

# STUDENT ORGANIZATION FUNDING AGENCY (SOFA)

## CONSTITUTION

### ARTICLE I.

#### ESTABLISHMENT OF STUDENT ORGANIZATION FUNDING AGENCY

- 5 A. The Student Organization Funding Agency was established on February 26, 2010 by a  
meeting of the Committee Advisory and Advisement Panel. The CAAP was composed  
of members from Student Senate, the University Programming Council, the Multicultural  
Awareness Committee, and the Student Activities Committee. Through its proceedings  
the CAAP decided that in order to simplify the funding process for student organizations  
10 it would be in the best interests of Student Senate do dissolve the MAC and the SAC to  
form a new committee to oversee all of transfers out to student organizations for the  
University of North Dakota Student Government. Thus it was recommended to form the  
Student Organization Funding Agency (SOFA). The SOFA was formed by combining  
the program funding from the MAC with the funding operations of SAC. The SAC was  
15 originally created in 1956 as a presidential committee, and later was given University  
Senate Committee status in 1966. In 1976 by action of the University Senate, SAC  
became a standing committee of the Student Senate. The MAC was originally created in  
1987 by Student Government as the authorized student funding and programming body  
for the purpose of providing multicultural programming in order to supplement the  
20 formal education experience of all students at the University of North Dakota. On April  
14, 2013 by an action of the Student Senate the Student Communications Funding  
Committee (SCFC) was dissolved and all written publication funding responsibilities  
were then charged to the SOFA with the other responsibilities of SCFC being charged to  
other divisions of the University of North Dakota. The SCFC was originally established  
25 in order to form a permanent organization to provide student-managed media with an  
exchange of ideas and information relevant to student and faculty activities and interests,  
and to provide an opportunity for students to gain practical experience in the field of  
publishing.

### ARTICLE II.

#### PURPOSE AND VISION

- 30 A. It will be the purpose of the SOFA to provide educational opportunities to individuals and  
recognized student organizations in obtaining their goals and objectives through support,  
guidance and oversight. The SOFA shall also strive to support and increase awareness  
and understanding concerning the cultures of the world, especially those of the University  
35 of North Dakota and the community.

B. Specific goals shall be:

1. To increase awareness and opportunities by funding recognized student organizations. The SOFA shall provide funding in support of opportunities for active engagement in enriching opportunities and events, to educate the campus and student body of the University of North Dakota.
2. To provide supportive funding for all student organizations in good standing with the University of North Dakota and the University of North Dakota Student Government as defined in the SOFA bylaws.
3. To work in a non-discriminative manner as set forth by the standards of the University of North Dakota *Code of Student Life*.

### ARTICLE III.

#### AUTHORITY AND JURISDICTION

- A. The Student Organization Funding Agency, hereinafter referred to as the SOFA, shall be constituted under the authority of Student Senate.
- B. All recognized student organizations which submit requests for funding to the SOFA hereby agree to give SOFA access to their full budget, to include both SOFA and non-SOFA funds, and to all financial operations of said recognized student organization.
- C. The SOFA shall exercise financial oversight over each recognized student organization receiving funds from SOFA. This oversight only applies to the funds allocated by SOFA.
- D. The SOFA will continue to have access to the recognized student organization's budgets and financial operations until all SOFA allocated funds have been accounted for.
- E. All recognized student organization funds shall be deposited with the University of North Dakota Student Account Services or Accounting Services. The SOFA reserves the right to freeze or withdraw its appropriated funds at any time with written notification to the respective organization and advisor within twenty-four (24) hours.
- F. The SOFA shall have the authority to place financial restrictions and/or sanctions on the SOFA funded recognized student organizations for violating SOFA policies and procedures or those of the University of North Dakota. Additionally, the SOFA may recommend that official recognition of a student organization be withdrawn for just cause.
- G. Recognized student organizations placed on probation by the Student Policy Committee may have action taken against them by the SOFA until probation conditions are met. The action taken by the SOFA may include but is not limited to the following:
  1. Refusal to consider for further funding.
  2. Freezing of the SOFA funds.
  3. Recall of the SOFA funds.

ARTICLE IV.

INTERNAL ORGANIZATION

A. The Student Organization Funding Agency shall be composed of eleven (11) voting members, to include a tie breaking vote of the Chairperson of the Agency and such ex-officio members, without a vote, as are provided for by the constitution.

