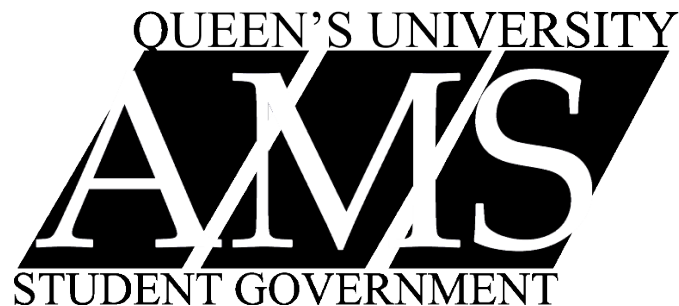


STUDENT ACTIVITY FEE POLICY

ALMA MATER SOCIETY OF QUEEN'S UNIVERSITY

Responsibility	Vice President (Operations)
Approved by	Board of Directors
Date initially approved	March 29, 2018
Date revised	September 29, 2021



Purpose

The purpose of this policy is to provide clear policy and procedures for the establishment, collection, administration, maintenance, and distribution of Student Activity Fees within the jurisdiction of the AMS.

Terminology and definitions

“Assembly” means the AMS Assembly.

“AMS” means the Alma Mater Society of Queen’s University Incorporated.

“University” means Queen’s University.

“Secretary” means the AMS Secretary of Internal Affairs.

“Capital Project” means the process of constructing physical infrastructure located on, or around, the University campus. Capital Projects may require a specific pre-determined financial commitment from the student body as a condition of approval.

“Faculty Society” means the member societies that are affiliated with the AMS, as outlined in the AMS Constitution.

“Validation Package” means a document that any group seeking to establish or modify a Student Activity Fee must submit.

“Non-Reviewable” means a Student Activity Fee that shall not expire and shall not be subject to renewal by referendum.

“Opt-Out” means a situation where a member can elect not to pay an optional fee.

“Opt-Out Period” means the dates when a member may elect not to pay an optional fee as found in the Alma Mater Society’s and University Registrar’s websites.

“Student Activity Fee” means payments made by a student for non-academic or non-tuition related items that are designed to enhance student life.

“SGPS” means the Society of Graduate and Professional Students of Queen’s University

“Essential Student Service” means a program or service administered by the AMS or the University that provides benefits to AMS members and is essential to preserving life, health, safety and normal campus operations.

External Policy Compliance

Transparent management of all aspects of Student Activity Fees is vital for the AMS to maintain the trust of student members who are making a commitment to the betterment of student life at Queen's.

The aim of this policy is to clearly document the criteria for establishing a fee and the approval process regarding the establishment, alteration and triennial review of a fee or discontinuation of a fee. Compliance with this policy is mandatory. Compliance will be monitored and enforced by the Board of Directors and Secretary.

This policy derives its authority from the Ministry of Training, Colleges and Universities Student Activity Fee protocols and the Queen's University Protocol for Introducing or Changing Student Activity Fees. This policy is superseded by said protocols and policies, along with any contractual obligations of either the Society or the Corporation.

Scope

This policy applies to all AMS Members and any other group who levy, or are seeking to levy, a Student Activity Fee from AMS Members.

Roles and Responsibilities

The Vice-President Operations is responsible for the oversight of and ensuring organizational compliance with this policy. They shall chair the Student Activity Fee Review Committee and enforce its decisions relating to eligibility for, a continuance of, and suspension of Fees. The Vice- President Operations shall submit annual reports to the Assembly and AMS Board of Directors relating to this policy's administration.

The Secretary shall be the primary point of contact for all groups or organizations receiving Fees. They are responsible for ensuring that an annual timeline is set for the review of Fee Proposal Packages and annual reporting requirements, as per this policy and in consultation with the Vice-President Operations and Elections Team. They are also responsible for informing groups of their triennial review obligations and preparing and distributing Fee Proposal Package templates.

Board of Directors shall retain ultimate authority for overseeing risk management as it pertains to Fees. The Board shall be represented on the Student Activity Fee Review Committee, and representation shall be determined by the Chair, on advice of the Board.

Assembly shall place referendum questions on the ballot at the recommendation of the Student Activity Fee Review Committee. The Assembly shall be represented on the Student Activity Fee Review Committee.

Student Activity Fee Review Committee shall consist of the Vice-President Operations (Chair), the Secretary, the General Manager, the Director of Clubs, the Chair of the Board of Directors or their designate, and one voting member of Assembly. The committee shall review all applications for groups seeking to establish, increase, or renew fees. They shall determine the eligibility of said groups in accordance with this policy. The Committee shall also review annual reporting requirement submissions. The Committee is empowered to make decisions regarding the eligibility and continuity of fees within the bounds of this policy.

