

## STATUTE II: THE FINANCE CODE

### Contents

Chapter 200	Introduction	p. 2
Chapter 201	Definitions	p. 2
Chapter 202	Uses and Purpose of the Activity and Service Fee	p. 4
Chapter 203	Reserve Account	p. 6
Chapter 204	Allocation Methods	p. 6
Chapter 205	Budget Expenditure Process	p. 9
Chapter 206	Violations of the Finance Code and Misuse of Funds	p. 11
Chapter 207	Amendments	p. 11

## **Chapter 200: Introduction**

- 200.1 The Finance Code defines the financial policies established by the Student Government to outline the responsibilities, provisions, and penalties related to the use of Activity and Service Fees (A&S Fees) at Florida Gulf Coast University.
- 200.2 The Finance Code is applicable to the Student Government and all entities that receive, utilize, and/or distribute A&S Fee money.
- 200.3 The allocation and expenditure of A&S Fees by Student Government is authorized by Section 1009.24(10)(b), Florida Statutes
- 200.4 The responsibility to allocate A&S funds is vested in the Student Body Senate by Article II(6)(g), The Constitution of the Student Government, adopted by the Florida Gulf Coast University Board of Trustees as Florida Gulf Coast University Regulation FGCU-PR4.006.
- 200.5 The Constitution of the Student Government Article III, Section VII authorizes the Student Body Treasurer to monitor the A&S accounts and to determine and enforce compliance with the Finance Code.
- 200.6 The Finance Code and all funded entities shall comply with all applicable federal, state, and local laws, as well as Florida Gulf Coast University regulations and policies, The Constitution of the Student Government and Finance Code.

## **Chapter 201: Definitions**

- 201.1 Activity and Service Fee (A&S Fee): the fee collected as a component of tuition, which is expended to benefit the student body.
- 201.2 Annual Budget: the approved appropriation of the A&S funds for a fiscal year.
- 201.3 Annual Budget Application (ABA): a document requesting financial resources for the subsequent fiscal year.
- 201.4 Annual Budget Process: the method through which funds are allocated to entities for the subsequent fiscal year.
- 201.5 Block-Out Dates: a period of time in which no A&S funds are allocated or expended.
- 201.6 Budget Allocation Request: funds requested through the Annual Budget Process.
- 201.7 Budget Amendment: a transfer of funds from one ledger account summary to another ledger account summary.
- 201.8 Cap: the suggested maximum amount that can be allocated for a specific item.

- 201.9 Capital Expenditure: any property, equipment, fixtures, or other tangible personal property, equal or exceeding a cost of \$5,000 for a single item and that is required to be tagged as inventory, pursuant to Florida Gulf Coast University Regulation FGCU-PR7.008.
- 201.10 Contract: a mutual understanding between two or more parties regarding their relative rights and duties to future performances, which include but are not limited to agreements, letters of intent, memoranda of understanding, purchase orders, leases, and license agreements.
- 201.11 Fiscal Year: the financial period for Florida Gulf Coast University from July 1 to June 30.
- 201.12 Funded Entity: any Registered Student Organization, Registered Sport Club, University Department, or other unit that receives A&S funds.
- 201.13 Goods: a purchased item that can be utilized once or multiple times by an organization or department.
- 201.14 Personal Benefit: a good or service that provides a personal gain or advantage for the recipient over any other individual.
- 201.15 Ledger Account Summary: sub-group of related accounts aggregated at a higher level used to facilitate reporting and tracking of budget and expenditure transactions. Below is a description of the current sub-groups of related accounts:
- a. 77100P – Salaries
  - b. 77101P – Temporary Employment
  - c. 77102P – Benefits
  - d. 71140P– Other Operating Expenses
  - e. 71141P – Chargebacks
  - f. 71143P – Travel
  - g. 72100P – Capital Expenditures
  - h. 72200P – Fixed Capital Outlay
- 201.16 Purchase Requisition: A Procurement Services generated document that authorizes a purchase transaction. It sets forth the descriptions, quantities, prices, discounts, payment terms, funding source, date of performance or shipment, or other associated terms and conditions, and identifies a specific vendor.
- 201.17 Purchase Order Request Form: a detailed expenditure request to utilize previously allocated funds prepared on a form provided by the Division of Student Success and Enrollment Management.
- 201.18 Registered Sport Club (RSC): A student organization that meets the Department of Campus Recreation’s qualifications to be recognized as a Registered Sport Club.
- 201.19 Registered Student Organization (RSO): A student organization that meets the Office of Student Involvement’s qualifications to be recognized as a Registered

