

33. STUDENT ADVOCATE FUND TERMS OF REFERENCE

DEFINITIONS

Fund in this policy means the Student Advocate fund.

Individual advocacy means support and assistance provided to a graduate student regarding an appeal or dispute with the University that is governed by University policies and procedures and may include interviewing the student or witnesses, advising the student, preparing written submissions, attending hearings or meetings with or on behalf of the student, research, mediation or provision of legal counsel.

Systemic advocacy means campaigns and lobbying to improve University policies and procedures in the interests of graduate students and may include research, letter writing, petitions, meetings with University officials or other stakeholders, media releases, or public events.

Information and education mean provision to graduate students of information, referrals to University or other resources, and education regarding students' rights and responsibilities under University policies and procedures and may include direct service, publications or workshops.

Office of the Ombudsman refers to the Office of the Ombudsman, University of Victoria.

Equity and Human Rights Office (EQHR) refers to the University of Victoria Equity and Human Rights Office.

PURPOSE/BACKGROUND

In 2019, Society members voted in a referendum to establish a Student Advocate fund fee. This policy outlines the process for accessing and restricting access to these funds.

JURISDICTION/SCOPE

This Policy applies to the Student Advocate fund.

POLICY DETAILS

33.1 Additions/Transfers to the fund

33.1.1 Revenues to the fund are from the following sources:

- a) Fees collected as a result of a referendum to establish or increase the Student Advocate Fund fee,
- b) Ordinary budget resolution and/or other expenditure resolutions in accordance with the Society's constitution and bylaws,
- c) Reallocation of funds in accordance with the Budget Planning and Fiscal Policy, and
- d) Donations from individuals.

33.2 Purposes of the fund

33.2.1 The fund shall be allocated to the following purposes:

- a) Individual advocacy,
- b) Systemic advocacy, and
- c) Information and education.

33.2.2 Pursuant to the Purposes of the fund, the GSS may:

- a) hire staff to conduct individual or systemic advocacy and disseminate information and education to GSS members,
- b) fund advertising or other information sharing ventures to disseminate information and education,
- c) contract external experts to advise on systemic advocacy campaigns,
- d) contract legal counsel in accordance with 30.4.

33.3 Allocation of the fund

33.3.1 The fund shall be allocated as approved in the Society's annual budget.

33.3.2 At least 10% of the annual revenue of the fund shall be allocated to contingency reserve.

33.3.3 Funds unused at the end of the fiscal year shall be allocated 50% to contingency reserve and 50% to the annual revenue of the next fiscal year.

33.3.4 Unbudgeted requests for funds shall be approved as required by Bylaw 14.

33.3.5 Allocation of funds to specific cases for individual advocacy shall be approved by the Executive Board.

33.4 Allocation of funds to Individual Cases

33.4.1 The Fund is for use to support Society members, including members currently on leave.

33.4.2 Members benefitting from the Fund will make reasonable efforts to limit the expense of their case. This can be done by ensuring they have a reasonable understanding of the applicable university policies, preparing and collating relevant materials, and drafting a written summary of their concern where appropriate.

33.4.3 Discussion regarding the request for funds, and any details related to the individual student or the case will be held in camera. The motion to approve allocation of funds will be made in open session. The motion will include the estimated amount of funds allocated, the expected timeline for contract completion, the party to be contracted, if known, and the scope of work.

33.4.4 When allocating funds to an individual case, the Executive Board will consider whether:

- a) the request is in keeping with the Society's Purposes,
- b) the individual case is significant to the Society's membership as a whole,
- c) legal or other professional services are more cost effective than staff time spent on the same tasks,
- d) outside legal advice is more appropriate than staff involvement,
- e) the case should be referred to the Ombudsperson, a shop steward, or to the personal legal counsel of the student(s), and
- f) it will produce the best outcome for the student(s).

33.4.5 When the Society engages a lawyer on behalf of a student, the lawyer works for the Society. The Fund cannot be used to act against the Society or take actions that put the Society at risk.