Policy

1. General

- a. In accordance with Section 3.03 of the AMS Constitution, Student Activity Fees, insofar as they constitute dues or fees payable by Society members, shall be established or altered only via a campus-wide referendum.
- b. Student Activity Fees may be either mandatory or optional. Fees may be collected for a designated period or until a specified monetary target is reached and may be subject to automatic annual increases in accordance with some fixed percentage or index. Whether any of these conditions shall apply to a given fee shall be subject to a decision by the Student Activity Fee Review Committee. In all cases, any such conditions shall appear explicitly in the referendum question.
- c. Student Activity Fees shall fall under one of the following three categories:
 - i. Reviewable optional fees: Subject to individual opt-out and triennial review
 - ii. Reviewable mandatory fees: Subject to triennial review
 - iii. Non-Reviewable mandatory fees
- d. All Mandatory fees shall only be established to sustain primary facilities/services that are provided for the benefit of all AMS members.
- e. Mandatory fees may be designated as non-reviewable, either for a pre-determined period or indefinitely. Non-reviewable designations indicate the fee is not subject to triennial review. This designation must be approved by the Board of Directors, on recommendation by the Student Activity Fee Review Committee, and receive simple

majority approval in a campus-wide referendum or two-thirds (2/3) approval of Assembly. Designations should only be made if the fee satisfies the following criteria:

- i. The fee has extensive oversight from the AMS Executive (e.g. AMS Corporate Services).
 - ii. The fee funds an Essential Student Service or a Capital Project
- f. Fees designated as non-reviewable shall be listed and described as such on the Annual Student Activity Fee Slate as published by the AMS.

2. Eligibility

- a. The Student Activity Fee Review Committee is responsible for determining the eligibility of a group seeking to receive a Student Activity Fee, through the validation process. The Vice-President Operations retains the authority to deny eligibility to any group.
- b. If there is a significant change in the group receiving the fee, mandate of the fee, or usage of the fee, the eligibility of non-reviewable fees shall be reassessed. In this case, the Student Activity Fee Review Committee and/or the Vice-President Operations are responsible for making a recommendation on the status of the fee to the Board of Directors.
- c. Eligibility shall be subject to conditions which fall under one of the following three categories:
 - i. Internal – Groups which are formally ratified, approved, or otherwise administered by the University, the AMS or its member societies, or the SGPS. If requested, Groups must provide a letter of ratification from the ratifying body or organization.
 - ii. External – Groups which are not formally affiliated with the University, the AMS or its members societies, or the Society of Graduate and Professional Students, irrespective of whether they have an on-campus presence. External Groups must demonstrate they meet the following criteria during the validation process:
 - i. The Group is providing a service or opportunity that is available to all AMS and/or SGPS members, and not replicating services provided by existing groups of the University, AMS and its members societies or the Society of Graduate and Professional Students.
 - ii. The Group is inclusive of all AMS and/or SGPS members, and all AMS and/or SGPS members are eligible to be involved in the Group or receive benefit from the Group's activities.

- iii. The Group has a presence within the Queen's Community, which may include events or awareness campaigns run on campus.
- d. In addition, eligibility is subject to the following provisions:
- i. No athletic group or team shall be eligible to receive a Student Activity Fee, if they are funded separately by Queen's University Athletics and Recreation.
 - ii. Unless a group, or its mandated activities have been granted a specific exemption by the Vice-President Operations who has notified the Board of Directors of the exemption, groups and their mandated activities shall not be funded by more than one Student Activity Fee.
 - iii. Student Activity Fees collected must, at large, be used within the year they are collected and for the purpose for which they are collected.
 - iv. Commercial and non-commercial for-profit groups and organizations are not eligible for a Student Activity Fee.
 - v. Groups shall not donate or otherwise contribute ten percent (10%) or more of a Student Activity Fee to a Charitable or Non-Profit Organization.
 - vi. Groups directly associated with a Registered Political Party, in any Canadian or Foreign jurisdiction, shall not be eligible to receive a Student Activity Fee.
 - vii. Groups must clearly demonstrate they meet the eligibility requirements, and are not affected by any additional eligibility conditions, in order to be deemed eligible.
 - viii. If a group does not meet eligibility requirements determined by the Student Activity Fee Review Committee, the Board of Directors must be notified.

