

MEMORANDUM OF AGREEMENT BETWEEN:

TRENT UNIVERSITY

(Referred to in the Agreement as "the University")

-and-

TRENT CENTRAL STUDENT ASSOCIATION (the "TCSA")

-and-

TRENT DURHAM STUDENT ASSOCIATION (the "TDSA")

-and-

TRENT GRADUATE STUDENTS' ASSOCIATION (the "TGSA")

(Referred to in the Agreement as "Student Associations")

-and-

LEVY COUNCIL

(Referred to in the Agreement as "Levy Fee Recipients")

1. Objectives/Goals for this Agreement

The University collects fees from students who are enrolled in its academic programs on behalf of Student Associations, or other independent organizations, on the basis of student referendum. This agreement describes the administrative processes concerning the collection, distribution and reporting of levy fees charged to students at the University.

Levy fees are remitted by Trent University to student organizations, or other independent organizations, provided that a fee has been successfully voted on and is supported by a majority of students. Levy Fee Recipients meet through a committee established by student referendum in 2019 to provide a forum to discuss procedures and processes that are applicable to them.

Non-tuition related university fees (*ancillary fees*) charged by Trent University are also established through student referenda. All ancillary fees charged to students are governed by the *Trent University Ancillary Fee Protocol*.

2. Responsibilities

Trent University:

- 1) Subject to this Agreement, the University shall recognize the non-tuition related fees created through student referenda.
- 2) The University is responsible for facilitating the collections and remittances for all eligible fees to be charged in the upcoming academic year.
- 3) The University is responsible for working with Student Associations to apply the appropriate increases / changes to fees that are charged to Student Association members which have been initiated through student referenda.
- 4) The University is responsible for communicating changes to general billing practices, university personnel, policies, or legislation related to the billing of student fees to the levy council (see Levy Groups Terms of Reference) and student associations.

- 5) The University endeavors to ensure that fees are being used in ways that are in keeping with the levy fee recipient's purpose, as established by the student referendum question (see Appendix V if on record) or the University's written agreement with the recipient about their mandate statement.
 - a) The University may choose to withhold a levy fee recipient's collected fees in trust where there is reason to believe that the fee is not being used for the purpose that it was collected for.
 - b) If a levy fee recipient fails to uphold their responsibilities under this agreement or
 - c) Fails to abide by its reporting requirements

In such cases, the University may choose to enact the Non-Compliance and Dispute Resolution process below.

Student Associations (TCSA, TDSA, and TCSA collectively):

- 1) The TCSA, TDSA and TGSA are responsible for conducting referenda related to student fees according to their bylaws for their respective student constituencies. Referendum questions requesting a new fee must describe the purpose of the fee being charged, the initial amount of the fee (prior to any cost-of-living increases), the organization that is the recipient of the fee, and if the fee will be refundable or non-refundable.
- 2) Student Associations are fully responsible for any student association funds billed on their behalf by Trent University and must abide by any conditions established through their by-laws, student referendum, this agreement, or Trent University.
- 3) Once referendum results are ratified by a Student Association's Board of Directors, they will be reported to the University to facilitate the collection and remittance process for new, removed, or existing levy fees for the upcoming academic year.
- 4) The TCSA, TDSA and TGSA are responsible for communicating proposed and approved changes to their By-Laws related to levy fees with other parties described under this agreement.
- 5) The TCSA, TDSA and TGSA are responsible for applying annual increases to all fees as permitted by their by-laws. It is the responsibility of Student Associations to make these adjustments correctly and to communicate these changes to the University and recipients that receive levy fees. If consumer price indexing (CPI) increases are permitted, they will be calculated based on the annual average CPI rate published by Statistics Canada.
- 6) The TCSA, TDSA and TGSA are responsible for providing 60-days notice of the report deadline, collecting and publishing information about Levy Fee Recipients to their websites, including:
 - a) A list of current recipients who receive levy fees from students.
 - b) Required annual reports and financial information submitted by levy fee recipients.
 - c) Contact information for recipients of the levy fees.
 - d) The current Levy Group Policy and any common agreements regarding student fees.

