Senate Finance Committee Bylaws

1 Article I. Name and Purpose

(a) The Senate Finance Committee (hereafter “SFC”) is a committee of the Student Association Senate (hereafter “the Senate”), established by the Student Association Constitution, to allocate money from Segregated University Fees (hereafter “SUF”). The committee operates as the campus Segregated University Fee Allocation Committee (SUFAC) in accordance with UW Regent, UW System, and UW-Milwaukee policies.

8 Article II. Funding Principles & Compliance

9 Section 2.01 Funding Principles and Considerations

(a) Expenditures of SFC funds must conform with constitutional requirements, including (but not limited to) the decision of the United States Supreme Court in Board of Regents v. Southworth, 529 U.S. 217, 120 S. Ct. 1346 (2000), existing Wisconsin Statutes, Attorney General's opinions, Board of Regents' regulations, and UW System Policy Papers.

(b) When making decisions, the SFC shall take into consideration the amount of money available.

(c) The Student Appropriations Committee (hereafter “SAC”) is a standing committee of the Senate. It exists to fund registered student organizations and is supported by SFC.

(d) The purpose of Section 5.01, is to ensure that SFC funds will be used to help UWM students continue, succeed, or enroll at UWM.

22 Section 2.02 Compliance With UW-System Financial and Administrative Policies

(a) Applicants receiving money from SFC must follow UW System Financial and Administrative Policies and all other applicable state and federal laws.
(b) Only applicants eligible for SUF funding, as defined in the UW System Financial and Administrative Policies, may apply.

(c) Applicants may not be eligible to receive funding if they have knowingly, willfully, or intentionally violated the SFC or UW System Financial Policies within the last fiscal year.

(d) Allegations of violations under Section 2.02 (c) shall be brought to the SFC Chairman by the deadline for SFC applications.

(i) The SFC Chair shall refer the alleged violation to the Student Association President.

(ii) The Senate shall address the alleged violation at the next scheduled Senate Session.

(iii) A two thirds (2/3) majority vote is required to deny funding on this basis. The decision to deny funding on this basis may be appealed under Section 8.01.

Article III. Membership

Section 3.01 SFC Membership

(a) Student members shall be appointed by the Senate, in the Fall semester, by September 30th.

(b) There shall be 13 voting members on the SFC, unless members are removed or unable to serve and alternates have been exhausted. The membership shall be defined as follows;

(i) The Student Association Treasurer, who shall chair and serve as a voting member of the SFC.

(ii) The SA President and Vice President of Student Affairs, who shall serve on SFC as ex-officio non-voting members, with the latter voting only in cases of a tie.

(iii) Three (3) Students at large, who cannot be officials of the Student Association, appointed through the Shared Governance process.

(iv) Six (6) senators, who shall be appointed by the Senate in accordance with the following requirements:

1) Two (2) academic senators.

   a) Priority for one of these seats shall be given to a Graduate School Senator.

2) Two (2) at-large senators.

3) Two (2) advocacy senators.
a) Priority for one of these seats shall be given to the Graduate Student Advocacy Senator.

(v) Three (3) voting members of shared governance partners and the UWM administration as follows:

1) One (1) member of the University Faculty, appointed by the Faculty Senate.

2) One (1) academic staff member, appointed by the Academic Staff Senate.

3) One (1) member from the Division of Student Affairs, appointed by the Vice Chancellor of Student Affairs.

(c) The Senate shall also appoint four (4) alternates, assigned as alternate #1 through #4. These individuals shall fill (in ascending order) any seat that is vacant during or after the first SFC meeting, except those seats prescribed in Section 3.01 (b) (i) – (ii) and Section 3.01 (b) (v). All SFC membership duties and responsibilities under Section 3.02 shall apply to the alternates.

(d) Quorum for the SFC shall be 50% plus 1 of its filled voting membership.

Section 3.02 Membership Duties and Responsibilities

(a) The SFC Chair shall present a timeline (as outlined in Section 7.01) one month prior to the start of the allocation process, and will ensure that it is readily available to members of the SFC, UWM Administration, Applicants for Funding, and the general public.

(b) The following are duties and responsibilities of all SFC Members:

(i) SFC members must assist the Chair with its administration, as needed;

(ii) SFC members must attend all SFC meetings and hearings in their entirety;

1) If a member discovers that he or she cannot attend all SFC hearings after having been selected, the member may be removed by the committee with a two-thirds (2/3) majority vote to allow an alternate to take the seat.