3. Establishing or Altering Student Activity Fees by Referendum

- a. For a new optional or mandatory Student Activity Fee, or for an existing Student Activity fee seeking an increase, to appear on a referendum ballot, a group must satisfy the following requirements:
 - i. Submit a validation report as per Elections and Referenda Nomination and Validation Procedure.
 - ii. Determination by the Student Activity Fee Review Committee, as per Section two (2) of this policy, that the group is eligible, or continues to be eligible, to receive a Student Activity Fee.
 - iii. Determination by the Student Activity Fee Review Committee that the group has fully complied with the requirements set out in this Section, Section three (3). The committee may provide one (1) opportunity for groups to resubmit their validation package based on committee feedback.

- iv. Reception of a two-thirds (2/3) majority Assembly vote in favour of the motion to place the question on the referendum ballot at the recommendation of the Board of Directors. Assembly shall only refuse to place a question on the ballot if they have clear and compelling evidence that the review process was sufficiently flawed and substantially affected the Student Activity Fee Review Committee's decision.
- b. A group which seeks an increase to their Fee, and is defeated during the referendum period, does not lose the original Fee. The group retains their original Triennial Review schedule and can continue collecting the Fee.
- c. The Secretary shall attempt to accommodate the preference of each group to be placed on either the fall or winter referendum ballot, but shall retain the final authority regarding on which ballot these fees shall appear.
- d. The Secretary shall make a budget for the fee available to the student body before the referendum.
- e. No group whose question has been defeated during the referendum period may seek another question to be placed on the referendum ballot in the immediately subsequent referendum period. Similarly, no group seeking a Student Activity Fee that has been declared ineligible by the Student Activity Fee Review Committee shall be eligible for the subsequent referendum period.
- f. A group receiving a Student Activity Fee shall have the authority to decrease its fee or alter its mandatory fee to be subject to individual opt-out without requiring student's approval. For a decrease to take effect, the group's president or officially designated representative shall notify the Vice-President Operations in writing. The Vice-President Operations shall notify the Board of Directors of any such fee decrease.
- g. Where the Student Activity Fee Review Committee have determined that an existing mandatory fee no longer satisfies the eligibility criteria for a mandatory classification, that fee shall automatically be converted to optional. The fee retains its original triennial review timeline, the change in classification from mandatory to optional does not reset the three-year time period. The fee recipient must have the opportunity to submit information, answer or ask questions of the Committee, and defend their mandatory status if they wish.

4. Triennial Review

- a. The Triennial Review process provides an assessment of the continuing viability of the Student Activity and the Group, where otherwise there would be no oversight. All Student Activity Fees, unless designated as Non-Reviewable Mandatory Fees, are subject to a review through referendum in the third year after the Fee has been collected. Year one is the year in which the Fee is first collected.

- b. The Secretary shall be responsible for identifying which fees are facing triennial review and shall be responsible for two notifications (notification & final reminder) to each group in advance of the fall referenda period. If a Group's Fee does not complete a Triennial Review in the third year after the Fee has been collected, due to the Group's failure to respond to the Secretary's two notifications, it shall be at the discretion of the Board of Directors as to whether the Fee continues to be collected, with the review deferred to the subsequent referendum period. The Board of Directors may require the Fee be held back pending successful Triennial Review.
- c. The Secretary shall attempt to accommodate the preference of each group to be placed on either the fall or winter referendum ballot, but shall retain the final authority regarding on which ballot these triennial review fees shall appear.
- d. Should a fee be discontinued as a result of its triennial review, it may not return to referendum in the subsequent referendum period.
- e. In the event a reviewable optional or mandatory fee successfully seeks an increase prior to its triennial review, it shall not be subject to review for an additional three years, and year one is the year in which the increased fee was first collected.
- f. A reviewable fee may seek an increase within the same academic year as its triennial review as long as it occurs during the first referendum period. Should the question to raise the Student Activity Fee fail, it may return for triennial review in the winter referendum period.
- g. Any fee that unsuccessfully seeks an increase outside of its triennial review year shall continue to be collected and shall be subject to its triennial review as determined by the original time of its establishment/last review.
- h. For a triennial review question to appear on a referendum ballot, a group shall satisfy the following requirements:
 - i. Submit a validation report as per Elections and Referenda Nomination and Validation Procedure.
 - ii. Determination by the Student Activity Fee Review Committee, as per Section two (2) of this policy, that the group is eligible to receive a Student Activity Fee and has fully complied with the requirements set out in Section three (3).
- i. Where a Student Activity Fee under triennial review is found to be eligible by the Student Activity Fee Review Committee, the placement of that question on the ballot shall not be subject to approval by the Board of Directors and Assembly. The Board of Directors shall only vote to place a triennial review question on the ballot where the Student Activity Fee Review Committee has determined one of the following through the validation period:
 - a. The status of ratification or affiliation of the group has substantially changed.
 - b. The mandate or operations of the group has substantially changed.