## Student Organization.

- 201.20 Reimbursement: the process by which Registered Student Organization members or University Departments are paid for out-of-pocket expenses spent on an organization or department related item or event.
- 201.21 Reserve Account: all unappropriated A&S funds.
- 201.22 Senate Bill Request: funds requested throughout the fiscal year for expenses not previously budgeted. The funding source for requests is the A&S Reserve Account.
- 201.23 Services: intangible products such as speakers, disk jockeys, comedians, etc.
- 201.24 Sport Clubs Council (SCC): the official representative and governing organization of all Registered Sport Clubs.
- 201.25 University-Sponsored Organization (USO): A student-run organization overseen by a University Department with approval from the Vice President of Student Success and Enrollment Management, or designee. For the purpose of the Finance Code, a USO will be treated as a University Department. These organizations currently consist of the FGCU Programming Board, Eagle Media, Sport Clubs Council, Student Government, and Student Organizations Council.

## **Chapter 202: Uses and Purpose of the Activity and Service Fee**

- 202.1 Funded entities must be Registered Student Organization or University Departments that fall under the Student Engagement Unit of the Division of Student Success and Enrollment Management to receive funds through the Annual Budget Process. All other eligible departments may request funds throughout the year utilizing the Senate Bill Process.
- 202.2 Registered Student Organizations seeking funding must be registered and in good standing as determined by the Division of Student Success and Enrollment Management. Registered Student Organizations who fail to register for the academic year will forfeit their funds for the awarded fiscal year.
- 202.3 Funded entities may not charge individual membership fees or dues. National and/or state affiliation memberships, if applicable, must be voluntary and will not be required in order to participate in any of the entity's regular meetings, activities, and events.
- 202.4 Except when otherwise stipulated by law, funded entities must have their membership and officer positions open to all students at the University.
- 202.5 Each funded entity is responsible for the following:
  - 202.5.1 Reading and understanding the FGCU Student Government Finance Code.

- 202.5.2 Signing and submitting a Statement of Understanding as part of the budget application during the Annual Budget Process.
- 202.5.3 Acting in compliance with the Student Government Finance Code.
- 202.5.4 Registered Student Organizations must send a minimum of two (2) officers, one being the Treasurer or Financial Officer, from the organization to an annual Treasurer Training session. Organizations that fail to do so will not be authorized to expend monies from the Annual Budget Process or submit a Senate or Travel Bill Request. Any Senate or Travel Bills submitted by organizations that have not completed Treasurer Training will be automatically denied by the Student Body Treasurer.
- 202.6 A&S funds may not be used to generate profit, except for Student Government sponsored concerts, in accordance with Section 1009.24(10)(a)&(b), Florida Statutes.
- 202.7 Once a professional position is funded through the budget process, it must continue to be funded (salary and benefits) unless withdrawn by the University Department.
- 202.8 Only University Departments may request funding for professional positions, OPS positions and capital expenditures.
- 202.8.1 All OPS funding must be funded through the Annual Budget Process and cannot be requested through Senate Bill Requests.
- 202.8.2 Registered Student Organizations may not request funding for positions or capital expenditures.
- 202.9 All salary positions funded through A&S Fees will be hired in accordance with Human Resource guidelines. The search committee or panel will be comprised of at least one-third (1/3) of currently enrolled students.
- 202.10 The A&S Fee shall not be used to:
- a. purchase alcohol, tobacco, or firearms
  - b. as a contribution to a political candidate, political party, political committee or committee of continuous existence
  - c. towards rental of functions hosted in private residences
  - d. transfer funds to outside accounts
  - e. purchase items of personal benefit
  - f. fund scholarships and tuition reimbursement
  - g. purchase graduation related items, excluding University Departments
  - h. purchase placement tests, preparation courses, or certification courses that primarily benefit the individual
  - i. spend more than \$100 per item on plaques, awards, and other non-monetary tokens of recognition, excluding University Departments
  - j. as monetary prizes or to purchase gift cards/certificates
  - k. purchase raffle prizes that require donations or monetary contributions in

