

SENATE BILL #2702

TITLE: Revision to Sanctions for RSOs in Violation of the ASUW Finance Policy

DATE INTRODUCED: April 21, 2020

AUTHOR: Senator Mulhall

SPONSORS: Senators Brown and Trent; First Year Senator Pitts

1. WHEREAS, the purpose of the Associated Students of the University of Wyoming (ASUW)
2. Student Government is to serve our fellow students in the best manner possible; and,
3. WHEREAS, many Registered Student Organizations (RSOs) rely on ASUW funding to host
4. their events; and,
5. WHEREAS, RSO Funding Board and the funding process are designed to ultimately benefit
6. and educate students; and,
7. WHEREAS, the current sanction outlined for minor infractions of the ASUW Finance Policy
8. is called ‘probation’ which has a purely punitive connotation to many students; and,
9. WHEREAS, the intent of ‘probation’ for RSOs is to educate the students and organizations
10. about ASUW and the funding processes so they are better suited to make future requests;
11. and,
12. WHEREAS, the phrase ‘Advisory Term’ better articulates the purpose of probation for
13. RSOs; and,
14. WHEREAS, the advisory role of ASUW during ‘probation’ has not been clearly defined in
15. the current ASUW Finance Policy.
16. THEREFORE, be it enacted by the Associated Students of the University of Wyoming
17. (ASUW) Student Government that the ASUW Finance Policy be amended to reflect the
18. changes in Addendum A; and,
19. THEREFORE, be it further enacted that these changes take effect at the beginning of the

20. 108th Administration of the ASUW Student Government.

Referred to: Budget and Planning; RSO Funding Board; Student Outreach and Programming

Date of Passage: _____ **Signed:** _____

(ASUW Chairperson)

“Being enacted on _____, I do hereby sign my name hereto and
approve this Senate action.” _____

ASUW President

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Addendum A

Article 3. ASUW RSO FUNDING BOARD AUTHORITY AND GUIDELINES

Section 3.01 RSO Funding Board Authority

1. ASUW Programs, Services, and Strategic Partners shall not receive any funding from the ASUW RSO Funding Board.
2. The ASUW Senate through the RSO Funding Board possesses sole authority to allocate ASUW funds directly to RSOs which are not Programs, Services, or Strategic Partners of the ASUW.
3. Only the ASUW RSO Funding Board shall have authority to allocate ASUW funds directly to a RSO.
 - A. If an ASUW Program, Service, or Strategic Partner wishes to forfeit a portion of its allocated budget to support RSO programming it may transfer those funds to the RSO Funding Board.
 - B. Funds transferred to the RSO Funding Board from any ASUW Program, Service, or Strategic Partner become part of the general fund of the RSO Funding Board.
 - C. The ASUW entity that forfeits funds shall have no influence as to the group or program to which the transferred funds are reallocated by the RSO Funding Board.
4. RSOs shall only receive funding from ASUW for normal operating expenses, membership fees, dues, or organizational publications if the RSO is deemed a Strategic Partner.
5. The RSO Funding Board shall have the authority to approve requests totaling less than \$3,500.00.
6. Any request of \$3,500.00 or more that is approved by the RSO Funding Board shall be subject to final approval by the ASUW Senate.
7. All votes concerning final funding allotments by the ASUW Senate shall be conducted via a standing vote.

Section 3.02 General Application Procedure for Programmed Events

1. Application forms for ASUW funding for Recognized Student Organizations (RSOs) shall be made available online.
2. Only currently registered RSOs may seek funding for activities and programs and/or registration fees by submitting an application to the RSO Funding Board.
 - A. For events sponsored by multiple RSOs, a single request by one RSO must be submitted to the RSO Funding Board.
3. RSOs may only receive ASUW funding from the RSO Funding Board.
4. A RSO must attend an Event Planning Session prior to applying for funding.