- 80 1. Assistant Program Director for Student Involvement, ex-officio, non-voting.
- 2. Vice President for Student Affairs or designee, ex-officio, voting member. The Vice President of Student Affairs or designee may not vote or give other members proxy to vote on motions which pertain to organizations for which they are the formal advisor.
- 85 3. Student Body Treasurer or designee, ex-officio, non-voting.
- 4. Student Senate designated representative, ex-officio, voting member.
- 5. Faculty member, one (1) serving a three (3) year term, to be appointed by the University Senate and approved by SOFA. The faculty member and his/her officially appointed representatives may not vote or give other members proxy to
- 90 vote on motions which pertain to organizations for which they are the formal advisor.
- 6. Eight (8) students "in good standing"

B. If at any time SOFA membership falls below quorum, SOFA will go through appointment procedures outlined in Article IV of the UND Student Government Bylaws to create a SOFA Board. This Board shall retain all authority of SOFA until adequate membership is restored. Board membership shall be:

- 95 1. Any available SOFA members available to attend regularly scheduled meetings until proper quorum is able to be met.
- 2. One (1) voting faculty member appointed by the Student Body President if no
- 100 such faculty member is currently serving in the agency.
- 3. One (1) voting student at-large who displays interest in purpose of the SOFA, appointed by the SOFA Chair.
- 4. One (1) voting Student Senate Liaison, appointed by the Student Senate.
- 5. One (1) voting VPSA representative member appointed by the VPSA is no such
- 105 representative is currently serving in the agency.

C. Eight student members shall serve a term of one (1) year or until new appointees are officially installed, except the Chairperson, who shall preside until a new Chairperson is elected by the Agency.

- 110 1. A person shall be defined as a "student in good standing" with the University of North Dakota when he/she meets the following criteria:
  - a) Is currently enrolled and registered for at least one (1) course per semester at the University of North Dakota
  - b) Is not on academic probation

c) Is not on conduct probation

- 115 2. Student members are to be appointed according to procedures used by Student Senate, with input on members selected from current SOFA members.
- 120 3. Senate appointments shall be made by the second session of Student Senate in April and must be reappointed annually. Terms of new members become effective the meeting immediately following Senate approval.
- 125 4. If a vacancy occurs on the SOFA prior to the end of the term of membership, it will be filled according to the Student Senate application process.
5. A training session between new and past members of the SOFA shall be held to establish procedural continuity. Its format and program is the responsibility of the SOFA Chair and or Vice Chair.
6. Student members may not vote on motions which pertain to student organizations to which they belong.
7. Student members may serve consecutive terms.

D. The Chairperson and Vice-Chairperson of the SOFA shall be elected from among the eight (8) student members following their installation as members of the SOFA and during the first scheduled meeting in April. A simple majority of members present and voting members shall be required for the election of the Chairperson and the Vice-Chairperson.

- 130 1. The Chairperson shall be responsible for the following:
- 135 a) Presiding over all meetings of the Agency.
- b) Preparing the agenda and business packets for all meetings.
- c) Carrying out all executive business.
- d) Overseeing maintenance of records to insure consistency and accuracy.
- e) Appointing committees and subcommittees as necessary.
- 140 f) Determine a manner in which SOFA liaisons should be appointed to requests.
- g) Notifying the appropriate liaisons of requests which need to be discussed in liaison meetings.
- h) Acting as the official spokesperson for the SOFA.
- 145 i) Receive and review reports and look over them before they are received by the Student Body Treasurer or Assistant Treasurer for the appropriate transfers to be made.
- j) Keep track of the agency's budget in lieu of the Student Body Treasurer or Assistant Treasurer.
- 150 k) Prepare and present a request for Presidential Finance for each fiscal year.
- l) Designate any one student member to act as Chairperson in his/her absence and the absence of the Vice Chair.

- 155 m) Establish a meeting time with input from the Agency members and find a meeting location for meetings and communicate this to the community members in a timely manner.
- n) Be available for communication with student organizations.
- o) Perform all duties of the SOFA Chairperson until such time as a new Chairperson has been selected.
- p) Process requests received by the SOFA.
- 160 2. The Vice-Chairperson shall be responsible for the following:
- a) Assuming the duties of the Chairperson.
- b) In the event of the Chairpersons absence, the Vice-Chairperson shall assume the duties of the Chairperson until the SOFA elects a new chairperson.
- 165 c) Oversee any chair appointed committees and/or subcommittees.
- d) Providing training to SOFA Liaisons.
- e) Make sure all current forms are available and updated on the Student Government Website.
- f) Advertise the availability of SOFA support to all student organizations on a regular basis.
- 170 g) Updating the list of reports due and contacting organizations to submit their reports.
- h) Keep record of the amounts allocated to organizations by the SOFA
- 175 3. Advisor: The Assistant Program Director for Student Involvement or other designated UND staff or faculty shall serve as the Advisor for SOFA. The Advisor shall be responsible for:
- a) Meet regularly with the Agency chairperson to discuss business, progress, and future directions.
- b) Provide assistance to the SOFA in overcoming obstacles, accomplishing its business smoothly, and providing a base of continuity.
- 180 c) Serve as a resource for: information regarding University resources, policies, procedures, SOFA history, and other information relevant to the business of the SOFA.
- d) Assist in the development and application of funding guidelines.
- 185 e) Co-sign vouchers and monitor budgets.
4. The Student Members not serving as Chairperson or Vice-Chairperson shall be Liaisons. The Liaisons shall be responsible for the following:
- a) Serve as a contact between recognized student organizations and the SOFA.
- 190 b) Serve as a resource for recognized student organizations concerning SOFA policies and procedures.