- order to participate
- l. pay fines, late fees, penalties, or parking tickets
- m. pay tips and gratuity exceeding the University rate (currently 15%)
- n. purchase chemicals unless approved by the Office of Environmental Health and Safety
- o. purchase course-related items (including class projects)
- p. reimburse money spent prior to an allocation being made
- q. reimburse any service as defined in 201.22

### **Chapter 203: Reserve Account**

- 203.1 Funds not allocated in the Annual Budget Process shall remain in the A&S Reserve Account.
- 203.2 Funds not utilized in the previous fiscal year sweep back to the A&S Reserve Account.
- 203.3 Funds are only dispersed from the A&S Reserve Account with the authorization of the Student Body Senate in the form of a Senate Bill Request.
- 203.4 The A&S Reserve Account will maintain a minimum balance of \$100,000 or 2% of the annual budget, whichever is higher. In the case of an emergency these funds may be utilized through a Senate Bill.

### **Chapter 204: Allocation Methods**

- 204.1 Annual Budget Process
  - 204.1.1 The Student Government Appropriations Committee shall make the Annual Budget Application (ABA) publicly available in the Fall semester at least 20 business days prior to the submission deadline. Submission instructions will be stated clearly on the application.
  - 204.1.2 The Sport Clubs Council (SCC) shall submit a single Annual Budget Application, including the request for each Registered Sport Club as supplemental documentation.
    - a. The Sport Clubs Council may adopt its own standard budgeting procedures which shall not conflict with University policy, Student Government Constitution and Finance Code. The procedure is outlined in the Sport Clubs Manual.
  - 204.1.3 Eagle Media will be funded through a Budget Rider.
  - 204.1.4 Annual Budget Process
    - a. Each entity applying for funding will attend a mandatory hearing

with the Student Government Appropriations Committee.

- b. If an eligible entity is denied funding in full, a written justification from the Appropriations Committee must be provided.
- c. The Appropriations Committee shall present the Annual Budget to the Student Body Senate for review and approval.
- d. Upon failing to approve the budget by midnight February 28, the current budget will be utilized for the upcoming fiscal year. If the funds generated through the Activity and Service Fee decline for the upcoming fiscal year, allocated budget for operations and travel will decrease to 80%.
- e. The funds from the approved Annual Budget will be available on the first day of the University's fiscal year.

## 204.2 Senate Bill Process

204.2.1 Registered Student Organizations are permitted to submit no more than three (3) Senate Bills within the same fiscal year.

204.2.2 The Registered Student Organization allocation cap through the Senate Bill Process shall not exceed \$7,500 per organization per fiscal year.

- a. In the event that additional funds that exceed the cap are requested, a positive recommendation through a quorum and majority vote from the Special Allocations Committee must accompany the bill.
- b. These additional funds shall be confirmed by a majority vote of the Student Body Senate.

204.2.3 Any Registered Student Organization possessing \$1,000 or more in its account may not request more funding through the Senate Bill Process.