33.4.6 Any information collected by the Society will be protected and used in compliance with applicable privacy legislation.

33.5 Allocation of Funds for Contracting Legal Counsel for Individual Cases

33.5.1 The Fund is for use to support Society members, including members currently on leave.

33.5.2 Members requesting use of these Funds shall demonstrate in their request for funds how they have exhausted available campus supports, including the Equity and Human Rights Office and the Office of the Ombudsperson, prior to requesting funds for external legal counsel.

33.5.3 Members benefitting from the Fund will make reasonable efforts to limit the expense of their case. This can be done by ensuring they have a reasonable understanding of the applicable university policies, preparing and collating relevant materials, and drafting a written summary of their concern where appropriate. Where support is required in making a reasonable effort to limit expenses, members shall be referred to the Office of the Ombudsperson.

33.5.4 Discussion regarding the request for funds, and any details related to the individual student or the case will be held in camera. The motion to approve allocation of funds will be made in open session. The motion will include the estimated amount of funds allocated, the expected timeline for contract completion, the party to be contracted, if known, and the scope of work.

33.5.5 When allocating funds to contracting legal counsel for an individual case, the Executive Board will consider whether:

- a) the request is in keeping with the Society's Purposes,
- b) the individual case is significant to the Society's membership as a whole,
- c) support from available campus resources with a mandate to assist students in matters of equity, human rights, fairness, workplace health, safety, and employment related concerns, etc. have been exhausted,
- d) legal or other professional services are more cost effective than GSS staff time spent on the same tasks,
- e) outside legal advice is more appropriate than GSS staff involvement,
- f) the case should be referred exclusively to existing resources such as the Ombudsperson, a union steward, or to the personal legal counsel of the student(s), and
- g) it will produce the best outcome for the student(s).

33.5.6 When the Society engages a lawyer on behalf of a student, the lawyer works for the Society. The Fund cannot be used to act against the Society or take actions that put the Society at risk.

33.5.7 Any information collected by the Society will be protected and used in compliance with applicable privacy legislation.

33.6 Ineligible Expenses

33.6.1 The Fund cannot be used for the following purposes:

- a) Actions in which the GSS, its officers or staff are the respondent,
- b) Matters unrelated to university policy and procedures,
- c) Matters related to work where the student is represented by a union,
- d) Undergraduate student cases, or cases where the primary beneficiary of support is not a member of the GSS,
- e) Appeals on admission decisions, and
- f) Reimbursements for legal costs already incurred.

33.7 Accountability

33.7.1 30.6.1 The GSS Executive Board will report annually on the use of the fund to the Graduate Representative Council. This report will respect confidentiality, and will include:

- a) Number of individual advocacy cases receiving assistance from the Fund and their outcome,
- b) Systemic advocacy campaigns supported by the Fund, and their outcome, and
- c) Number of events, staff hours and publications providing information and education supported by the Fund.

33.8 Interest/Investment of Fund

33.8.1 The fund may be invested in short term GICs at the discretion of the Executive Board.

33.8.2 Interest/returns accrued by the Fund shall be retained/reinvested within the Fund.

33.9 INTEREST/INVESTMENT OF FUND

33.9.1 Interest/returns accrued by the fund shall be retained/reinvested within the fund.

DEVELOPMENT AUTHORITY

The GRC Finance Committee.

APPROVAL AUTHORITY

General Meetings of the Society.

IMPLEMENTATION AUTHORITY

The Director of Finance.

RELATED LEGISLATION, AGREEMENTS, OR OTHER SOCIETY POLICIES AND PROCEDURES

Personal Information Protection Act, SBC 2003, c 63.

GSS Budget Planning and Fiscal Policy.

RESOURCES, REFERENCE DOCUMENTS USED

None.

DOCUMENT CONTROL

Next Review Date:
Date Amended: March 22, 2022 (SAGM)
Last Reviewed:
First Approved: October 29, 2019 (AGM)
Earlier Iteration: (version history notes if applicable e.g., if policies combined)