

# Bylaw 160: Student Fees

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## 1. Types of fees

- a) Students' Union base membership fee, which:
  - i. Shall be assessed to all Students' Union members;
  - ii. Shall be indexed to the Alberta CPI, but indexing may be suspended or modified by Students' Council as it sees fit; and,
  - iii. Shall not include opt-out provisions.
- b. Special Purpose Fees, which:
  - i. Shall be administered by the Students' Union, to address specific needs not covered by the base membership fee;
  - ii. May be assessed to all, or a subset of, Students' Union members;
  - iii. May include opt-out provisions;
  - iv. May be indexed to Alberta CPI or otherwise adjusted as specified by Regulation 160.1 - Schedule of Fees, if not otherwise determined by the originating referendum question itself; and
  - v. Shall follow the mandate of each fee shall be as laid out in Regulation 160.1 - Schedule of Fees.
- c. Dedicated Fee Units, which:
  - i. Are fees provided to a third party to address student needs;
  - ii. May be assessed to all, or a subset of, Students' Union members;
  - iii. Must include opt-out provisions, except in the case of DFUs originated prior to that requirement being introduced previously;
  - iv. Shall be indexed to Alberta CPI;
  - v. Shall follow the mandate of each fee shall be as laid out in an associated Regulation 160.1 - Schedule of Fees; and
  - vi. Shall only be provided to an entity with legal recognition by the Province of Alberta or recognized as a student group by the Students' Union.
- d. Student Representative Association Membership Fees, which:
  - i. Assessed only to members of the Student Representative Association; ii. May include opt-out provisions; and,
  - iii. Shall be indexed to Alberta CPI.

## 2. Creation of Fees

- a. All new fees must be approved by referendum.
- b. All fee referendum questions shall be drafted by Bylaw Committee in accordance with Regulation 160.2.

- c. Referendums for Special Purpose Fees may be initiated directly by Students' Council and do not require a petition.
- d. Referendums for new Dedicated Fee Units and Student Representative Association Membership Fees require a petition with a minimum of 15% of affected Students' Union members signing to be approved and placed on the ballot. For DFUs that are limited in scope to a particular campus, the petition requirement is 15% of students attending classes offered on that campus. For clarity, the petition requirement of SRA Membership Fees is 15% of the members of the Student Representative Association.
- e. Petitions shall be collected in accordance with Bylaw 320.
- f. Students' Council may approve a referendum to create a Dedicated Fee Unit without a petition if that Dedicated Fee Unit proposal is submitted by a Students' Union service or operation and is intended to support or expand that service or operation.
- g. Proposals for new Dedicated Fee Unit and Student Representative Association Membership Fees must be submitted to the main office of the Students' Union on or before November 15th of the year before the fee is to be implemented. Proposals must comply with the requirements outlined in Regulation 160.2.
- h. Upon receipt, proposals for new fees shall be immediately forwarded to the Bylaw Committee for the purposes of drafting the fee referendum question.
- i. Proposals for new Dedicated Fee Units and new Student Representative Association Membership Fees must comply with the requirements outlined in Regulation 160.2.
- j. Students' Council shall approve or deny a fee referendum proposal no less than 30 days before the commencement of voting in the Executive and Board of Governors elections of the year the fee is to be implemented. Students' Council may deny the proposal only on the following grounds:
- i. The proposal failed to secure the required number of signatures on the petition; or,
  - ii. The fee would be used in support of activities that are beyond the scope and mandate of the Students' Union as outlined in the Post Secondary Learning Act, as determined by Students' Council. For clarity, Students' Council shall consider whether the fee would provide services that directly benefit the University of Alberta campus community, support students in their pursuit of a post secondary education, or eliminate obstacles for students in their pursuit of a post secondary education at the University of Alberta; or,
  - iii. The proposal would, in the view of the Students' Council, cause the Students' Union to breach its fiduciary responsibility to its members.
- k. Dedicated Fee Units and Student Representative Association Membership Fees shall only be implemented if approved in a referendum where the following conditions are met:
- i. All members who will be assessed the fee are eligible to vote;
  - ii. A minimum voter turnout of 15% of those subject to the proposed fee;
  - iii. A majority of votes cast are in favor of the fee - for clarity, only yes and no votes shall be considered in determining this majority; and
  - iv. The referendum was conducted in accordance with Students' Union bylaws.

