

POLICY ON STUDENT ASSOCIATIONS AND GROUPS

Effective Date: April 27, 2017

Originating Office: Office of the Provost
and Vice-President, Academic

Supersedes /Amends: February 8, 1999

Policy Number: PRVPA-10

SCOPE

This policy applies to all University student organizations as defined below.

PURPOSE

The purpose of this Policy is to establish the procedure for the recognition of student associations and groups by the University as well as to set out the rules and procedures governing certain aspects of the cooperative relationship between student associations, groups and the University, notably with respect to the collection and management of student fee levies and the use of University facilities and services by the student associations and groups.

PREAMBLE

Voluntary associations and groups formed by students are a pillar of University life and contribute significantly to its intellectual, social and cultural diversity. Student associations and groups have a right to pursue social, cultural and other interests and to organize and hold various activities for the benefit of their members.

The present policy affirms that freedom of expression is a fundamental principle and one which is a prerequisite to the essential mission of a university, namely the pursuit of knowledge. This principle requires the ability to question and debate any subject even the most controversial. The University acknowledges its role in promoting free expression on campus, in all its forms, limited only by applicable University policies as well as provincial and federal law.

The present Policy further affirms the University's commitment to ensure notably that:

- Student associations and groups have access to space for events and services provided by the University
- Student association funding and group fee levies are efficiently collected and remitted by the University and properly obtained and administered by those groups and their members;

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- The financial integrity and accountability of student associations and groups is assured by those groups and their members
- Student associations and groups are sufficiently insured

DEFINITIONS

For the purposes of this Policy:

“Accreditation Act” means the Act Respecting the Accreditation and Financing of Students' Associations R.S.Q., chapter A-3.01.

“Act Respecting Access” means the Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, R.S.Q., chapter A-2.1.

“Accredited Student Association” means an accredited student association, as defined by the Accreditation Act.

“Unaccredited Student Association” means a student association not accredited under the Accreditation Act, but which fulfills the same functions of representation as an Accredited Student Association.

“Fee Levy Groups” means a collective of students forming a group that is funded by a student fee levy, but is organizationally independent from an umbrella student association, for the purposes of pursuing an activity that does not have as its primary purpose the political representation of students within an educational institution as defined in the Accreditation Act.

“Student Groups” means any other collective of students forming a group, directly or indirectly associated with an umbrella association, which is not directly funded by a fee-levy and which is not directly related to academic studies at the University.

“Student Organizations” refers in this Policy to all accredited and unaccredited student associations as well as fee levy and student groups as defined above.

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“Student fee levy” means a fee imposed on a category of students, for the purpose of funding student activities, on a per credit, per term or annual basis, following the consultation of the student body by referendum and the approval of the Board of Governors of the University.

“University” means Concordia University.

“Umbrella student association(s)” means umbrella student associations (accredited and un-accredited) as listed on the Dean of Students website.

POLICY

General

1. The Dean of Students is responsible for the application and interpretation of the present Policy and shall be the first point of contact for all student organizations.
2. All University student organizations wishing to use University facilities in the pursuit of their activities must be recognized by the Dean of Students.
3. A student organization must conduct its affairs in conformity with its charter, constitution or by-laws, and all applicable regulations, rules and policies of the University.
4. The University is independent from and assumes no legal liability for student organizations, including notably their activities and finances.

Materials and Publications

5. The University does not monitor or screen the materials and publications used or produced by student organizations, unless there is evidence that such materials or publications may be in contravention of an applicable University policy or provincial or federal law.
6. The content of all materials and publications are the exclusive responsibility of the organization and must be in keeping with the Code of Rights and Responsibilities (“the Code”) and with all applicable legislation.

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7. Should any individual or group feel that a given form of expression is in conflict with the guarantees set out in the Code or applicable legislation, they may make their views known to the group responsible for the expression or publication and/or they may consult with the Advisor on Rights and Responsibilities as to what remedies are available.
8. If a complaint is made to the Dean of Students or his/her delegate that a given form of expression is in conflict with the guarantees set out in the Code or applicable legislation, he/she shall attempt to mediate the situation by speaking with all parties concerned in attempting to reach a satisfactory resolution. If no satisfactory resolution is possible, the Dean of Students or his/her delegate may direct the removal of the material or publication or in the case of verbal expression, the cessation of the expression by whatever means appropriate. In such cases, the Dean of Students or his/her delegate may lay a complaint against an authorized representative of the student organization under the Code.