c) Work through requests assigned by the Chairperson making sure that funding requests are complete.

d) Obtain any missing information for requests prior to the meeting the request is to be heard.

5. Any of the officers or liaisons of SOFA may be removed from office at a regular or special meeting by the vote of two-thirds of all members. However, such action may not be taken until the member cited for removal is given adequate notice of the citation and given a fair and proper hearing before SOFA. Reasons for removing an officer or coordinator include:

a) Failure to fulfill the expectations of position as established in the SOFA Constitution.

b) Not acting in the best interest of the SOFA.

c) Misappropriation or misuse of student funds.

d) Violation of the SOFA Constitution or Bylaws, the Student Government Constitution or Bylaws, or the *UND Code of Student Life*.

e) Failure to meet the qualifications for membership established in this constitution.

#### E. Operations

1. Meetings: The SOFA shall meet weekly while school is in session during the fall and spring semesters at a regular time and place. Special meetings may be called by the Chairperson or at the request of any five (5) members. Regular attendance is expected of all members. All meetings shall be open to the public.

2. Procedures: The current edition of The Standard Code of Parliamentary Procedures governs SOFA in all parliamentary situations that are not provided for in the law, the Student Government Constitution and Bylaws, or the SOFA Constitution and Bylaws.

3. Minutes: Meeting minutes shall be prepared and distributed by the Student Government Administrative Assistant staff. A complete file of the minutes shall be maintained by the Chairperson and the Student Government administrative assistant staff.

4. Attendance:

a) Attendance at all meetings of the SOFA shall be expected of all members.

b) A written or oral notification of an anticipated absence is requested in advance of any regular meeting. This notice is to be given to the Chairperson or the Student Government Administrative Assistant staff member.

c) Student members missing four (4) meetings during any one semester will be considered for dismissal from the SOFA. A two-thirds (2/3)

majority vote of the SOFA is required for dismissal of a student member and consent of a majority of the Student Senate

d) Faculty members who miss more than four (4) meetings during one semester may be asked to resign from the SOFA. Following two (2) subsequent absences within the given semester, the University Senate Committee on Committees shall be notified.

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5. Quorum: A simple majority of the voting membership being present shall constitute a quorum. Voting shall be by voice unless a show of hands or written ballots are requested by any member of the SOFA or otherwise stated by the Chair.

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6. Appeals: An organization may appeal a SOFA decision in the following manner:

a) If an organization believes that a SOFA decision is not consistent with the SOFA Bylaws or Constitution, the organization may file an appeal. The organization must first submit a written appeal to the SOFA chair that explains their position. Upon submitting a written appeal, the organization should return to the next regular meeting of the SOFA for reconsideration of the matter in question. If again dissatisfied with the SOFA's decision, the organization may make, within ten (10) class days, a written appeal to the Student Body President.

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b) An Appeals Board shall be appointed by the Student Body President and consist of four (4) Student Senators. The Appeals Board will be chaired by the Student Body President who will vote only in the case of a tie. Any organization or individual has the right to appeal a SOFA decision to the Appeals Board. The appeal must be filled within the (10) school days of the SOFA Decision. The Appeals Board will make a recommendation to the Student Senate to either affirm or overrule the SOFA decision. The Senate, by a majority vote of those present and voting, may either affirm or deny the Appeals Board's recommendation.

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c) Any further appeals may be brought to the judicial branch for further consideration.

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7. SOFA Financial aid: The SOFA discourages the practice of making inter-accounting loans, and instead will follow this procedure:

a) Any organization having a negative balance or being aware of incurring one, shall inform the SOFA as soon as possible.

b) If the organization can provide the SOFA with sufficient justification, the SOFA can authorize the organization to incur a debt balance to a limit set by the SOFA and within the stipulation of a firm date by which the organization shall again have a positive balance.

