocol and regulations of the University and SGC in allocating funds.
 - (iv) The Comptroller shall not chair the Finance Committee. He/she shall provide to the Committee detailed reports of budgetary requests. The Comptroller shall work with the Finance Committee Chairperson to adequately process budgetary requests in compliance with budgetary policy.
 - (v) The Comptroller shall attend the annual SGC Retreats to become familiar with SGC and its operations, and to receive instructions regarding the policies, financial goals and proviso language of the SGC budget allocated for the upcoming year.

Section 3.11 Accumulated Cash Balance Policy

- (a) All remaining A&S Fee funds at the end of year sweep must be allocated and utilized as stipulated in the Accumulated Cash Balance Policy (ACBP) document.

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