Recognition of Student Organizations

9. The list of all student organizations including recognized umbrella student associations (accredited or not) shall be constituted and kept updated by the Dean of Students.
10. Umbrella student associations may recognize affiliated groups, clubs, associations and societies and are responsible for the actions, finances and insurance of the groups falling under their umbrella associations.
11. All student organizations, including those recognized by an umbrella student association, may apply to be recognized by the Dean of Students in accordance with and as set out in the present Policy. Such recognition shall entail permission, as per this Policy, to use University space, material and equipment.
12. Any student organization wishing to be recognized by the Dean of Students must submit the information on the form provided by the Dean of Students including:
 - a. Name of the organization;
 - b. Objectives of the student organization;

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- c. Constitution and/or by-laws, which must oblige the student organization to hold at least one Annual General Meeting (“AGM”);
 - d. The student organization’s last yearly financial statements (for any group holding or managing funds);
 - e. proof of incorporation, as applicable;
 - f. annual proof of insurance, as applicable;
 - g. Names, addresses, email addresses and telephone numbers of the members of the governing body indicating authorized signing authorities for both room reservations and financial matters.
13. The decision to recognize a student organization shall be based on the following criteria:
- a. The accreditation status of the association, as applicable.
 - b. The objectives and proposed activities of the student organization should contribute to the educational, social or cultural values of the University as stated and reflected in [Concordia’s Mission Statement](#), the *Code of Rights and Responsibilities* ([BD-3](#)) and other relevant [official policies](#) and published documents.
 - c. Membership rules shall not contravene the provisions of the Quebec Charter of Human Rights and Freedoms
 - d. The organizational structure, membership, procedures and rules of conduct of the student organization shall be spelled out so that all members joining the group may be fully aware of their rights and responsibilities.
 - e. Student organizations must make all reasonable efforts to promote the full participation of Concordia students in their activities, as members, executives, employees and board members, as applicable.
 - f. In the case of fee levy groups, such groups shall ensure that there are term limits for board members and executives. Such groups shall make all reasonable efforts to

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include students currently engaged in completing course credits in governance roles as well as any paid or volunteer positions that may be available.

14. Each student organization that is recognized by the Dean of Students shall submit, normally by the end of October of each year, to the Dean of Students, any update or confirmation of the information or documentation set out above in section 12. Failure to provide the required information may lead to the withdrawal or suspension of recognition by the Dean of Students.

Collection of Fees

15. Recognized student organizations wishing to obtain or modify fee levies must follow the rules and procedures set out by the appropriate umbrella student association or the relevant laws and/or regulations, as applicable, pertaining notably to seeking approval of the student body that they represent for a fee levy through a referendum.
16. The collection of student fee levies by the University on behalf of a student organization is subject to the approval of the Board of Governors.
17. All fee levy groups must provide for a fee levy opt-out mechanism to be administered by the fee levy group. Such fee-levy opt out mechanism must be clearly communicated to students and be obtainable both from a practical and physical perspective.

Procedures Governing Fee Levies

18. In order to ensure that the goals of the student organization are met and to avoid delays in the collection and remittance of fees and also to determine the most efficient collection procedure, the umbrella association administering the fee request referendum must consult the University's Manager of Student Accounts prior to the planned referendum in accordance with the guidelines set out in the [Student Accounts Fee Levy Operating Procedures](#).
19. The remittance of fees collected by the University for Student Organizations will proceed in accordance with the [Student Accounts Fee Levy Operating Procedures](#).

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Student Organizations that Cease Activities

20. In cases where funds are collected by the University on behalf of a student organization that appears to be inactive, the Dean of Students shall conduct a thorough investigation into the situation with input from all relevant organizations and individuals.
21. If, following the investigation, the Dean of Students concludes that a student organization has ceased its activities and that there are no new or potential executive members, the Dean of Students shall prepare and deliver a report along with recommendations to the Board of Governors. Such recommendations may include:
 - a. that fee collection on behalf of the inactive organization be halted;
 - b. how long to hold the funds collected while waiting for a new executive to form;
 - c. how to dispose of any funds collected and held by the University on behalf of the student organization.
22. In all cases, if more than three (3) years have passed since the organization ceased its activities, and should such an organization wish to resume its activities and collection of fees, such organization must proceed by referendum seeking the support of the students in the same manner as any new student association or group seeking a fee levy.

