

## **BUDGET COMMITTEE BY-LAWS**

### **PREAMBLE:**

The purpose of these By-Laws is to provide structure and procedures to implement the Associated Students Constitution.

### **ARTICLE I**

#### **NAME, DEFINITION, FUNCTION**

##### **Section 1 Name**

- A. Associated Students Budget Committee.

##### **Section 2 Definition**

- A. The Budget Committee is an Associated Students government committee which has primary jurisdiction over the allocation of AS Funds. The Budget Committee is a review board, and as such should review the finances of AS.

##### **Section 3 Function**

- A. The Associated Students Budget Committee (ASBC) shall be the principle financial advisory committee for all student organization programming funding.
- B. The primary function of the Budget Committee is to approve or disapprove the allocation of funds, to sponsor and/or subsidize any Student-University oriented events and to establish the criteria for the dispersal of such funds. Those receiving funds for activities must be registered clubs and organizations in good standing with AS.
- C. To review the spending of allocated AS funds previously budgeted by the Finance Committee and to alert the Senate of possible mismanagement of those funds. It shall be the duty of the Budget Committee to inform the Senate of allocations deemed unwise by the Committee as needed. It shall be the power and duty of the Budget Committee to deny any financial request that the Committee feels would be detrimental to AS or to the University of San Diego's mission and values.

## ARTICLE II

### MEMBERSHIP

#### Section 1 Permanent Members:

- A. Finance Chair
- B. The Controller
- C. Torero Program Board Representative
- D. Two AS Senators

#### Voting Non-Permanent Members:

- A. One Representative from each classifications of Student Organizations:
  - a. Multicultural
  - b. Greek
  - c. Religious
  - d. Academic
  - e. Special Interest
  - f. Changemaker

#### Non-Voting Permanent Members:

- A. An advisor appointed by Student Affairs must be present at each Budget Committee meeting.

#### Section 2 Appointment Process

- A. The Controller will ask for interested Student Organization Representatives.
- B. The two Senators will be selected based on the discretion of the Speaker of the Senate.
  - a. The Speaker of the Senate will hold at least one appointed ASBC seat open until the conclusion of the Fall elections. This will allow a representative to be selected from either of the following first year residential halls: Camino and Founders, Maher, Missions A, or Missions B.
- C. The Torero Program Board Representative will be selected based on the discretion of the

TPB Chair.

D. The terms for these members shall be one year, beginning the first (1st) week after. This will allow ASBC to meet during the first couple of weeks of the following academic year.

### Section 3

Any appointed member of the committee who is absent from two (2) meetings without valid written excuse or without a proxy may have his/her position revoked by the Finance Chair. The position shall then be open to a new appointment by the AS Executive Board upon recommendation from the Committee and shall be considered the official notice of record.

### Section 4

A non-permanent Budget Committee member may resign from the Committee with two week's notice to the Chairperson, who then provides a recommendation to the Executive Board for a new appointment by the AS Executive Board and subsequent approval by the Senate. Permanent members may not resign.

## ARTICLE III

### ADMINISTRATIVE OFFICERS OF COMMITTEE AND THEIR RESPONSIBILITIES

#### Section 1 The Chair

- A. Shall be the AS Finance Chair.
- B. Shall preside at all meetings of the Committee.
- C. Shall appoint a Budget Committee Secretary.
- D. Shall have the power to call emergency meetings or special sessions of the Committee.
- E. Shall be responsible for scheduling and distributing agendas and minutes appropriate to each meeting.
- F. Shall have the voting power in the event of a tie and veto power over any Budget Committee legislation he/she deems inappropriate subject to the existing channels of appeal.

#### Section 2 The Controller

- A. Shall keep accurate records of money allocated and dispersed by the Budget Committee.
- B. Shall report to and be directly responsible to the AS Finance Chair.
- C. Shall process reimbursements for clubs and organizations receiving funding allocation from ASBC.
- D. Responsible for communicating ASBC funding decisions to student organization representatives.
- E. Responsible for all inquiries regarding ASBC funding decisions and paperwork.
- F. Shall be responsible for reporting financial activities of AS Budget.

### Section 3 The Student Organization Members

- A. Shall be appointed by the Controller.
- B. Shall be one member from each of the six organization categories.

### Section 4 The Budget Committee Secretary

- A. Shall be appointed by the AS Finance Chair.
- B. Shall be charged with the duty of keeping detailed records of the decisions made by the Budget Committee.
- C. If the secretary is not a part of the permanent membership of the Committee as listed above, he/she will have a non-speaking and non-voting role.

