

**Constitutional Amendment
Proposal on Finances**

Spring 2008

Sponsors:

**Executive Board, Student Union Government
Student Union Senate, Student Union Government
Finance Board, Student Union Government
Office of the Treasurer, Student Union Government**

Introduction

This Constitutional Amendment has the following purposes:

- To line the Student Union Constitution with the University regulations
- To ensure checks & balances system amongst student and clubs/organizations
- To provide as many resources as possible to the undergraduate student body
- To minimize unspent funds at the end of every fiscal year
- To ensure a smooth treasury operations

This package contains current and proposed wording of each section being proposed for amendments. For a completely new section that will be added onto the current Constitution, it is identified as *Create an Article....* Each section is followed by a brief explanation on reasons why we need such changes.

This package ends with a list that contains the names of Senators who have signed their names to have the amendment proposal validated by the Student Union Secretary.

Please e-mail treasurer@brandeis.edu for any questions.

1.

Article VII Section 3

Current wording:

The Student Government Administrative Fee (hereinafter Administrative Fee) shall exist to fund the full-time position of the Student Union Administrative Assistant (hereinafter, Administrator). The Administrative Fee shall be determined by the Treasurer on behalf of the President, and shall be presented before the Senate for ratification by a 2/3 vote. Such presentation shall occur before the end of each academic year for the following year. The Administrative Fee shall be used solely to fund the position of the Student Union Administrative Assistant, a University employee who may not be a member of the Union.

Article VII Section 3

Proposed wording:

The Student Government Administrative Fee (hereinafter Administrative Fee) shall exist to fund the full-time position of the Student Union Budget Analyst (hereinafter, Budget Analyst. The Administrative Fee shall be used solely to fund the basic salary of the position of the Budget Analyst, a University employee who may not be a member of the Union. The salary of the Budget Analyst shall be determined by the University.

Explanation

Currently, a portion of Student Activities Fee (SAF) goes to the salary of the Budget Analyst, a full-time employee who assists the Student Union Government to ensure that all the regulations of the state, federal, and the University are followed and to reconcile budgets. S/he is employed by the University with a usual process determined by the Human Resources Department. According to the University, students are not allowed to set a basic salary of any University employees. Salaries can only be set by the University based on the market price which is determined by job descriptions set forth by the Human Resources Department.

2.

Article VII Section 7

Current wording:

There shall exist a Senior Programs Fee, which shall be \$27 for the Academic Year 2003-2004. This fee shall increase at a rate equivalent to $\frac{2}{3}$ the percentage increase in tuition. This fee shall be collected from seniors by the University. The Treasurer shall be responsible for the distribution of the Senior Programs Fee. The Senate shall establish rules in the By-Laws governing the use of this fee.

Proposed Amendment:

Delete the entirety of Article VII Section 7

Explanation

Senior Programs Fee is no longer transferred to the account of the Student Union Government.

3.

Article VII Section 9

Current wording:

Each semester, the Treasurer and the Chair of the Finance Board shall conduct at least two training workshops on fiscal matters and policies of the Union including all required financial information and reporting. Each Financial Liaison is required to attend at least one of the two workshops. Should any Union Organization fail to send its trained Financial Liaison to said workshops, the Treasurer may either withhold from such organization its respective portion of the Union Activities Fee or, if such funding has previously been received, refuse to disburse further from such funding.

Article VII Section 9

Proposed wording:

Each semester, the Treasurer and the Chair of the Finance Board shall conduct at least two training workshops on fiscal matters and policies of the Union including all required financial information and reporting. Each Financial Liaison is required to attend at least one workshop. Should any Union Organization fail to send its Financial Liaison to said workshop, the Treasurer may withhold from such organization any funds, and if such funding has previously been received, refuse to disburse further funds therein.

Explanation

Mandatory information sessions are extremely important. In these sessions, the Treasurer and the Finance Board Chair explain important financial logistics and regulations that all club leaders should know. However, it is unrealistic to expect for clubs to send financial liaisons who are already trained. The purpose of information sessions is to train any financial liaisons of clubs/organizations.

4.