- c. The way the fee is expended by the group has substantially changed.
- d. There has been a significant change to AMS policy on eligibility requirements for Student Activity Fees which would affect that fee.
- j. The Secretary shall make a budget for the fee available before the referendum.

5. Student Activity Fee Audit

- a. Annually, to be completed no later than October 31st of the given year, the Vice-President Operations shall select to audit a random sample number of groups on the Student Activity Fee slate. The purpose of the audit is to ensure the use of the Student Activity Fee and activities being offered by the Group matches the conditions established in the Group's validation package, and that the Group continues to satisfy the Student Activity Fee Eligibility Requirements.
- b. Those entities selected for audit will be informed through email by the Vice-President Operations and a request for information will be made in accordance with the Procedure for Student Activity Fee Audits. The audits will take approximately three (3) weeks to complete, commencing at the point of receipt of all requested information. The Student Activity Fee under audit will be held back until the completion of the audit, and will be paid promptly to the Group subject to (c) below.
- c. If the audit determines the Group is using its Student Activity Fee in a manner inconsistent with the intent of the original fee, or that the Group has not spent most of the funding in the year in which it was collected, the Group's fee will be withheld and removed from the slate. This decision of the Vice-President Operations, under section twelve (12) of this Policy, is subject to confirmation by the Board of Directors.
- d. The Vice-President (Operations) may launch a Student Activity Fee audit to allow for investigation into instances of non-compliance with Eligibility in accordance with Section 5 of this policy.

6. Opt-Out Process

- a. The opt-out portal and underlying application for Optional Student Activity Fees (excluding AMS Health and Dental) is run by Queen's University.
- b. The opt-out portal and underlying application for the AMS Health and Dental Student Activity Fees is run by the professional Plan Administrator.

7. Assessment

- a. Fees may only be assessed if they have been approved by the Queen's University Board of Trustees at their May meeting.

- b. Undergraduate students registered in AMS member faculty societies and MBA full-time program of study are assessed by Queen's University Registrar in accordance with Queen's Protocol for Introducing or Changing Student Activity Fees, MAESD Compulsory Ancillary Fee Policy Guidelines and other relevant University policies
- c. Mandatory and optional student activity and faculty society fees may be assessed in the Fall term depending on the number of academic units the member is registered in.
- d. Members who were enrolled solely during the winter term, and did not attend in the immediately preceding Fall term, and are enrolled in 9.0 units or more are assessed for fifty percent (50%) of mandatory Student Activity Fees. Members are not assessed optional or faculty fees due to the dollar value relative to the administrative burden.
- e. MBA students in the full-time program are assessed a separate slate of Mandatory Student Activity and Faculty fees on a calendar basis in accordance with their program.
- f. Undergraduate students registered in AMS member faculty societies and not enrolled in distance/online education, and who have not been assessed AMS Student Activity Fees based on their course load, may opt-in during the opt-in period. Opting in requires all fees being assessed as a slate. They would request to opt in in order to participate in, and have access to, undergraduate student government activities and services and/or the AMS Health and Dental Plans.
- g. Exemptions from assessment of Student Activity Fees and ineligibility to opt-in shall apply to:
 - a. Students 65 years or older.
 - b. Students registered exclusively in on-line courses, not including students affected by temporary measures affecting the ability for educational programs to operate on-campus.
 - i. Distance education students are ineligible to access AMS services and programming because they are not members of a on-campus Faculty Society recognized by the AMS.
 - c. Students enrolled in programs taught exclusively off the Queen's Kingston campus, not including students affected by temporary measures affecting the ability for educational programs to operate on-campus.

8. Student Activity Fee Refund Policy

- a. Students who formally withdraw from the University must submit their student card to the Office of the University Registrar to obtain a refund of Student Activity Fees. Students who withdraw from the University, or otherwise alter their Student Activity Fee assessment threshold, may receive a 100% refund prior to the final add/drop date for courses in the Fall term, and a fifty percent (50%) refund between that date and the

final add/drop date in the Winter term. Refunds shall not be available for mandatory Student Activity Fees after the final add/drop date in the Winter Term.