Levy Fee Recipients agree that:

- 1) Levy Fee Recipients are fully responsible for the use of funds they receive from Trent University and must abide by any conditions established through student referendum, this agreement, or Trent University.

- 2) Levy Fee Recipients are responsible for responding to student information requests or concerns in a timely manner.
- 3) Levy Fee Recipients who collect refundable fees are responsible for honouring student requests for refunds within the published deadline period.
- 4) Levy Fee Recipients are responsible for submitting annual updates about their operations over the previous 12 months, finances and contact information to Trent University and Student Associations by April 30th each year.
- 5) Levy Fee Recipients are responsible for collecting any funds remitted to them by Trent University once they are notified their funds are available for pickup.
- 6) Levy Fee Recipients are responsible for ensuring they remain in good standing with the Levy Group Policy.

3. Annual Reporting Requirements

This section outlines the annual reporting requirements that Levy Fee Recipients are expected to complete. In collaboration with the Trent University Associate Vice President (AVP), Students (or designate) and the Levy Council Representative, Student Associations will develop and maintain a digital form for Levy Fee Recipients to report information required by Trent University and Student Associations. Information provided through this form will be consolidated and shared with the University ahead of the upcoming term's levy billing cycle. Each levy fee recipient is responsible for providing the following information by April 30th each year in order for the fall semester levy cheques to be released. If a Levy Fee Recipient cannot meet this deadline they must contact the AVP Students (or designate) and Levy Council Representative prior to it to request an extension, providing their reasons for needing an extension and a new proposed deadline (up to two additional months). Extensions will not be unreasonably withheld. Winter semester levy cheques are released to levy fee recipients in good standing that have met the annual reporting requirements for the fall semester of the same academic year.

- 1) A summary of the levy fee recipient's purpose, as agreed to by student referendum, and key annual activities (expectation of around 5 bullet points, can also include a link to the levy fee recipients' website), to be made publicly available on the relevant Student Association's website to help promote the recipient's activities.
- 2) An actively monitored means of contact for students to communicate with the levy fee recipient, to be made publicly available on the relevant Student Association's website.
- 3) Up-to-date contact information for two of the levy fee recipient's signing officers (including name, and primary means of contact), to be privately kept on record by the University and student association.
- 4) The levy fee recipient's final financial statements for the previous 12 months, or most recent reviewed/audited year end if applicable, to be made publicly available on the relevant Student Association's website.

With respect to the financial statements for levy fee recipients that do not have separate accounting review or audit, levy fee recipients can submit their financials using the standard template in the

Appendix VI, or a Statement of Financial Position/Balance Sheet (indicating equity, assets, accounts payable and receivable) from Quickbooks, or a comparable bookkeeping software.

The Levy Council representative and the student association are jointly responsible for ensuring that the above information is appropriately collected and distributed.

The Levy Council representative, student association representative(s), AVP Students or designate, and Finance Office designated staff member will meet to review the levy fee recipient's annual reports annually or as needed in order to review any financial discrepancies, inadequate reports, or other issues, and flag these for identification as non-compliant and in need of resolution.

4. Non-Compliance and Dispute Resolution

If a levy fee recipient becomes non-compliant with this agreement, the University will confirm non-compliant status with the recipient and Levy Council in order to give them the opportunity to reconcile the issue. Non-compliance will result in the following steps:

1. providing a verbal and written warning to recipient using the most recent contact information;
 - a) if the primary issue is a failure to submit documents for April 30, providing up to a month to develop a plan and timeline for compliance;
 - b) providing notification to the Levy Council of non-compliance to activate follow up with the recipient;
2. temporary suspension of fee remission for up to a semester (withholding the disbursement of funds);
3. providing notification to the Levy Council of a potential permanent suspension of fee collection;
4. notice of dissolution referendum with the appropriate student association.

After the first semester of non-compliance (fall or winter), the university may also suspend fee collection from students. After two full semesters of non-compliance the fee may be permanently suspended and a referendum called to dissolve the levy fee recipient.