5. RSOs may only receive funding when the program or activity is open to the entire student population.
6. Activities sponsored by RSOs shall have a valid educational and/or enrichment purpose.
7. Benefits available to a significant and diverse population of the ASUW membership shall be an important factor when considering requests for financing activities or events sponsored by RSOs.
8. The RSO shall submit the completed application to the ASUW Business Office not less than five (5) weeks prior to the event. The ASUW Business Office will forward the application to the Chairperson of the RSO Funding Board, provide a copy of the request to each member of the RSO Funding Board, and provide electronic copies to each Senator's electronic mailing address no less than one business day from the beginning of weekly Senate meeting after such funding requests are made.
 - A. Exceptions to this rule for requests under \$3,500.00 shall be at the discretion of the ASUW RSO Funding Board.
 - B. All requests of \$3,500.00 and over shall be allowed no exception to the five (5) week application deadline and will be denied a meeting with RSO Funding Board and/or funding for the event.
 1. RSOs may appeal the denial of funding based on a failure to meet the deadline through the appeal processes outlined under Article 5.
9. The RSO Funding Board shall meet and consider requests no less than one scheduled school day before the ASUW Senate meets, with the exception of University observed holidays.
 - A. The deadline for RSO Funding Board applications shall be five business days before that semester's announced meeting time.
10. If the event includes a speaker or performer a contractual agreement must be completed in the Campus Activities Center in a timely manner. The RSO Funding Board must approve the funding request before completion of the contract negotiations and the contract must be completed before the event occurs.
11. A representative from the RSO shall be contacted and required to attend a RSO Funding Board meeting to present the funding request.
 - A. Upon completion of the RSO's presentation to the RSO Funding Board, written guidelines will be given to the RSO representatives detailing the manner with which to challenge the RSO Funding Board's decision, along with the name and electronic mailing address of every Senator currently serving on the ASUW Senate, and the amount to be recommended by the RSO Funding Board at the ASUW Senate meeting where such a request will be heard.
12. In cases where Senators may realize personal benefit and/or unethical exercise of authority, either directly through participation or indirectly through personal relationships, Senators should recuse themselves from voting during RSO Funding Board meetings and formal votes on the floor of the ASUW Senate.

13. The approved request shall be returned to the ASUW Business Office for implementation. The representative from the RSO shall meet with the program advisor and the ASUW Business Office within one (1) week following approval to complete the process.
14. If an event is not completed within two weeks of the date specified by the requesting RSO, funding shall be rescinded unless the RSO Funding Board approves an extension.
15. The availability of outside funding shall be considered and discussed before the RSO Funding Board grants requests. ASUW funds will not be granted when other such funding sources have not been explored and it is determined those sources are available and/or appropriate.
16. Previous allocations for the same or similar activity or program shall not be binding on the consideration of a current request. However, information gained from past activities may be utilized in judging the value of the request.
17. RSOs requesting funds for events to be held on campus where refuse will be generated from standard recyclable items for which UW provides receptacles shall make a good faith effort to recycle and are encouraged to compost eligible items if funds and facilities are available. RSOs shall demonstrate their ability and willingness to comply with this requirement in their funding application.

Section 3.03 Funding Allocation Guidelines

1. Each RSO may be awarded up to \$10,000.00 from the RSO Funding Board per fiscal year.
 - A. Each RSO may be awarded up to \$3,500.00 of unmatched funds from the RSO Funding Board per fiscal year.
 - B. If a RSO wishes to exceed \$3,500.00 of unmatched funds, the RSO must provide documentation of non-ASUW matching funds of at least 15% for the amount exceeding \$3,500.00.
 - C. The annual cap per RSO, and the percentage of outside funds RSOs need to provide for requests over the capped amount, will be reviewed and adjusted, if necessary, every two years by the RSO Funding Board.

Section 3.04 Decoration Allocation Guidelines

1. For total funding requests of up to and including \$100.00, no more than 10% of the funds awarded may be used for decorations;
2. For total funding requests exceeding \$100.00, no more than 15% of the funds awarded may be used for decorations;
3. ASUW or UW Department written approval of a place of storage will be required for any purchase of decorations exceeding \$100.00.