- b. The AMS Health and Dental Plan is non-refundable after the opt-out period. Optional fees are not prorated or reduced.
- c. The Vice-President Operations, in consultation with the General Manager, may grant a full refund on any Student Activity Fee assessment where extreme circumstances are determined to warrant so. Being uninformed or missing the Opt-out periods in the fall and winter does not meet the test of extreme circumstances.

9. Student Activity Fee Refunds for Deceased Students

- a. If a member of the AMS becomes deceased at any time during the academic year, the AMS will automatically refund all Student Activity Fees paid by the student in that year to the student's parents or legal guardians or Estate.
- b. The sole exception will be the AMS Health and Dental Plan fee which shall not be refunded. Any student who paid this fee, and thus was enrolled in the plans, is entitled to having a death benefit paid out to their beneficiaries. As the amount of that benefit would exceed that of the levied fee, this rule is intended to preserve the beneficiaries' entitlement.

10. Student Activity Fee Rebate Policy

- a. In exceptional circumstances, Groups are permitted to rebate some, or all, of their Fee back to students, subject to the discretion of the University Registrar. The AMS is unable to, and does not, process rebates to students. Groups seeking to rebate some or all of their Fee back to students should contact the Vice-President (Operations) for more information.
- b. The Board must approve the rebate of a Fee collected for the AMS.

11. Student Activity Fee Temporary Suspension Policy

- a. In exceptional circumstances, Groups are permitted to suspend collection of their Fee for a period of one-year, and have their fee automatically return to the fee slate in the following year. The Triennial Review timeline is not changed or extended if a fee is suspended.

12. Disbursement of Student Activity Fees

- a. Student Activity Fees will be distributed as per the Procedure on Disbursement of Student Activity Fees.
- b. If it is determined by the Vice-President Operations that a Student Activity Fee

recipient has become defunct or otherwise inoperative, its funding will be withheld, and its fee shall automatically be removed from the Student Activity Fee slate.

13. Withheld or Uncollected Student Activity Fee Funds

- a. The Vice-President Operations has the authority to reallocate funds collected, to the AMS Membership Bursary Fund in the following circumstances:
 - a. If a Student Activity Fee has been withheld from the recipient for any reason
 - b. If a Student Activity Fee recipient has not picked up their Fall Student Activity Fee cheque by December 31st, or the Spring disbursement cheque by September 30th.
 - c. If a Student Activity Fee recipient has not deposited their cheque within six months of the date of the cheque
- b. Where the Vice-President Operations determines the AMS Membership Bursary has its needs met, the Vice-President Operations shall present a plan for allocation of the funds to the Board of Directors for approval.
- c. All Fees listed under this section shall be considered exempt from the normal approval and review process for Student Activity Fees:
 - a. AMS Health and Dental Plan Fees: Queen's University students must have access to the AMS Health and Dental Plan, or demonstrate they have comparable existing coverage from another source (e.g. parent's employer's plan). As a result, the AMS Health and Dental Plan, although appearing on the Student Activity Fee slate as optional, is in fact mandatory unless students can demonstrate comparable existing coverage from another source. Thus, for the purposes of this policy, the fee shall be considered mandatory and designated as non-reviewable.
 - b. The plans and established financial reserves shall be reviewed annually by the AMS Executive and General Manager in conjunction with professional Plan Administrators. Review will consist of financial information provided by the insurance company and analyzed and presented for consultation and approval by the AMS. Surveys of the undergraduate student body are conducted on a periodic basis to ensure the plan meets their needs and is financially accessible.
 - c. Changes to the AMS Health and Dental Plan Fees will be approved annually by the AMS Executive and Queen's University Board of Trustees.

14. Removal of Student Activity Fees

- a. In the event of non-compliance with eligibility outlined in this policy, the AMS Student Activity Fee Review Committee may vote to suspend or terminate a fee with a 2/3 majority vote.
- b. Additionally, if a fee fails to meet the eligibility requirements of section 2 of

Student Activity Fee Policy at any point, the AMS Student Activity Fee Review Committee may vote to suspend or terminate a fee with a 2/3 majority vote.

- i. Motion to vote on suspension or termination must be accompanied by a report.

Monitoring

Compliance with this policy will be monitored by the Vice President Operations and the Student Activity Fee Review Committee before, during and after the fee process. During the fall and winter elections and referenda periods monitoring will intensify. Failure to comply with the provisions of this policy may result in the loss of a Student Activity Fee as stated in the policy.

Contact person	Vice-President Operations
Date of next review	September 2022
Related policies, procedures and guideline	AMS Constitution Elections and Referenda Policy Elections and Referenda Nomination and Validation Procedures
Policies superseded by this policy	