(iii) SFC members must adhere to the following conflict of interest provisions:

1) Conflicts of interest must be declared, and the member(s) for whom there is a conflict of interest must recuse themselves from discussion and voting

2) Any member may declare a potential conflict of interest for themselves or for another member before an item is discussed or voted on

3) If a declaration of a conflict of interest is made for a member and not self-declared, the members shall then discuss and vote on whether that conflict of interest exists.
4) The member for whom the conflict of interest has been declared, provided they did not self-declare, must be given the opportunity to prove the conflict of interest does not exist should they disagree.

5) If the members vote that the conflict of interest does exist, the member for whom there is a conflict of interest is then automatically recused from the discussion and voting on that item where there is a conflict of interest.

6) If a member declares a conflict of interest for themselves, no vote is needed.

7) Automatic conflicts of interest include but are not limited to:

   a) Being an employee, official or former employee or official of the entity requesting funds, with the exception of the Student Association.

   b) Being related to an employee, official, or former employee or official of the entity requesting funds, with the exception of the Student Association.

(iv) SFC members shall complete Viewpoint Neutrality Training, facilitated by UWM Legal Counsel prior to discussing any applications.

(v) SFC shall elect the Vice Chair from among its student membership at its first meeting.

(vi) Attend and provide feedback at all non-allocable segregated fee presentations.

(vii) All members must sign the SFC contract and take an oath which includes agreeing to abide by this subsection, and be willing and able to deliberate on a variety of topics and make decisions in a viewpoint neutral manner;

(viii) All members must read and understand all of the SA and SFC bylaws and act in accordance with them;

(ix) No SFC member may, individually or in conjunction with other SFC members, accept money or any other benefit for votes cast or verbal support during deliberations, discussions, and allocations. If a member is asked to do this, he/she shall report this to the SFC Chair immediately;

(x) All SFC members must adhere to all legal restrictions outlined by the SFC bylaws, the SA Constitution, UW System policies, and state and federal laws.

(c) Removal of SFC members.

(i) Any member who violates the contract under Section 3.02 (b)(vii) may be removed as follows:

1) Any SFC member who violates Section 3.02 (b) commits misconduct in office and may be subject to removal from all SA offices and positions in accordance with the processes outlined in the Student Association Constitution.
2) Any SFC member who commits a second violation of Section 3.02 (b) shall, after a notice, hearing and determination of the violation by the Oversight and Appeals Commission (hereafter OAC), be immediately removed from all SA appointments, including the Senate and SFC.

(ii) Any SFC member who knowingly, willfully or intentionally violates Section 3.02 (b) shall, after a notice, hearing and determination of the violation by the OAC, be immediately removed from all SA appointments, including the Senate and SFC.

(d) Duties of the SFC Chair

(i) The Chair shall preside over all meetings of the SFC;

(ii) The Chair shall collect all budgetary reports and proposals and distribute them to the committee no later than five (5) school days before the first SFC meeting;

(iii) The Chair shall ensure that applicants, and committee members are notified of an SFC meeting five (5) school days in advance of the scheduled meeting.

(iv) The Chair or designee shall schedule applicants to appear before the Senate.

(v) The Chair shall notify past applicants of the SFC timeline within five (5) school days of the timeline being voted upon. The timeline shall also be available in the Student Association Professional Staff Office and Student Involvement within five (5) school days of the timeline being voted upon for all other interested parties.

(vi) The Chair shall present the SFC Budget to the Student Association Senate on behalf of the SFC, in accordance with Section 7.03 (e).

(vii) Prepare the official SFC response to the Chancellor’s non-allocable segregated fee budget, subject to the vote of the SFC and Senate.

(viii) The Chair shall maintain all documents used during the SFC process and make them available to the public, upon request.

(e) Duties of the SFC Vice Chair

(i) Prepare a final report for the Senate that includes non-segregated fee actions for applicants (i.e. stipulations, recommendations, creation of advisory committees etc.) and a summary of segregated fee allocation amounts. This report shall be presented to the Senate at the first Senate Session after the final vote regarding SFC allocations. This document shall be used during the following year’s SFC process to ensure that all provisions in the report have been followed by funded departments.

(ii) Complete other duties for the committee, as requested by the Chair.

(f) Duties of the Secretary
(i) The SA Secretary shall keep minutes of all SFC meetings;

1) The minutes shall include:

a) All motions;

b) Funding Allocations;

c) Stipulations for funding;

d) Voting record of funding decisions.

(ii) Ensure all meetings are audio recorded and that the records are saved for three calendar years in both the OAC and SAPS offices and available upon request during this period.