The University and Levy Council agree that they will work together to try and help the levy fee recipient resolve any outstanding issues in order to ensure compliance.

If the levy fee recipient wishes to dispute a decision by the University to withhold funds or not collect a fee, they may make a written submission to the Office of Student Affairs for reconsideration. Written submissions requesting reconsideration must include:

- 1) A letter that describes reasons why the levy fee recipient should retain its eligibility to receive fees from the University. The letter should also include plans for funds that may be held in trust, if applicable.
- 2) A draft budget that demonstrates organizational and financial planning for the use of uncollected and upcoming fees if eligibility to receive fees is reinstated.

The levy fee recipient's application will be reviewed by the Office of Student Affairs within 14 days. The decision to reinstate a recipient's eligibility to receive student fees will be based on an assessment of the recipient's ability and willingness to meet their reporting requirements. Evidence that the recipient can maintain appropriate records and safekeeping precautions for funds entrusted to its custody is a

requirement of reinstatement. The planned use of levy funds must also be in keeping with the original purpose of the fee, established by student referendum.

Student Associations will advise the University on outcomes for ineligible/non-compliant levy fee recipients and associated funds. Student Associations will also ensure that their websites display up-to-date information about recipients who remain in good standing with this agreement, or otherwise.

5. Student Complaints against Levy Fee Recipients or Levy Fees

Students should be provided with an opportunity to bring forward concerns and complaints about levy fee recipients to be addressed and hopefully resolved. Complaints will be addressed using the simplest option possible given the circumstances, preferably by taking the following steps:

1. Contact the levy fee recipient directly through the contact information provided on the student association website to work to resolve the issue.
2. Contact the Office of Student Affairs and/or the designated representative for the Levy Council to alert them to the issue and to get assistance in resolving it.
3. Contact the relevant student association to initiate a formal complaint process up to and including initiating a referendum.

6. Uncollected Levy Funds

Levy fees that remain uncollected will be held in trust by the University's Finance Office until the month of August unless an extension is approved by the AVP, Students or designate. Each August uncollected funds will be reviewed by the Office of Student Affairs, Levy Council representative, Finance Office, and the Student Association whose members were originally billed the fee.

In the event of the dissolution of a levy fee recipient or permanent suspension of fee collection, any uncollected levy fees will be disbursed to the Student Association whose members were billed the fee, to support an eligible direct student assistance fund for that Association's members if one exists in acting within the Association's by-laws. If an alternative use of the uncollected levy funds is identified, then a student referendum must approve the use of the funds for the identified purpose before they are disbursed by the University.

7. Fee Initiation, Amendment & Dissolution

The initiation, amendment and dissolution of fees received by parties in this agreement are governed by the University's *Ancillary Fee Protocol* and Student Association by-laws, including a required voting quorum of to be valid. This agreement does not supersede or take the place of these regulations. It is intended to compliment them by clarifying processes related to the administration of these fees.

8. Amendment

No modification or amendment to this Agreement may be made unless agreed to by the parties listed in this agreement.

9. Assignment of Parties and Update of the Agreement

This Agreement will be assignable by the University, Student Associations and Levy Council to recipients that secure a levy fee based on the terms and conditions of student referendum. The agreement shall be reviewed and updated every two years to ensure its currency. Any amendments that have been agreed to by parties to this agreement shall be updated as required.

10. Reasonable Efforts

The Parties to this agreement shall always act in good faith when dealing with each other and when carrying out their obligations under this agreement. The Parties shall always take reasonable steps and act in a timely manner to ensure that the objectives and goals of the agreement are fulfilled.