## ARTICLE IV

### QUORUM AND VOTING

#### Section 1

One half (1/2) of the entire Committee shall constitute quorum. Quorum is 5 members.

#### Section 2

A simple majority shall constitute voting procedures of the Committee meeting that has quorum (each member, excluding the Chair who has voting power in the event of a tie and veto power, casting one (1) vote unless otherwise obtaining a valid proxy).

### Section 3

The Budget Committee shall have the power to override the veto of the Chair by a two-thirds vote of its entire membership.

### Section 4

The AS Controller shall have voting privileges only when their vote is required to meet quorum.

## Article V

### MEETINGS

#### Section 1

The Budget Committee shall meet as necessary during the regular school semesters. No more than once per week and no less than once per month at the discretion of the Finance Chair.

#### Section 2

The Budget Committee will meet when necessary upon prior notice of no less than 48 hours by the Finance Chair on behalf of the petitioning organization. The Budget Committee will specify in writing its meeting time and day.

#### Section 3

All meetings of the Budget Committee shall be open to any member of the Associated Students. They must provide prior written notice to the Finance Chair. Any member of the AS Team or the Torero Program Board may speak upon recognition, but shall not have the right to vote or make any motions.

#### Section 4

The voting process of the Budget Committee shall be closed to only the official members of the Committee and their advisor.

#### Section 5

No member of the Budget Committee or member of the AS executive team may make any appeals to the Speaker of the Senate. Budget Committee members must abstain for their

own student orgs and must exit the room for non-GBM request only in cases where quorum can be maintained by student org representative when they are required to exit the room.

## Section 6

A meeting between the in-coming and out-going Committee Chair shall take place during the transition period to ensure exchange of information regarding areas of responsibility.

## Article VI

### REQUIREMENTS AND REGULATIONS FOR FUNDING AND REVIEW

#### Section 1

The club/organization applying for funding is to be a recognized organization of the AS according to AS Constitution, Senate approval, and judicial review.

- A. Approval of the club/organization is contingent upon whether its current treasurer/finance chair is on the list-serv.

#### Section 2

The item, event, or service which is to be financed by the Committee must not be in conflict in any way with the operations of the AS, or in any way cause legal actions to be brought against the AS or the University.

#### Section 3

All activities being reviewed and receiving new funds must have the proper request forms submitted to the Committee before a decision and /or payment for the activity in question is made.

#### Section 4

All activities being reviewed and receiving funds must have an approved Event Registration Form (EVR) before the date of the activity or event.

#### Section 5



Any organization presenting funding proposals for review or petitioning new funds must be sponsoring an event which is beneficial to the University of San Diego, subject to the following guidelines:

- A. Events open to the entire student body
  1. General body meetings can be allocated a maximum of \$4 per person and no more than 7 meetings may be funded per semester.
  2. Student organizations will all be able to request a minimum of \$100 for food provided in General Body Meetings regardless of member count on Torero.Orgs.
  3. Student organizations with 65 members or more are required to track their attendance utilizing sales force for all their General Body Meetings.
  4. A maximum of \$7.50 per person for food and entertainment can be allocated per event. This amount can be exceeded at the discretion of the Budget Committee.
  5. There are no restrictions on the amount that can be requested or funded for items other than food and entertainment. Each request will be judged on its own merits.
  6. The event must be advertised and thoroughly promoted as a co-sponsored event with the AS logo on all advertising. If the organization receiving funds does not do so, the organization risks their funding being revoked by AS Budget Committee. It is the duty of the committee to regulate and decide upon consequences if violated.
  7. Student organizations that are requesting funding under \$250 have the option not to present their funding request at ASBC meetings. ASBC will review the funding request and will make a decision based on the information provided on Torero.Orgs.
- B. AS will support, but not fully fund, the following types of closed events (events open only to organization members):
  1. Special interest activities of an educational nature (events where students can acquire knowledge, skills, experience etc.).
    - a. Off campus, from \$0-\$10 per person can be allocated. This amount can be exceeded at the discretion of the Budget Committee.
    - b. On campus, from \$0-\$500 per event can be allocated. This amount can be exceeded at the discretion of the Budget Committee.

2. Recognition events such as dinners, luncheons, banquets, etc., will be allocated up to a maximum of \$10 per student in attendance. This amount can be exceeded at the discretion of the Budget Committee.
3. For conventions, conferences and retreats, registration fees can be fully funded at the discretion of the Budget Committee.