(iii) The SA Secretary or designee shall give the preliminary minutes to the SFC Chair within five (5) school days after the meeting. The typed, final version of the SFC minutes shall be completed and forwarded to the SFC Chair within five (5) school days from the Presidential ratification or Senate veto of the Senate funding decision, whichever comes later. Copies of all minutes shall be forwarded to and housed in both the OAC and SAPS offices.

(iv) Upon written or email request to the OAC, the OAC shall provide copies of the latest available version of the SFC minutes within five (5) school days of receipt of the request.

Article IV. Appeals Committee

Section 4.01 Appeals Committee Composition

(a) Appeals of the SFC shall be made to the Oversight and Appeals Commission via the Vice Chancellor of Student Affairs Office.

(b) The Appeals Committee shall consist of:

(i) All five (5) OAC commissioners, with the Legislative and Executive Oversight Commissioner (LEOC) serving as chair.

(ii) Three (3) at-large students appointed through the Shared Governance process.

(iii) One (1) member of the Faculty, appointed by the Faculty Senate.

(iv) One (1) member of the Academic Staff.

(c) None of the above committee members shall have served on the SFC.

(d) Every effort shall be made to ensure the students on the Appeals Committee, with the exception of the OAC Commissioners, are appointed and approved by September 30th.
(e) All members of the Appeals Committee shall be subject to the Membership Duties and Responsibilities listed under Section 3.02 (a) – (b).

**Article V. Eligibility**

**Section 5.01 Criteria for Funding Eligibility**

(a) The applicant must be a University department, or a Registered Student Organization officially referred by to SFC by SAC and the Senate with written governing documents approved by Student Involvement.

(b) All branches and sub-units of the Student Association and SAC shall be eligible for funding.

(c) The applicant must:

(i) Provide a critical service, as its primary mission, not offered by other campus entities and must serve the needs of all UWM students.

1) “Critical services” consist of:

a) Student Health facilities and services;

b) Transportation services for students;

c) Professional legal assistance for students;

d) Student housing assistance;

e) Direct administrative support for student organizations;

f) Child care services for students;

g) UWM Athletics Department;

h) Activities, under the direction of the Division of Student Affairs; with the primary purpose of contributing to students’ emotional and physical well-being and intellectual, cultural, and social development outside the context of the formal instruction program.

i) On-campus student resource centers whose primary mission is to serve the needs of UWM students.

(d) Applicants recommended to move from SAC to SFC shall meet all criteria for eligibility set forth in Section 5.01 and Section 5.03.

(e) The applicant must have a written purpose or mission statement, which must contain a clear plan and goals that outline:
(i) Objectives the applicant intends to achieve which must include relevant assessment data.

(ii) Logistical support necessary to achieve these objectives;

(iii) An accurate estimate of the cost of that logistical support;

(iv) A plan that details the manner by which students will have advisory input into the creation and review of policies and procedures that inform the operation of the funded unit, such as an official advisory committee with a plurality of students serving on its membership.

(f) The completed application must be turned in to the Chair by the dates communicated by the Chair under Section 3.02 (d), or the entity shall not be eligible for funds.

(g) The applicant’s representative must attend the SFC hearing on its application.

(h) The applicant must have an advisory board consisting of at least three (3) student members that examines and approves the applicant’s budget.

(i) The applicant shall not attempt to influence SFC members to cast votes in favor of or to provide verbal support for its deliberation, discussion, or allocations outside of the SFC hearings.

Section 5.02 Application for Funding Eligibility

(a) Applicants wishing to obtain funding shall complete all required documents distributed by the Office of the Vice Chancellor of Student Affairs and the SFC in accordance with the posted timeline for that school year.

(b) The SFC shall consider applications for funding eligibility in the fall of the year preceding the year in which the funding will begin (for example: to receive funding in July 2016 the applicant must apply for funding in fall 2015);

(c) Applicants shall turn in their budget packets to the Office of the Vice Chancellor of Student Affairs on or before the date provided by the SFC timeline.

(d) The burden is on the applicant to ensure that all materials are turned in on time and are complete and correct.

(e) Upon receipt of a request from a prospective applicant that meets the requirements of the SFC Bylaws, the SFC Chair or designee shall work with the applicant to schedule an appearance before the SFC for the applicant to present a brief explanation of the applicant’s services or functions.

(f) The SFC shall then vote upon the applicant’s eligibility. A two-thirds (2/3) majority vote will be required for the applicant to be deemed eligible.
(g) Upon a successful vote of the SFC, the SFC Chair shall contact the applicant to schedule the applicant’s funding hearing before the SFC. The applicant’s representative shall attend the scheduled meeting in order to make a full presentation in support of its funding request. Failure to attend the meeting shall result in denial of funding as determined by the committee.