Appendix I - List of Current Levy Fee Recipients Charged to TCSA Members as at April, 2022

All recipients outlined in this section are charged on a per semester basis to TCSA members who are registered in 1.5 credits or more. The fees charged to students are listed on the TCSA website and the Trent Finance website. The list is update annually by the TCSA following their spring election cycle to correctly reference levy fees that are currently billed to TCSA members:

1. Absynthe (refundable)
2. Active Minds (refundable)
3. Anne Shirley Theatre Company (refundable)
4. Arthur Newspaper (non-refundable)
5. B!KE (refundable)
6. Centre for Gender & Social Justice (non-refundable)
7. College Cabinet/Council (non-refundable) (allocated via student registration by college)
8. Community Movements Conference (refundable)
9. Community Race Relations Committee (refundable)
10. Electric City Hacks (refundable)
11. Journal of Undergraduate Studies (refundable)
12. Kawartha Sexual Assault Centre (non-refundable)
13. Kawartha World Issues Centre (refundable)
14. Ontario Public Interest Research Group (refundable)
15. Organic Gardens (non-refundable)
16. Oxfam Working Group (refundable)
17. Peter Robinson Community & Student Association (non-refundable)
18. Seasoned Spoon Cafe (refundable)
19. Sustainable Agriculture & Food Systems Society (refundable)
20. Sustainable Trent (non-refundable)
21. Theatre Trent (non-refundable)
22. Trent Child Care (non-refundable)
23. Trent Film Society (non-refundable)
24. Trent International Students Association (non-refundable)
25. Trent Outdoors Club (refundable)
26. Trent Queer Collective (refundable)
27. Trent Radio (non-refundable)
28. Trent Students for Literacy (refundable)
29. Trent University Music Society (non-refundable)
30. Trent University Native Association (refundable)
31. Trent Valley Fencing Club (refundable)
32. World University Service of Canada (non-refundable)
33. Youth Emergency Shelter (non-refundable)

Appendix II - Annual Association Fees Charged to TCSA Members:

TCSA Fees

1. TCSA Membership Fee (non-refundable), billed on a per term basis according to credit threshold.

2. TCSA Benefits Fee (refundable, based on alternative coverage), billed annually to students registered in 1.5 credits or more (summer term, opt-in).
3. TCSA Transit Fee (non-refundable) billed annually to students registered in 1.5 credits or more (prorated in winter and summer terms for opt-ins).
4. TCSA Clubs fee (non-refundable), billed on a per term basis according to number of credits.
5. TCSA Food Bank fee (non-refundable), billed on a per term basis according to number of credits.
6. Student Centre fee (non-refundable), billed to full-time students only.
7. CFS Ontario & National (non-refundable), billed on a per term basis according to number of credits.

Appendix III - Annual Fees Charged to TDSA Members:

Fees charged by the TDSA are charged per credit regardless of the course location unless otherwise indicated. The list is update annually to correctly reference levy fees that are currently billed to TDSA members:

1. TDSA Membership Fee (non-refundable) per credit
2. TDSA Peer Support Fee (non-refundable), , per credit
3. TDSA Food Bank Fee (non-refundable), credit
4. TDSA Walkhome Fee (non-refundable), per credit if student is registered on campus

Appendix IV - List of Current Levy Fees / Annual Fees Charged to TGSA Members:

All fees outlined in this section are charged on an annual basis to full and part-time TGSA members (excluding on-line programs) unless otherwise specified. The list is update annually to correctly reference levy fees that are currently billed to TGSA Members:

1. Peter Robinson Community & Student Association (non-refundable)
2. Kawartha World Issues Centre (non-refundable)
3. Seasoned Spoon (non-refundable), only charged to full-time Graduate Students.

TGSA Fees

1. TGSA Student Support Fee (non-refundable), billed in equal amounts by term

Appendix V –

Referendum Questions

Appendix VI – Financial Template

The undersigned confirm that the most recent version of the Memorandum of Agreement regarding Levy Fees is approved by their respective organizations:



Aimee-Marie Ancil
President, Trent Central Student Association

02/28/2024

Date



Riley Ambrose
President, Trent Durham Student Association

02-26-2024

Date



Emma Kaszecki
President, Trent Graduate Students Association

2024-02-12

Date



David King
Levy Groups Representative

02/12/24

Date



Lawrence Lam
Associate Vice President - Students, Trent University

February 12, 2024

Date