Travel and food costs will not be funded. Food cost may only be funded in the case it is included in the registration fee. Lodging may not exceed \$50 per person. Lodging may be funded at the discretion of the Budget Committee. In order to receive funding for a retreat, the organization must provide details regarding retreat information costs and turn it in along with the Budget Committee application at least 2 weeks in advance.

- a. The Budget Committee will fund registration fees at the lowest plausible rate. It is the discretion of the Budget Committee to decide which rate reflects proper due diligence and stewardship of the Associated Students budget.
  - b. The Budget Committee does not fund conferences that coincide with mandatory educational department obligations. (For example, if attendance at a conference is required by a minor or certificate program)
  - c. Funding for conferences is strictly allocated for undergraduate students.
  - d. Requests for convention, conference, and retreat funding must be submitted at least two weeks in advance of the date of the activity.
4. For organizations to receive funding for community outreach events, the organization must provide details about the event costs.
    - a. A community outreach event is defined as an activity that provides services to populations who might not have access to those services; or, an event that works towards community cultural engagement. It is the discretion of the Budget Committee to classify an event as a community outreach event.
    - b. Less than 25 percent of the total Budget Committee allocation from Finance Committee will be awarded to community outreach events. It is the responsibility of the Controller to monitor such spending.



- c. The Budget Committee will bring any community outreach requests over \$10,000 to Senate to approve for funding.
- 5. Strictly social parties will not be allocated funding.
- C. Any requests for expenses other than events will be evaluated on a case-by-case basis.
- D. Less than 40 percent of the total Budget Committee allocation from Finance Committee will be awarded to events not open to all members on campus. It is the responsibility of the Controller to monitor such spending.
- E. Budget Committee will grant money to fundraisers only in the capacity that AS be refunded their total amount by the end of the semester. It is the responsibility of the Controller to monitor all Fundraising reimbursement requests.
- F. Within the first four weeks of a new academic semester, ASBC will review funding requests for marketing material up to \$200; Each organization is restricted one granted request for marketing purposes per academic year and application cycle. No student organization that levies a due or membership fee will be permitted to submit a funding request for marketing purposes. Marketing materials that are purchased must be reusable and sustainable so as to eliminate any repetitions within requests that may be made in future academic terms.
- G. Money may not be allocated for alcoholic beverages or gift giveaways. Receipts for alcohol and such gifts will not be honored. The only situation in which gift fees will be granted is for a Speaker who did not receive an honorarium. This gift may not exceed \$25 (twenty-five dollars).
- H. The Budget Committee should refer to past allocations for funding requests and ensure compliance with all rules and regulations.
- I. Clubs and Organizations may only petition the Budget Committee once for any given event. It is at the Budget Committee's discretion to fund events co-sponsored with Torero Program Board.
- J. Budget Committee will grant money to Philanthropic events put on by student organizations. Funds may only go to the event. Funds may not go directly to the philanthropy. The Budget Committee holds the right to deny funds for any philanthropic event.
- K. USD Sports Clubs that reach regionals or the playoffs after their regular season can submit a funding request through Torero Orgs to offset unforeseen costs. Trainer fees may be considered on a case by case basis. Coaching fees will not be considered for funding by ASBC . Refer to Section 5, Paragraph B, Section 3 for all travel, lodging and registrations fees.

## Section 6

Funds that are granted to a club/organization and are not used by that group revert back to the general budget of the Budget Committee at the end of each semester.

## Section 7

The Budget Committee reserves the right to deny activity funds to any appointed officer, organization, or other AS sanctioned group request that exceeds allocated AS funds previously budgeted by the Finance Committee.

## Section 8

Certain actions or decisions by the Budget Committee can be appealed by a club or organization to the AS Senate.

- A. To make an appeal, the club or organization must contact in writing the Speaker of the Senate.
  1. The written appeal must include a description of the event and/or request, a comprehensive breakdown of relevant costs, and the basis of the appeal.
- B. The Speaker of the Senate, Parliamentarian, and Pro Temp will review the appeal request for merit. A request has merit if there was either (1) a violation of process, (2) if there is knowledge of significant unforeseen new information that was not available at the time of the original request or (3) misrepresentation or miscommunication of information on an original request. The AS Controller must also be present to help guide this discussion and provide an overview of the original request and discussion by the Budget Committee.
  1. If an appeal is based on “violation of process”, the written appeal must be submitted to the Speaker of the Senate within fourteen (14) business days from the time the club or organization was notified of their funding allocation.
  2. If an appeal is based on “significant unforeseen new information”, the written appeal must be submitted to the Speaker of the Senate in the same semester as the original request.
  3. If an appeal base on “misrepresentation or miscommunication of information on an original request”, the written appeal must be

submitted to the speaker of the Senate within five (5) business days from the time the club or organization was notified of their funding.