Article VII Section 10

Current wording:

Prior to receiving any funding from the Union Activities Fee, all Union Organizations, including including the Justice, shall fully disclose to the Treasurer and/or the Chair of the Finance Board the following:

1. all sources of financial support and income and all other revenue sources, including but not limited to interest income on deposited monies and official documentation to verify the total balance of all assets deposited in outside accounts;
2. an itemized budget of projected income and expenses for the entire academic semester in a form and manner as prescribed by the Treasurer in consultation with the Finance Board;
3. an itemized budget of actual income and expenses for the prior academic semester, in a form and manner as prescribed by the Treasurer in consultation with the Finance Board.
4. a complete listing of club property of any form valued over \$50, in a form and manner as prescribed by the Treasurer in consultation with the Finance Board.

The form and manner of reporting of all such items of required financial information shall be prescribed by the Treasurer with the assistance of the Chair of the Finance Board. All such required financial information shall be Union documents in accordance with Article III, Section 6.

In the event any Union Organization either refuses to disclose the required financial information or omits from such information any material matter, the Treasurer shall have the authority to withhold, from such organization its respective portion of the Union Activities Fee, or if such funding has previously been received, refuse to disburse further from such funding. In addition, the Treasurer may order such organization into temporary receivership until such time as the disclosures are either made and/or corrected. Such actions may be appealed to the Union Judiciary.

Article VII Section 10

Proposed wording:

Upon request, all Union Organizations, including the Justice, shall fully disclose to the Treasurer and/or the Chair of the Finance Board the following:

1. all sources of financial support and income and all other revenue sources, including but not limited to interest income on deposited monies and official documentation to verify the total balance of all assets deposited in outside accounts;
2. an itemized budget of projected income and expenses for the entire academic semester in a form and manner as prescribed by the Treasurer in consultation with the Finance Board;
3. an itemized budget of actual income and expenses for the prior academic semester, in a form and manner as prescribed by the Treasurer in consultation with the Finance Board.
4. a complete listing of club property of any type, in a form and manner as prescribed by the Treasurer in consultation with the Finance Board.

The form and manner of reporting of all such items of required financial information shall be prescribed by the Treasurer with the assistance of the Chair of the Finance Board. All such required financial information shall be Union documents in accordance with Article III, Section 6.

In the event any Union Organization either refuses to disclose the required financial information or omits from such information any material matter, the Treasurer shall have the authority to withhold, from such organization its respective portion of the Union Activities Fee, or if such funding has previously been received, refuse to disburse further from such funding. In addition, the Treasurer may order such organization into temporary receivership until such time as the disclosures are either made and/or corrected. Such actions may be appealed to the Union Judiciary.

Explanation

All clubs/organizations should be able to disclose any financial information at any time upon request. Such practice is required by the University as well. All properties, no matter how much they value, should also be considered as assets.

5.

Article VII Section 13

Current wording:

The Treasurer shall create a Capital Expenditures and Emergency Fund, hereinafter referred to as the CapEx Fund, to ensure the stability of the Union's financial affairs and allocations. The CapEx Fund shall be funded by the Treasurer at a rate of \$10,000 per semester directly from the Union Activities Fee after its collection by the University and prior to distribution by to the Justice Printing Expenses, Finance Board Allocations, and Union Government Funds, until such times that the fund achieves a balance of \$150,000. At such times that the fund reaches a balance of \$140,000 or more, the Treasurer shall fund the CapEx Fund with such a semester allocation that the CapEx Fund achieves a balance of \$150,000.

The Finance Board shall be responsible for allocation of all monies from the CapEx Fund, in a manner consistent with the Constitution and By-Laws. The Finance Board may additionally fund the CapEx Fund in excess of the Treasurer's contribution from any funds that have reverted to the control of the Board from other funds or sources, provided that the balance of the Fund remains at \$150,000 or below. To ensure the stability of the Finance Board's allocations, the Board may allocate from the CapEx Fund for non-recurring or emergency requests of \$5000 or more from Union Chartered and Secured Organizations, provided that such groups do not possess sufficient funds in their accounts to cover such expenses.

Article VII Section 13

Proposed wording:

There shall exist a Reserve Fund to ensure the stability of the Union's financial affairs and allocations. The Reserve Fund shall be funded at a rate of \$5,000 per semester directly from the Union Activities Fee prior to distribution to the Justice Printing Expenses Fund, the Finance Board Allocations Fund, and the Union Government Fund. The Reserve Fund shall maintain a minimum balance of \$25,000. The Finance Board may additionally fund the Reserve Fund beyond the minimum required funding rate and shall fund the Reserve Fund with such amount as necessary to maintain the minimum balance.