- a. Exceptions may be made to this rule upon both of the following:
  - (1) submission of the exception in writing to, and approval by, the Student Body Treasurer
  - (2) a positive recommendation through a quorum and majority vote from the Special Allocations Committee.

204.2.4 Registered Student Organizations within their first two semesters (excluding summer) of existence may request up to \$750 through a maximum of two (2) Senate Bills.

- a. New RSO Senate Bill Requests will be reviewed and voted on by the Special Allocations Committee. A quorum and majority vote are needed to approve a New RSO Senate Bill.

- b. The Special Allocations Committee Chair will disclose all allocations to Senate during their standing report. These disbursements shall be confirmed by a majority vote of the Student Body Senate.

204.2.5 Sport Clubs are not eligible to request funding through the Senate Bill Process. The Sport Clubs Council may submit a Senate Bill on behalf of one or more Sport Clubs.

204.2.6 Senate Bills for \$750 or less are reviewed by the Special Allocations Committee.

- a. The Special Allocations Committee will approve bills through a quorum and majority vote. These disbursements shall be confirmed by a majority vote of the Student Body Senate.
- b. The Special Allocations Committee Chair will disclose all allocations to the Senate during their standing report. These disbursements shall be confirmed by a majority vote of the Student Body Senate.
- c. If deemed necessary by the Special Allocations Committee, they may choose to bring bills to the full Senate for consideration.

204.2.7 Funds must be available for use prior to the date of the event/expenditure.

### 204.3 Travel

204.3.1 All travel funded by A&S Fees must be in the performance of official duties of University Departments, Registered Student Organizations, and/or on behalf of the student body.

204.3.2 Registered Student Organizations may request travel funds up to four (4) times per fiscal year and may not be allocated more than \$5,500 per fiscal year.

204.3.3 A&S funds designated for Registered Student Organization travel will be allocated by the Special Conference and Travel (SCT) Committee through a Special Conference and Travel Bill.

204.3.4 Registered Student Organizations in their first two semesters of existence (excluding summer) are not eligible to request travel funding.

204.3.5 Registered Student Organizations traveling on A&S funds are responsible for researching and choosing reasonable accommodations and travel means at the lowest possible cost prior to their allocation hearing.

204.3.6 Registered Student Organizations may not be reimbursed for any expenses not allocated for by the SCT Committee.

#### 204.3.7 Special Conference and Travel (SCT) Bill Process

- a. SCT Bills will be reviewed and voted on by the Special Conference and Travel Committee. A quorum and majority vote are needed to approve an SCT Bill.
- b. Funds will only be allocated for the proposed trip. Any unused allocated funds will be forfeited.
- c. The SCT Committee Chair will disclose all allocations to Senate during their standing report. These disbursements shall be confirmed by a majority vote of the Student Body Senate.
- d. Travelers shall stay four to a room if possible.
- e. Multiple Registered Student Organizations traveling to the same conference shall inform the SCT Committee.
- f. If the amount allocated by the SCT Committee is less than the actual amount expended, the organization will be responsible for the excess amount.

#### 204.3.8 Sport Clubs Council

- a. Travel funding for Sport Clubs will follow all procedures as outlined in the Sport Clubs Manual.

### **Chapter 205: Budget Expenditure Process**

#### 205.1 Expenditure Process

##### 205.1.1 Purchase Order Requests

- a. Purchase Order Requests, along with documentation submitted for approval, requires a minimum of ten (10) business days prior to the date of the expenditure. Exceptions must be submitted in writing and approved by the Student Body Treasurer.
- b. An Event Planning Form must be submitted to the Office of Student Involvement prior to submitting any Purchase Order Request Forms for an event.
- c. The Student Government will observe block-out dates that are established by the University (the last date to submit purchases in May until July 15) where no A&S funds may be requested or expended by Registered Student Organizations.