Section 3.05 RSOs Generating Revenue

1. RSOs may receive funding for programs or activities that have the potential of generating revenue. The intended use of any revenue generated may be a consideration in choosing to approve or deny funding requests.
 - A. RSOs may not generate any revenue through charging admission or registration fees to students.
 - A. RSOs may generate revenue by charging admission or collecting registration fees from anyone who is not a UW student.
 - B. RSOs may generate revenue by holding auctions or selling goods or services (if in accordance with city laws and all University regulations).
 - C. Other means approved by the ASUW RSO Funding Board during the application process.
2. Regardless of their charitable nature, any fundraisers shall be required to also be educational and/or enriching in nature.

Section 3.06 Allocation Table for Speakers/Entertainers and Students

1. The RSO Funding Board shall follow the allocation table below to determine allocations for speakers and entertainers' lodging, meals, and catering expenses for student events. Exceptions to this policy may be considered by the RSO Funding Board and must be sent to the ASUW Senate for final approval.

Lodging for speakers and entertainers	Lodging expenses will be paid up to the current University rate offered by Laramie-area hotels.	
Meals for speakers and entertainers	Maximum allowed: \$11 for breakfast \$12 for lunch \$23 for dinner	With tip allocation of an additional 18% to be determined from receipts.
Meals per expected students (including drinks, deserts, etc.)	Maximum allowed:	
	Breakfast-\$11/expected student*	
	Lunch-\$12/expected student*	
	Dinner-\$18/expected student*	
Airfare	Maximum allowed: \$500	
Lodging	Maximum allowed: \$150 per night	
*Costs associated with set-up, delivery, etc. will be considered separately from costs directly from food.		

2. Meal rates for speakers, special guests, and entertainers may reasonably increase to accommodate the needs of any specific situation/event. A special request must be made prior to the event, in writing, and subject to review and appeal as outlined.
 - A. All ASUW Programs, Services, and Strategic Partners shall make their increase request to the ASUW President and Vice President. In the event an increase request is allowed, the additional funds required will come from the Executive

Branch Contingency Fund, with review and consent of Budget and Planning Committee as outlined by this Finance Policy.

1. If the ASUW President and Vice President deny the increase, an appeal of decision may be considered by Budget and Planning.
- B. All RSOs, shall make their increase request to the RSO Funding Board. In the event of an increase being approved by RSO Funding Board for a RSO, the additional funds will come from the RSO Funding Board Budget.
- C. If the RSO Funding Board denies the increase, an appeal of decision may be considered by the ASUW Senate, following similar guidelines as outlined in this Finance Policy.

Section 3.07 RSO Funds for Movies/Film

1. RSOs requesting funds for movies, videos or film series must have the appropriate licenses and the approval of the Campus Activities Center (Activity Notification Form).
 - A. Any videos purchased through ASUW become the property of ASUW and must be returned to ASUW immediately following the event.
 - B. Videos purchased through ASUW will be donated to UW Libraries for student checkout.

Section 3.08 Circumstances Under Which Funding Shall Not Be Awarded

1. RSOs shall not receive funding for any program or event that includes any illegal substances or related paraphernalia.
2. ASUW shall not allocate funds for charitable donations including donations that support charity organizations and fundraising activities. ASUW can fund RSOs and their programs that may generate funds for charity fundraisers. Regardless of their charitable nature, any fundraisers shall be required to also be educational in nature.
3. ASUW shall not bestow gifts on individuals.
4. Payment cannot be allotted for:
 - A. Donations.
 - B. Flowers.
 - C. Tangible Prizes.
 - D. Promotional Apparel.
 - E. Expenses for funerals.
 - F. Personal memberships in social, professional, or fraternal organizations unless the membership is required by specific job descriptions.
 - G. Expenses related to social events for retiring employees.
 - H. Expenses for refreshments for employee or guest consumption unless directly related to a university business purpose.

- I. Purchase of appliances for preservation, preparation, or conditioning of food products for employee consumption.
- J. Purchase of alcohol.

Section 3.09 Funding for RSO Programs and Events Held Off-Campus.