Section 5.03  Application for Student Organizations wishing to transfer funding from Student Appropriations Committee (SAC) to SFC

(a) Organizations wishing to seek funding through the SFC that are currently funded through SAC must be recommended by SAC for the SFC process only under the following circumstances:

(i) SAC may recommend a program be shifted to SFC funding due to the fact that the SAC funding timeline would require the program to forgo a significant number of contractual services. Entities must show frequent repetitive contractual services and problems (such as entertainment opportunities missed or occurring at increased costs) and prove how opportunities will be lost or prices will differ because of the SAC timeline.

(b) Once an organization has this SAC recommendation, they may apply for SFC funding under Section 5.02.

(c) No student organization may enter the SFC process without the official recommendation of SAC.

(d) Insufficient funding through SAC is not a legitimate justification to request a transfer to SFC.

Article VI.  Funding Priorities

Section 6.01  SFC Funding Priorities

(a) Funding priorities may include, but are not limited to:

(i) Services that are to be primarily funded by SUF in accordance with UW System policy on Student Services, G15.

(ii) Applicants who submit a complete budget packet, including:

1) Adequate description of expenses;

2) Accuracy of cost estimates;

3) Additional materials as requested by SFC members.

(iii) Applicants who have adequately answered the questions of the committee to the committee’s satisfaction;
(iv) Services that are not duplicated on campus;
(v) Services that are open to all students;
(vi) Services that are funded primarily by segregated fees.
(vii) Services that have complied with the stipulations prescribed by the previous year’s finance committee, if any;
(b) An organization that is deemed eligible as a critical service under Section 5.01 may still be denied funding within SFC’s funding priorities.

Article VII. SFC Process

Section 7.01 Timeline

(a) Every effort shall be taken to ensure the SFC members are appointed by September 30th;
(b) Every effort shall be taken to ensure the SFC Appeals Committee members are appointed by September 30th;
(c) An official SFC timeline shall be created and posted at least one month prior to the eligibility hearing that contains all dates and locations of meetings for the duration of the process.
(d) This timeline shall include:

(i) The date the applicants must turn in their budget packets to the Vice Chancellor for Student Affairs Office for review. This should occur no later than the second week of October. (at least one week prior to the date that the Vice Chancellor for Student Affairs Office will turn the budget packets over to the SFC Chair);

(ii) The date the Vice Chancellor for Student Affairs office will turn the budget packets over to the SFC Chair (at least one week prior to when the SFC Chair will turn the budget packets over to the SFC. This should occur no later than the third week in October);

(iii) The date the SFC Chair will provide copies of the budget packets to each SFC member (at least one week prior to the first SFC meeting which should occur no later than the second week of November);

(iv) The dates of the SFC meetings;

(v) The date that the SFC will provide its recommendations to the Senate and to the applicants (at least one week before the last Senate Session of the Fall Semester).
(vi) The SFC shall post notice of its meetings in compliance with Wisconsin Open Meetings law.

Section 7.02 Eligibility Hearing

(a) Prior to the date of the first applicant presentation meeting, SFC shall meet to determine which of the applicants, including all branches of SA and SAC, meet the eligibility requirements under Section 5.01.

(b) Eligibility does not determine funding levels. Funding allocations shall be made pursuant to Sections 6.01 and 7.03.

Section 7.03 SFC Recommendation Procedures

(a) The SFC will vote on each of the applicants' funding requests at the deliberation hearing(s);

(b) Applicants will be funded or denied funding by a simple majority.

(c) In the event of a tie, the Vice President of Student Affairs (VPSA) shall be given a tie-breaking vote. If the VPSA is not present, the motion shall fail.

(d) In the event of a denial of funding or a recommendation to fund below the requested amount, the SFC shall prepare a written explanation of its rationale. This includes any decisions regarding eligibility.

(i) Such explanations shall be maintained in three places: with the Student Association Secretary, the OAC’s Records and Administration Commission, and the Student Association Professional Staff Office.

(ii) Such explanations shall be made available within 2 business days of a request.

(e) The SFC Chair shall present to the Senate a bill in the form of legislation containing the SFC’s recommendations on each of the applicants that were declared eligible (including applicants that were denied funding but were declared eligible);

(f) The SFC Chair shall present an explanation to the Senate of the SFC’s recommendations by means of a prepared presentation;

(g) The SFC shall give a copy to the Senate of its written explanations regarding the denial of funding or a recommendation to fund below the requested amount for any applicant;

(h) The SFC must present specific rationale for reducing or increasing an applicant’s funding request.