#### 205.1.2 Reimbursements (Payee Invoices)

- a. Registered Student Organizations are highly encouraged to make purchases over \$200 through Purchase Order Request Forms. Should a student/advisor elect to purchase items and go through the reimbursement process, they assume all financial responsibility for the items purchased.
- b. Items purchased that are not allowed by the Finance Code or not approved by the Student Body Treasurer will not be reimbursed.
- c. Items purchased for unapproved RSO events will not be reimbursed.
- d. Original receipts must be turned in within ten (10) business days of purchase.
- e. Reimbursements will not be approved for amounts above what is stated on the receipt.
- f. An Event Planning Form must be submitted to the Office of Student Involvement prior to submitting any reimbursements for an event.
- g. Registered Student Organizations may not be granted reimbursements for any travel expenses other than rental vehicles, mileage, gas, and ground transportation. Exceptions must be submitted in writing and approved by the Student Body Treasurer.

205.1.3 The Student Body Treasurer may reject a request for any violations of the Finance Code. The Student Body Treasurer shall provide a written explanation of the reason for rejecting the expenditure via Eagle Email.

205.1.4 All expenditure requests shall be approved or rejected by the Student Body Treasurer within five (5) business days. In the case where the Treasurer is not available for more than five (5) business days, the Student Body President shall approve or reject the expenditure.

205.1.5 Expenditures that do not require the written approval of the Student Body Treasurer include necessary freight, postage, and other overhead charges that must be paid for when incurred.

#### 205.1.6 Registered Sport Clubs

- a. Sport Clubs will follow all expenditure processes outlined within the Sport Clubs Manual.

#### 205.1.7 Expense Reports

- a. All entities funded partially or entirely by A&S Fees may be required to submit a detailed expense report of their A&S Fee expenditures to the Student Body Treasurer upon request.

## 205.2 Budget Amendments

### 205.2.1 University Departments

- a. A budget amendment of \$10,000 or less requires a Budget Amendment Form submitted to the A&S Budget Specialist.
- b. A budget amendment of greater than \$10,000 requires a Budget Amendment Form to be submitted to the A&S Budget Specialist. Approval is needed by the Student Body Treasurer and Senate President.

## **Chapter 206: Violations of the Finance Code and Misuse of Funds**

- 206.1 A violation of the Finance Code determined by the Student Body Treasurer may result in suspension of an A&S account.

206.1.1 First Offense: Meeting with Student Body Treasurer to discuss the violation.

206.1.2 Second Offense: Account frozen for 60 days. No purchases or reimbursements will be authorized during this time period.

206.1.3 Third Offense: Funds are forfeited for the remainder of the fiscal year. No additional funding may be requested.

206.1.4 Sanctions will be based on the severity of the violation and may be referred to the Office of Student Conduct.

- 206.2 Misuse of funds and/or violations of the Finance Code may be used to determine future allocations.

- 206.3 Registered Student Organizations will be notified of any sanctions by the Student Body Treasurer through Eagle Email.

## **Chapter 207: Amendments**

- 207.1 This Finance Code may be amended by a Document Review Committee comprised of representatives from all three branches of Student Government.

207.1.1 The Document Review Committee will consist of the following individuals:

- a. Student Body Treasurer (Committee Chair)
- b. Senate Appropriations Chair (Vice Chair)
- c. Student Body President (or designee)
- d. Student Senate President (or designee)

e. Student Body Chief Justice (or designee)

207.1.2 The Document Review Committee must convene in the Spring of 2021, and every third year thereafter.

207.1.3 The Document Review Committee may meet whenever necessary to make appropriate amendments to the Finance Code.

207.2 The Student Government Advisor and A&S Budget Specialist will serve on the committee in a non-voting, advisory capacity.

207.3 Any amendments to the Finance Code must be approved by a majority vote of the Student Senate in the form of a Senate Bill.

207.4 Amendments to the Finance Code will become effective on July 1 of the next fiscal year, unless a different date is included on the Senate Bill.

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