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- 270 c) In the event that the organization fails to meet the positive balance due  
date, the SOFA will refuse to accept future requests from the  
organization.
- 275 8. SOFA Acton: If there is evidence of misuse of SOFA allocated funds, improper  
accounting procedures, or evidence that students are denied the right to determine  
how the SOFA allocated funds are to be spent, the organization is subject to one  
or more of the following actions:
- a) Freezing of funds.
  - b) Recall of funds.
  - c) The SOFA may recommend that an organization's Constitution be  
revoked.
- 280 9. Individual Responsibility: Unauthorized expenditures of SOFA funds or  
overdrafts in SOFA accounts incurred by individuals shall be the sole  
responsibility of those persons incurring the obligation.
10. The SOFA's fiscal year operates in accordance to the fiscal year of the UND  
Student Government. All requests shall be budgeted for the fiscal year.
- 285 F. Budget Preparation
- 1. SOFA, based on projections into the next year, shall make appropriate  
adjustments to the previous year's budget and submit a total budget request for  
SOFA to the Presidential Finance Committee.
  - 2. The fiscal budget for SOFA shall be determined by the Presidential Finance  
290 Committee and approved by the Student Senate.
- G. Funding Allocation Guidelines: Upon receipt of Student Senate approved budget for the  
upcoming fiscal year, the SOFA will vote on the structure of how funds will be  
appropriated to student organizations for each type of defined funding category. The  
SOFA funding categories are the following: Programming, Transportation, Equipment,  
295 Operating, and Publication Transfers Out.
- 1. The SOFA shall follow the guidelines set forth in the SOFA Bylaws for  
regulations on amounts to be funded for individual requests.
  - 2. The SOFA shall operate under the first come first served policy, but is not  
300 required to fund any event if the SOFA deems the event is not appropriate for  
SOFA funding or proper forms are not completed in the time specified by the  
SOFA.

## ARTICLE V.

### FINANCIAL PROCEDURES AND OBLIGATIONS OF ORGANIZATIONS



305 A. The following procedures are required of recognized student organizations receiving monies from SOFA. These procedures are necessary to insure consistency among student accounts.

- 310 1. **Ordered Financial Books:** Any organization requesting SOFA funds must have its financial books updated and in order. If this requirement is not met, the organization's request will not be considered. Financial books of organizations are subject to review by the Student Body Treasurer and the SOFA at any time, and are subject to review by the Assistant Program Director for Student Involvement or other designated UND staff or faculty at the end of the spring semester for an annual audit as specified in the SOFA Bylaws.
- 315 2. **Roster Cards:** Each organization must have a current officer roster card on file with the Student Involvement Office.
- 320 3. **Proof of Proper Expenditure:** Funds are to be spent according to requests approved by the SOFA.
- 325 4. **Compliance with Accounting Services Policies:** When withdrawing money, the representative must present a properly signed Voucher and a receipt to the Accounting Services office. The request must be signed by either the president or treasurer of the organization and the student organization's advisor.
- 330 5. **Expenditure Receipts:** When a representative withdraws money, supporting evidence or proof of the obligation (invoices, signed receipts) must be represented with a voucher. If an invoice or signed receipt is not available, Accounting Services procedures shall be followed to obtain other verification of how the funds were spent. If individuals charge items or bring any financial obligation to an organization, the individuals' signature and a description of expenditures is required on the receipt
- 330 6. **Balanced Accounts:** Any accounts which are overdrawn will be frozen automatically by Accounting Services.

335 B. Reports Due: All reports must be turned in within thirty (30) school days of an organizations trip, event, purchase of equipment, or completion of a publication. After this thirty (30) school day time period the organization shall be considered under review and will not be allowed to receive funding from any other Student Government source. If an organization has not turned in proper reports within forty (40) school days of their trip or event the organization shall be considered in default by the SOFA. At this time the Chair of the SOFA will bring the request up to the agency at the next scheduled meeting for consideration of rescinding funding. It will then be the decision of the SOFA to  
340 decide what action should be taken. In the event that the SOFA decides that an organization's allocated funds should be rescinded, the organization in question will be responsible for any debt incurred.

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ARTICLE VI.

BYLAWS

A. Provision for bylaws

- 1. The SOFA may approve Bylaws for the specific operation of this organization.
- 2. No Bylaw shall be adopted that is in the contrary to the provisions of this Constitution, the Student Government Constitution, or the UND *Code of Student Life*.

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B. Amendments to the Bylaws

- 1. Any changes must be approved by a two-thirds (2/3) majority vote of the SOFA.
- 2. The approved changes are reviewed by the Judicial Committee who will make a recommendation to the Student Senate.
- 3. Consent of the Student Senate is needed for final approval.

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C. Suspension of the Bylaws

- 1. With a two-thirds (2/3) vote of those members present and voting, the SOFA can suspend any provision of the SOFA Bylaws.

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Revisions

08/29/2010

09/19/2010

08/28/2011

04/15/2012

365

04/25/2013