The Finance Board shall be responsible for the allocation of all monies from the Reserve Fund in manner consistent with the Constitution and By-Laws. The Finance Board may allocate from the Reserve Fund for non-recurring or emergency requests of \$2,500 or more from Union Chartered and Secured Organizations provided that such groups do not possess sufficient funds in their accounts to cover such expenses.

Explanation

\$150,000 in a single account is too much for student clubs/organizations to spend within a year. Although this fund has specific purposes, a large amount of money left is not fiscally sound. The minimum price for single-purchase of \$5,000 should also be lowered to allow more accessibility. Having a minimum amount rather than a cap would allow much more flexibility and ensure that not too much money will be left over at the end of a year.

6.

Article III Section 8

Create an Article III Section 8 that reads:

In the event that the Treasurer resigns, an Interim Treasurer shall serve as Treasurer until a new Treasurer is sworn in, following the elections procedures as set forth in Article IX Section 8. The Senate shall establish rules regarding the Interim Treasurer in the By-Laws.

Explanation

The position of the Treasurer is a very demanding job with lots of hours required to manage over US\$ 1 million and accounts of over 250 clubs/organizations. Before the academic year 2006 ~ 2007, there have been 10 Treasurers in 5 years. Most of the time, Treasurers resign not because they are incapable, but because there are too much work involved. This is perhaps the only position with such fluctuations.

At any given day, it is important that daily financial operations including financial transactions occur without exception. Because of special skills required to execute those financial operations and because of the scope of Treasurer's work (i.e.: Treasurer is responsible not just for Student Activities Fee, but also fundraising and gift accounts of all clubs/organizations), it only makes sense to allow the Treasurer to appoint his/her successor in cases of resignations. Note that this is only temporary until a new Treasurer is elected by the student body in a special election.

This will ensure that people will still get paid despite the absence of Treasurers.

7.

Article VII Section

Current wording:

The University shall assess to all members of the Union, excluding students who are on Study Abroad Programs and students who are on Domestic Leave with Credit Programs, a Student Activities Fee on behalf of the Student Union. The Student Activities Fee shall consist of:

1. The Union Activities Fee, equal to 1% of University tuition, and;
2. The Student Government Administrative Fee.

Proposed Article VII Section 1.3 shall read:

3. For the 2008-2009 academic year, the Union Activities Fee shall maintain the level assessed during the 2007-2008 academic year.

Article VII Section 1

Proposed wording:

The University shall assess to all members of the Union, excluding students who are on Study Abroad Programs and students who are on Domestic Leave with Credit Programs, a Student Activities Fee on behalf of the Student Union. The Student Activities Fee shall consist of:

1. The Union Activities Fee, equal to 1% of University tuition, and;
2. The Student Government Administrative Fee.
3. For the 2008-2009 academic year, the Union Activities Fee shall maintain the level assessed during the 2007-2008 academic year.

Explanation

Due to a large amount of rollover, we have sufficient resources to accommodate clubs/organizations in the fiscal year 2008 ~ 2009. Thus, there is no need to charge students extra money.

Names of Senators

In order for an amendment proposal to be validated by the Secretary, the proposal needs to be signed by at least ten Union Senators.

The list of names below includes ALL senators who were present in the weekly Senate meeting on Sunday, April 13, 2008. All of them have signed to support the proposal.

Names	Positions
Andrew Brooks	Senator-at-Large
Asher Tanenbaum	Senator for Class of 2008
Darren Gallant	Senator for Class of 2008
Gabriel Gaskin	Senator for Racial Minority Students
Jenna Brofsky	Senator for Class of 2010
Jessica Blumberg	Senator-at-Large
Julia Sferlazzo	Senator for Class of 2009
Justin Sulsky	Senator for Ziv Quad
Kamarin Lee	Senator for TYP
Max Matza	Senator for Rosenthal Quad
Michael Kerns	Senator for Village Quad
Rachel Kagan	Senator for Charles River Apartments
Rebecca Wilkof	Senator for Castle Quad
Tamar Ariel	Senator for East Quad
Tania Kupferman	Senator for Foster Mods
Yuki Hasegawa	Senator for Class of 2009