- 1. Off campus programs or events may receive funding as outlined:
 - A. Events must be advertised on campus.
 - B. ASUW will not pay for a room fee.
 - C. ASUW will not pay for service fees.
 - D. ASUW will only fund catering at the rate as indicated in the allocation table.
 - E. ASUW will only fund ASTEC services for a medium or small PA system, labor, and transport included any additional technical services is the sole financial responsibility of the RSO.
 - F. To be eligible for ASTEC services the RSO must follow ASTEC's reservation and use guidelines.

Section 3.10 Tickets and Accessibility

- 1. RSOs may not be solely responsible for ticket distribution. Any ticketed RSO program or activity funded by ASUW shall utilize the Wyoming Union Ticket Office, Fine Arts Box Office, or a similar venue for ticket dispersal to students.
- 2. Alternative venues must be physical locations on the UW campus and must be staffed by UW employees. All alternative venues must be approved by the RSO Funding Board.
- 3. RSOs may request a number of tickets to be distributed to its own students who are necessary to carry out the ticketed event (i.e., student staff, performers, presenters, etc.) or guests, subject to the approval of the RSO Funding Board.
- 4. RSOs shall cooperate with the University Disability Support Services to make any campus-wide event accessible to students with disabilities whenever possible. RSOs must include in any advertisements the means by which a potential attendee would request accommodations.

Section 3.11 Promotion/Advertising Requirements

- 1. Promotional requirements for ASUW Funded Activities include:
 - A. All ASUW supported or sponsored programs must contain the ASUW logo on all promotional materials this does not include tickets;
 - B. ASUW will not support or sponsor events held at establishments whose primary source of revenue is through the sale of alcohol;
 - C. Alcohol may not be publicized/promoted on an ASUW supported flyer/poster.
 - D. Public notice of not less than five (5) business days must be given prior to the program or activity. This may take the form of flyers, posters, student newspaper ads, or other public media announcements;

2. For ticketed events, public notice must include the location at which students would acquire tickets. If tickets are not being distributed at the Union Ticket Desk, then the event must be advertised in the Union.

Section 3.12 Post Event Requirements and Program Evaluation

1. All invoices and RSO post-event evaluations must be submitted to the ASUW Business Office within 30 days following the event or the allocation shall be void and the funds shall be revoked.
2. A program evaluation must be completed by a RSO representative and turned in to the ASUW Business Office within 30 days following the event. Failure to complete the program evaluation may affect the RSO's future RSO Funding Board requests.
 - B. Completed program evaluations of events funded by ASUW should be given by the ASUW Director of RSO Relations for review.
3. ASUW and the Campus Activities Center staff shall serve as advisors to ASUW funded programs and events. The ASUW Business Office shall serve as the financial advisor for all ASUW funded activities.

Section 3.13 Allocations for Conference Registration Fees

1. RSOs wishing to receive funds for conference registration fees may apply to the RSO Funding Board. RSOs may only receive \$750 per semester for conference registration.
 - A. "Per Semester" is determined by conference date;
 - B. Conferences occurring between July 1st and December 31st shall be defined as occurring in the Fall Semester;
 - C. Conferences occurring between January 1st and June 30th shall be defined as occurring in the Spring Semester.
2. Applications for funding must be submitted at least 30 days prior to the conference date and in accordance with RSO funding guidelines.
 - A. Exceptions to this policy may be considered by the RSO Funding Board.
3. Only those who are members of the ASUW are eligible to receive monies for registration fees.
4. ASUW funds allocated through the RSO Funding Board for conference registration cannot be applied to travel, lodging, meals, or any other travel expenses
5. All registration documentation must be submitted to the ASUW Business Office sixty (60) days before the conference or the allocation shall be void and the funds revoked.
6. All RSOs who receive funds for conference registrations fees will be required to host a presentation about the conference within thirty (30) days of attending the conference.