Financial Services

23. In order to ensure the effective management of funds, student organizations may avail themselves of financial services provided by the University.
24. The University provides certain financial services to the student organization including but not limited to:
 - Access to the Millennium System (or equivalent) available on the Concordia Portal which provides monthly trust fund statements indicating Fee revenues, distributions and expenses;
 - Supporting student organization as to financial management issues.

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25. At the beginning of each academic year, student organizations must provide to Financial Services an updated signing authority document approved by the Dean of Students. At least one signing officer must be a registered Concordia student.
26. Student organizations are responsible for the payment of all internal charges incurred.
27. The University recommends that student organizations who decide to place and manage their organization's funds in an external institution place a portion (the amount to be suggested by Financial Services) of such funds in the University's system in order to facilitate the payment of internal charges, costs, expenses and/or debts.
28. The University shall exercise its best effort to inform the student organization as soon as possible within the same budget year of any charges, costs, expenses and/or debts on the part of the student organization.
29. Should the student organization owe funds to the University, the University will provide the student organization with a written notice of the circumstances and the amount owed and work with the student organization to resolve and/or remedy the matter.
30. In addition to the foregoing, in order to manage a regular and predictable level of bad debt, the University will hold back, until the end of the fiscal year, 4% of a student organization's projected fees, based on the previous year's total fees collected. These funds will ensure that funds are available to cover uncollected fees and internal University charges.

Legal Status and Documentation

31. A student organization must ensure that:
 - a. its charter documents, constitution and by-laws are remitted to the University in compliance with this Policy;
 - b. where applicable it maintains its legal status (ex: as a corporation under Part III of the Quebec Companies Act) and fulfills all requirements associated with maintaining such status;

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- c. no clause in its Constitution or By-laws shall modify or supersede any University policy.

Insurance

- 32. Student organizations must obtain and maintain, at their own expense, appropriate and sufficient insurance necessary to conduct all activities.
- 33. Umbrella student associations' insurance must cover the activities of all associations and groups falling under their responsibility.
- 34. Such insurance may be procured and managed in cooperation with the Concordia University Risk Management Office.

Maintenance and Auditing of Accounts

- 35. Student organizations are fully accountable to their members for all funds that they collect from students.
- 36. Student organizations shall maintain adequate financial controls as recommended by their auditors, or chartered accountant, and, when applicable, shall follow recommendations made by such professionals.

Use of Space

- 37. The use of space at the University is governed by the *Policy on the Temporary use of University Space* ([VPSS-24](#)) and any other applicable University policy.
- 38. The University endeavours to make space available to organizations to carry out their activities. The University may enter into specific agreements with associations, clubs or groups with respect to the use of space.
- 39. In order to provide an opportunity for all of the student organizations to reserve space and to hold their activities in the location of their choice, the University reserves the right to limit bookings for the use of particular areas which are in demand.

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Liquor Permits

40. In accordance with the *Policy on the Sale and Service of Alcohol on University Premises (VPSS-3)*, student organizations shall apply for and maintain in their own name all necessary liquor permits for any event it may hold from time to time and shall abide by all of the provisions of that Policy and its related procedures.
41. Student organizations are responsible for ensuring that their insurance policy covers such alcohol-related events.

Provision of Student Lists

42. Accredited student associations have the right to obtain information about their members, and the University has the obligation to provide such information, the whole in accordance with applicable law.
43. The President of the accredited student association may request a list of its members from the Dean of Students. The Dean of Students gives effect to such requests, upon reasonable prior notice, to the extent permitted by law, including but not limited to the *Act Respecting Access*. The list and its contents may be used only for the purpose for which it is provided.

Violations

44. In all cases of violation and before any measure is invoked or applied, the Dean of Students will work closely with the student organization(s) in question to attempt to bring about the resolution and/or correction of the situation. Failing that, violations of the present Policy or any related agreement may result in the application of the appropriate measure including one or more of the following measures:
 - a. A letter of warning;
 - b. A suspension of recognition of the association, club or group by the University;
 - c. A refusal to grant space requests;

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- d. The temporary freezing of the student organization's University account (this can occur at the request of the student organization or at the University's initiative in cases of a serious breach and can be maintained until such a time as the situation is corrected);
- e. In the case of a serious breach by an organization including an accredited student association, the University may contact the appropriate authorities (pursuant to the applicable legislation) who oversee the functioning of accredited student associations or any other appropriate authority.