- C. If the Parliamentarian is a voting member of the budget committee, the Student Organizations Committee Chair will review the appeal with the Speaker of the Senate.
- D. If the Speaker of the Senate, Pro Temp, and Parliamentarian, (or Student Organizations Committee Chair,) by majority deem an appeal to have “violation of process” merit, the Speaker of the Senate will schedule the appeal on the agenda for the following Senate session. The Speaker of the Senate must distribute a copy of the appeal prior to the Senate meeting in which the appeal is scheduled.
  - 1. Members of the Senate Lead Team who favored merit will present the appeal to the senate. A representative from the student org may be invited to be present at the senate for this appeal to answer any questions.
- E. If the Speaker of the Senate, Parliamentarian or Student Organizations Committee Chair, and the Speaker Pro Tempore, by majority deem an appeal to have “significant unforeseen new information,” or “misrepresentation or miscommunication of information on an original request” the Speaker of the Senate will notify the Finance Chair and the Finance Chair will schedule the appeal on the agenda for the following ASBC meeting.
  - 1. A member of the Student Organization must present the appeal to ASBC with the consent of the Speaker of the Senate. The Speaker of the Senate or Student Organization Committee Chair will prepare them for this presentation.
- F. The presenter of the appeal will provide information regarding the original request, and the basis for the appeal.
- H. In the case of a violation of process appeal to the Senate, the Senate must pass, by majority vote, an action to revert the request back to the Budget Committee to re-allocate funds in accordance with due process.
- I. A club or organization may appeal a request once.
- J. No member of the Associated Students Executive Board or Associated Students Budget Committee may appeal any decision made by ASBC.

## Section 9

The Budget Committee reserves the right to deny any organization financial assistance or funding.

## Section 10

If a club/organization becomes inactive or defunct; all property of that group that was funded by the AS reverts back to the AS.

## Section 11

All clubs must be in good standing in order to request and receive funds. Good standing constitutes that the club is registered, has attended the minimum amount of ICC meetings and have a zero or positive club account balance.

## Section 12

Applications for funding are due to the Finance office at least 2 weeks prior to the date of the event requesting funding. Exceptions may be made on a case-by-case basis.

## Section 13

If a club/organization intentionally lies or manipulates information on a request, the committee will recommend the club/organization to the Student Organization Review Board. In addition, any funds allocated to the event can be revoked or reduced at the committee's discretion. If ASBC learns of any substantial changes to an event after allocation has been granted, the committee reserves the right to re-evaluate the event's allocation.

## Article VII

### RECEIPT DEADLINES

#### Section 1

All receipts for monies paid out are to be returned to the Controller within 14 days of the funded event. Non-compliance and failure to do so may result in a denial of reimbursement or removal of funding privileges.

Any funding requests for events that have passed (retroactive requests) must be made no more than thirty (30) days after the event occurs.

- A. Clubs/Organizations have 5 business days to receive petty cash from the Cashier's Office. Failure to do so may result in a denial of reimbursement.

## **Article VIII**

### **REALLOCATION OF PREVIOUSLY BUDGETED FUNDS**

#### Section 1

##### Reallocation of previously budgeted funds

- A. All financial requests of elected and appointed officials for reallocation must first gain the approval of their corresponding advisor.
- B. After gaining the approval of an advisor, the financial request for reallocation must then be presented to the Finance Chair with a change of allocation request form.
- C. The Budget Committee shall review the financial request for reallocation and either grant or deny the request.
- D. Any action or decision by the Budget Committee may be appealed to the AS Senate.
- E. Individual club funds or budgets are not previously budgeted.

## **Article IX**

### **AMENDMENTS**

#### Section 1

##### These By-Laws may be amended in the following way:

- A. Any member of the Budget Committee or member of the AS Senate who is entitled to full participation in its activities may, at any regular meeting of this Committee or AS Senate, submit a proposed amendment.
- B. The Budget Committee Secretary or the AS Chief of Staff must then keep the proposed amendment posted publicly for a period of five (5) class days.
- C. A two-thirds majority of the AS Student Senate shall be necessary for the adoption of an amendment to these By-Laws.

## **Article X**

### **RATIFICATION PROCEDURES**

#### Section 1



These By-Laws shall be submitted to the AS President yearly for administrative approval and be subjected to the right of appeal by the President of the University of San Diego and the Board of Trustees.

## Section 2

Final ratification of these By-Laws will be affected by a two-thirds vote of the entire AS Student Senate yearly.