### **3. Modifications to Existing Fees**

- a. The Base Membership Fee may be modified at the discretion of Students' Council. Such a modification shall require a  $\frac{2}{3}$  majority vote in favor.
- b. Special Purpose Fees shall be reviewed periodically by Students' Council or its designate, following the schedule and process laid out in Regulation 160.1 - Schedule of Fees.
- i. Fees, or portions of fees, attached to long-term financing such as loans are exempt from this review until the financing obligation is discharged.
  - ii. The review shall assess the level of the fee against the financial resources required to meet the fee's mandate and whether the fee mandate is still relevant to the Students' Union and its members.
  - iii. Where such review assesses that the fee should increase by more than 15%, the proposed new fee amount will be subject to re-authorization by referendum.
  - iv. Where such a review indicates that a fee is no longer needed, it may be removed by a  $\frac{2}{3}$  majority vote of Students' Council.
  - v. Students' Council may alter the structure and organization of Special Purpose Fees as it sees fit, so long the mandate of the fee continues to be reflected in that reorganization.
- c. The Students' Union shall hold a plebiscite on the continuation of each Dedicated Fee Unit every five years. Plebiscites for the mandatory review of already existing DFUs are exempt from petition requirements, and Bylaw Committee will be tasked with drafting the plebiscite question in accordance with the most recently passed referendum or plebiscite question, but including any additional detail required by this Bylaw that was not included previously.
- i. Should the plebiscite pass, the fee will be renewed for another five year term.
  - ii. Should the plebiscite fail, the fee will continue to be collected for an additional year and then be terminated. The host organization of the DFU shall be permitted, at any point over the three years following the failed plebiscite, to submit a new proposal for a Dedicated Fee Unit referendum without requiring a petition, under the condition that Students' Council determines that the mandate of the new DFU proposal is not substantially different from that of the original DFU.
- d. The Students' Union shall hold a plebiscite on the continuation of a Student Representative Association Membership Fee every five years. Plebiscites for the mandatory review of already existing SRAMFs are exempt from petition requirements, and Bylaw Committee will be tasked with drafting the plebiscite question in accordance with the most recently passed referendum or plebiscite question, but including any additional detail required by this Bylaw that were not included previously.
- i. Should the plebiscite pass, the fee will be renewed for another five year term.
  - ii. Should the plebiscite fail, the fee will continue to be collected for an additional year and then be cancelled. The Student Representative Association shall be permitted to submit a new fee proposal the following year without requiring a petition.
- e. A Student Representative Association may submit a proposal for a new Membership Fee in lieu of the renewal plebiscite without fulfilling the petition requirement. In that event, the SRAMF renewal plebiscite will be cancelled if the proposal is approved by Students' Council.
- f. Active Dedicated Fee Units may request a new referendum question to make material changes to the DFU, such as an increase to the amount of the fee beyond inflation or a change to the mandate of the fee from Students' Council without fulfilling the petition requirement, but Council is under no obligation to approve such an application.

g. No Dedicated Fee Unit shall hold more than two plebiscites or referendums in a three year period. This means that if a referendum to modify an existing DFU is held a year prior to a renewal plebiscite and it fails, the following year's scheduled non-binding plebiscite will automatically convert to a binding referendum. Failure to pass that second referendum will result in the fee being removed.

## 4. Fee Administration

a. All Dedicated Fee Units and Student Representative Associations must establish an agreement on the management of fee and related issues prior to the disbursement of fees.

i. Existing SRAMFs and DFUs must establish such an agreement within 15 months of the passage of this bylaw. Until such an agreement is signed, existing reporting and approval mechanisms shall remain in place as outlined in the version of bylaws in effect in 2024.

b. Dedicated Fee Unit and Student Representative Association Membership Fee Agreements should include, at a minimum, provisions for:

i. A statement of the purpose and mandate of the fee;

ii. Details of the parameters of fee collection - that is, who is assessed the fee, when the fee is assessed, the amount of the fee, any opt-out and indexing procedures, etc;

iii. A history of the fee, including at minimum, the wording of the last successful referendum or plebiscite;

iv. Reporting requirements;

v. Expectations for good governance on the part of organizations receiving fee revenue. For DFUs, this shall include a mechanism for Students' Union representation within the organization administering the DFU.

vi. Timelines and mechanisms for reporting;

vii. Timelines and mechanisms for the disbursement of funds;

viii. Mechanisms to ensure continuity of services and funding when the above timelines are not met; and

ix. Provisions for ending collection of the fee and winding up any operations supported by the fee.

c. The Agreement may be inclusive of other provisions governing the general relationship of the Students' Union with the other party.

d. Agreements must comply with all bylaws of the Students' Union that are current at signing, but should bylaws change, the terms of the Agreement will take precedence over any changes to bylaws until such time as the Agreement expires or is amended.

e. Agreements between the Students' Union and DFUs and SRAMFs must be approved by Students' Council.