(i) The SFC Chair shall take action to ensure that all documents used by the committee in formulating their decision are made available to the public, upon request through the OAC, in a reasonable format.
Section 7.04 Senate Approval

(a) The Senate may approve, amend, or deny a recommendation to fund or deny funding to an applicant by a two-thirds (2/3) majority vote.

Section 7.05 Presidential ratification

(a) The SA President has full authority to sign or veto all actions of the SFC process when presented to them for signature.

(b) Veto proceedings and the potential Senate overturn of the veto shall follow the process outlined in the Constitution.

Article VIII. Appeals

Section 8.01 Appeal Procedures

(a) Applicants may appeal decisions of the SFC, Senate, or the President in regards to the SFC process to the Senate Finance Appeals Committee appointed under Section 4.01.

(b) Applicants who wish to appeal must file a written appeal with the LEOC via the Vice Chancellor of Student Affairs Office within five (5) school days of public notification of Presidential Ratification or Senate veto overturn, whichever comes later, under Section 7.05. The written appeal must state the precise basis for the appeal, including references to the portion(s) of the bylaws that have been violated, if applicable;

(c) The Appeals Committee must hold a hearing and present its decision in writing to the SFC Chair and appellant within ten (10) school days of receiving the appeal.

(d) The hearing shall conform to standard judicial procedures as outlined by the Student Association OAC bylaws. The SFC Chair and President or his/her designee(s) shall defend all cases challenging a funding decision.

(e) If, for whatever reason, the LEOC does not convene the meeting within five (5) school days of receiving the appeal, the Senate shall unilaterally remove the LEOC as Appeals Committee chair. In this case, the longest-serving commissioner of the OAC shall temporarily occupy the position of chair in order to call the meeting and elect a new Appeals Committee chair from amongst the membership of the committee. The Commissioner shall vacate their seat upon the new chair being elected. If the Commissioner does not call this meeting, the Vice President of Academic Affairs shall call this meeting.

(i) If the meeting does not convene within ten (10) school days, the decision shall be remanded to the Chancellor.

(f) The Appeals Committee shall decide that:
(i) No violation has occurred; or

(ii) A violation has occurred but did not affect the outcome of the SFC or Senate’s decision; or

(iii) A violation has occurred that may have affected the outcome of the SFC or Senate’s decision.

(g) If the Appeals Committee decides that a violation has occurred that changed the outcome of the SFC or Senate’s decision, the Senate shall have the ability to overturn the decision of the Appeals Committee by a three-quarters (3/4) majority vote of senators in attendance, following a presentation by the Appeals Committee chair on the findings of the Appeals Committee. If the Senate fails to overturn the decision of the Appeals Committee, that decision shall be considered final.

(h) When an appeal is remanded to the Senate, it shall appear on the Senate agenda under New Business.

(i) If the Appeals Committee finds that no violation occurred or that the violations did not affect the funding decisions, then the allocations shall be forwarded to the Chancellor’s office, for approval.

(j) The decision of the Appeals Committee on a complaint alleging a violation of viewpoint neutrality may be appealed to the Chancellor within five (5) school days after the funding allocations are forwarded to the Chancellor’s office by filing a written appeal with the Chancellor’s office.

(k) The Chancellor’s decision under Section 8.01 (j) shall be final unless the matter is brought to the University of Wisconsin Board of Regents in accordance with Regent Policy Documents 86-4 and 88-6.

(l) The final budget must be submitted to the Chancellor by March 1st so that it may be included in UWM’s budget to the Board of Regents. If, for any reason (ongoing appeals, court cases, etc), the final budget is not submitted to the Chancellor by March 1st, then the last version of the SFC budget approved by the Senate shall be forwarded to the Chancellor.

Article IX. Amendments and Enactment

(a) All previous SFC bylaws and/or amendments shall be considered null and void upon passage of these bylaws subject to a two-thirds (2/3) majority vote of the Student Association Board of Trustees or Student Association Senate.

(b) Amendments to these bylaws must be approved by a two-thirds (2/3) majority vote of the Senate.
(c) SFC may adopt, by majority vote of the committee, policies and procedures consistent with these bylaws.

Nik Rettinger III  
SA Board of Trustees Chair  

AYE: 12  

NAY: 0  

4/27/14  
Date  

Legislative History  

April 23rd, 2014: Authored by Board of Trustees Treasurer Gabriela Urquizo  
April 25th, 2014: Presented to the Executive Committee.  
April 27th, 2014: Presented to the Board of Trustees, sponsored by the Executive Committee.  
April 27th, 2014: Approved by the Board of Trustees