Section 3.14 Allocations for Academic Competition Registration Fees

1. RSOs wishing to receive funds for academic competition registration fees may apply to the RSO Funding Board. RSOs may only receive \$2000 for competitions per year.
 - A. Per “Year” is determined by academic competition date;
2. Applications for funding must be submitted at least sixty (60) days prior to the academic competition date and in accordance with RSO funding guidelines.
 - A. Exceptions to this policy may be considered by the RSO Funding Board.
3. Only those who are members of the ASUW are eligible to receive monies for registration fees. RSOs must be associated with a College within the University of Wyoming to be eligible to receive monies.
4. ASUW funds allocated through the RSO Funding Board for academic competition registration cannot be applied to travel, lodging, meals, or any other travel expenses. They can be applied to monetary fees or physical materials for the competition registration.
5. RSOs wishing to receive funds must show that they have looked for outside funding.
 - A. If requesting \$625 or less, the RSO is not required to obtain any outside funding.
 - B. If requesting between \$625.01 and \$1,250, the RSO is required to obtain outside funding that is equivalent to 10% of the amount requested.
 - C. If requesting \$1,250.01 or more, the RSO is required to obtain outside funding that is equivalent to 25% of the amount requested and the request must be approved by the Senate.
6. All registration documentation must be submitted to the ASUW Business Office within sixty (60) days of the academic competition or the allocation shall be void and the funds revoked.
7. All RSOs who receive funds for academic competition registration fees will be required to host a presentation about the academic competition within thirty (30) days of attending the academic competition.

Article 4. Sanction for Failure to Comply with ASUW Finance Policy

Section 4.01 General Violations of ASUW Finance Policy

1. RSOs receiving allocations of ASUW funds shall use them in accordance with their itemized requests and any additional stipulations placed on the allocations by the RSO Funding Board and/or the ASUW Senate. Any changes made to an approved request must be reconsidered and approved by the RSO Funding Board prior to their use.
2. Failure to comply with any provisions of this Article may result in the loss of funding for events that have not already taken place.
3. If a RSO uses ASUW money for items explicitly disallowed by the ASUW Finance Policy, that RSO must repay those funds to the ASUW Student Government.

4. If a RSO violates any of the ASUW Finance Policy or any additional stipulations placed on the allocations by the RSO Funding Board and/or the ASUW Senate, it may be placed on probation or suspended from applying for funding in the future.
5. All infractions of the ASUW Finance Policy or additional stipulations placed on a RSO by the RSO Funding Board or ASUW Senate stay on the RSOs record for a year.
6. Infractions will be categorized into major and minor infractions as defined by the following table:

Minor Infractions	Major Infractions
<ul style="list-style-type: none"> • Failed to spend in accordance with itemized request submitted to Funding Board • RSO bought things disallowed by the ASUW Finance Policy • Post-event RSO self-evaluation was not completed within 30 days • Videos purchased by ASUW were not returned to ASUW • RSO failed to put ASUW Logo on all promotional materials (including but not limited to all social media outlets, posters, flyers, and handouts) • RSO failed to put ADA Compliance Logo on all promotional materials (including but not limited to all social media outlets, posters, flyers, and handouts) • For any single RSO event funded that violates three (3) or more minor infractions those cumulative infractions constitute a major infraction. 	<ul style="list-style-type: none"> • Charged admission for or collected registrations fees from full-fee paying UW students • Failed to use approved ticketing venue • Failed to advertise ticketing locations in accordance with ASUW Finance Policy • Failed to advertise off-campus events on campus • Violated any laws (including but not limited to presence of illegal substances, paraphernalia, underage drinking at an event) • RSO violated any ASUW Finance Policies while being on probation • Disregard of prior notice of infraction provided by ASUW Executive or official. • For any single RSO event funded that violates three (3) or more minor infractions those cumulative infractions constitute a major infraction.

7. Any other rule in the ASUW Finance Policy that is not explicitly defined in this table will be considered a minor infraction.

Section 4.02 Advisory Probationary Term

1. Minor Infractions of the ASUW Finance Policy will result in the RSO being placed on probationan Advisory Term. The probationary-advisory period for a RSO will be a full calendar year from the date of the most recent infraction. The probationary-advisory period shall never exceed a full year from the date of the infraction(s).
 - A. The purpose of the Advisory Term shall be to educate and advise the RSO so that they will have a better understanding of ASUW financial processes for the future.
 - ~~1.~~B. The Advisory Term shall be used to assist in the development of students and their respective organizations and shall not be used as a solely punitive measure.
2. RSOs being considered for probation-placement on an Advisory Term will receive proper notice of their infraction(s) and will be given the opportunity to be heard in front of the RSO Funding Board regarding the alleged infraction(s) at least one week prior to formal action taking place.

