



Council of Alberta University Students

Audits of Student Organizations Policy

Policy #03-04

Passed: June 8, 2009

Expires: June 8, 2012

WHEREAS student organizations have rigorous accountability mechanisms, including requirements for making audited financial statements publicly available to our constituents and campus media, and provisions for students to petition their student government; and

WHEREAS each Council of Alberta University Students member has constitutional and bylaw provisions for public disclosure, accountability of elected representatives, impeachment proceedings, and bodies who issue judicial interpretations of our bylaws if there has been misconduct; and

WHEREAS the audit and investigation sections of Post Secondary Learning Act fail to recognize that student organizations already have robust procedures and institutions in place to ensure accountability to our constituents; and

WHEREAS the Government of Alberta has indicated that the audit and dissolution sections are required as a failsafe provision if serious misconduct should occur; and

WHEREAS serious misconduct can already be dealt with through existing internal structures, and that embezzlement or other types of financial misappropriation should be handled in the same ways as it is in the corporate or any other sector, through criminal charges; and

WHEREAS the Council of Alberta University Students and its members do not take issue to the requirement of public disclosure of our finances, and its members routinely submit audited financial statements to their respective boards as a matter of courtesy; and

WHEREAS Section 97 of the Post Secondary Learning Act fails to prescribe reasonable conditions that need to be satisfied for the Minister to dissolve a student organization, and fails to identify a time period specifying an appropriate time to place student leaders back in their positions post facto a student organization being dissolved; and

WHEREAS there are absences of safeguards for student organizations in the proposed legislation, including:

- a lack of transparency throughout the entire investigative process,
- a dialogue that seems to be between the institution board and the Ministry in the beginning stages followed by unilateral Ministry authority;
- that the Post Secondary Learning Act does not require the investigator's report to be made public;
- that there are no legislative avenues of appeal for the students' organization in question.

BE IT RESOLVED THAT the Council of Alberta University Students propose the following recommendations for amendments to the Post Secondary Learning Act:

- a. that the Government of Alberta strike, or significantly amend, Sections 97(2) through 97(5) of Post Secondary Learning Act. Specifically, we recommend altering the section to reflect the democratic nature of student organizations and the fact that student organizations operate as a level of government. To this end, we recommend legislative codification of accountability to students, rather than accountability to the board of governors;
- b. that Section 99(1) be amended in order to remove reference to “student organizations”;
- c. that Section 97 be amended so as to recognize already existing judicial mechanisms at student organizations. Moreover, internal mechanisms in place ought to be exhausted before Section 97 is given force or effect;
- d. that the term “financial irregularity” should be given definition in the Act that is pressing and substantial to justify the execution of Section 97;
- e. that the provincial inspector’s report to the Minister on the finances of the student organization and any other related documents must be made accessible at minimum to the student organization in question and preferably made public;
- f. that student organizations affected by Section 97 should have an avenue of appeal if new pressing and substantial information can be brought forward;
- g. that, in the event a student organization is dissolved, by-elections should be called and operated in accordance with the respective student organization’s bylaws and constitution.