- A. Once officially placed on probation-an Advisory Term, a RSO will be required to meet with the designated ASUW Executive within 30 days of the decision and sign an ASUW Finance Policy Violation Agreement for RSOs outlining the terms and conditions of the probationary-advisory period. This meeting shall be used as a time to discuss how the advisory term will assist in student and organizational development. If the RSO fails to meet with the ASUW Executive, the ASUW Finance Policy Violation Agreement for RSOs will be sent to their student emails and listed Advisor.
- A.B. RSOs will be required to meet with the designated ASUW Executive for the first funding application they submit after being placed on Advisory Term. The ASUW Executive will assist in the planning and execution of the funding request. RSOs will be required to meet with the ASUW Executive for their next funding request even if they do not submit a request until more than a calendar year after the infraction.
3. During the probationary-advisory period, any further violation, either major or minor, of the ASUW Finance Policy will result in the temporary suspension of the RSO's ability to apply for funding through the RSO Funding Board. The length of this suspension will include one full calendar year from date of the most recent infraction, followed by subsequent probationary-advisory period of one calendar year.
- B.C. RSOs will have notice regarding the alleged infraction(s) while on probation-the advisory term and an opportunity to be heard in front of the RSO Funding Board one week prior to formal action taking place.
4. If a RSO uses ASUW money for items explicitly disallowed by the ASUW Finance Policy, that RSO must repay those funds by the end of their advisory termprobation-or suspension period. If a RSO does not repay those funds, their advisory termprobation-period-will be extended until the RSO is able to repay the funds.

Section 4.03 Suspension of Funding

1. Major Infractions of the ASUW Finance Policy will result in the temporary suspension of the RSO's ability to apply for funding through the RSO Funding Board.
2. Major Infractions will mean a RSO will be ineligible to apply for funding for a full calendar year from the date the most recent infraction(s) occurred.
3. RSO Funding Board may request a two-thirds 2/3 standing vote of the ASUW Senate to reduce the suspension of funding for a RSO by up to half of the calendar year.
4. Suspension of funding may never exceed a full year from time of initial major infraction.
5. Immediately following the term of suspended funding, the RSO will be placed on probation an advisory term for a full calendar year.
6. RSOs being considered for suspension of funds will receive proper notice of their infraction(s) and will be given the opportunity to be heard in front of the RSO Funding Board and/ or Senate regarding the alleged infraction(s) at least one week prior to formal action taking place.

7. Once a RSO is officially suspended from funding, the RSO will be required to meet with the designated ASUW Executive and sign an ASUW Finance Policy Violation Agreement for RSOs outlining the terms and conditions of the suspension. If the RSO fails to meet with the ASUW Executive, the ASUW Finance Policy Violation Agreement for RSOs will be sent to their student emails and listed Advisor.
8. Once the suspension of funding period has passed the RSO will be required to meet with the designated ASUW Executive and sign an ASUW Finance Policy Violation Agreement for RSOs outlining the terms and conditions of the ~~advisory term~~probationary period. If the RSO fails to meet with the ASUW Executive, the ASUW Finance Policy Violation Agreement for RSOs will be sent to their student emails and listed Advisor.

Section 4.04 General Procedure for Sanctions

1. The RSO Funding Board or the designated ASUW Executive shall impose the suspension outlined above.
2. The length of a RSO's suspension of funding or ~~advisory term~~probationary period must not exceed the above guidelines.
3. Additional stipulations placed on a RSO by the RSO Funding Board and/or the ASUW Senate are binding. Infractions of any additional stipulations placed on a funding request will be considered as minor infractions, unless otherwise explicitly specified by the RSO Funding Board and/or ASUW Senate at the time of placing the stipulation.
4. RSOs may appeal this suspension through the process outlined below in Article 5.
5. Any Senator may make a motion to lift or reduce the length of a RSO's suspension, regardless of the RSO's decision to appeal. This motion requires a two-thirds (2/3) standing vote of the Senate to pass.