



**S.L.F.S.**  
Student Legal Fund Society

***INTERNAL POLICY MANUAL***

*of the*

**Student Legal Fund Society**

*“...to support litigation, advocacy, and lobbying for improved education and access to education at UBC, and other matters of law that set broad precedent and are of concern to UBC students.”*

*Revised January 10, 2023*

## 1 DEFINITION AND INTERPRETATIONS

### 1A Definition

- (1) These policies have been developed by the Board to provide guidance in its business and affairs. These policies must be read in conjunction with the Constitution and Bylaws of the Society. In the event that any policy is in conflict with the Constitution or Bylaws, the latter shall prevail.
- (2) Only the policies considered in the manual shall be construed as constituting the Policy of the Student Legal Fund Society.
- (3) In this Policy Manual, unless the context otherwise requires:

“AMS” shall be taken to refer to the Alma Mater Society of UBC Vancouver;

“Directors” shall be taken to refer to the directors of the Society;

“Board of Directors” shall be taken to refer to the Society’s Board of Directors

“Two-thirds (2/3rds)” shall be taken to refer to two-thirds of the voting members who cast a vote either in favour or in opposition to a motion, but shall not consider abstentions or absences.

“Simple majority” shall be taken to refer to more than 50% of the voting members who cast a vote either in favour or opposed to a motion, but shall not consider abstentions or absences.

“Members” shall be taken to refer to all UBC students who have paid the membership fee, which is the student society fee levied by the AMS on behalf of the SLFS;

“Society” shall be taken to refer to the SLFS – Student Legal Fund Society;

“Constitution” shall be taken to refer to the Society’s Constitution.

“*Societies Act*” shall be taken to refer to the *Societies Act* of British Columbia from time to time in force and all amendments to it;

“UBC” shall be taken to refer to the Vancouver Campus of the University of British Columbia;

- (4) Definitions provided in the Society’s Constitution shall apply to the extent that they are not inconsistent with those given or required by the Policy Manual.
  - (a) The definitions provided herein are intended only to apply to this document and shall be not be considered in the interpretation of the Constitution unless otherwise required by it.

## **1B Authority**

- (1) Pursuant to its Bylaws, the Society may put in place practices and procedures of a regulatory manner provided they remain subservient to the Constitution, as well as the Bylaws. These procedures exist in the form of this Policy Manual.
- (2) Components of the formatting of this document that do not reflect changes in its content may occur at the discretion of the Board of Directors.

## **1C Amendments and Suspension**

- (1) Unless otherwise specified, the Board by a two-thirds vote may set aside any individual policy for a period not to exceed thirty days.
- (2) The Policy Manual may be amended or repealed by a two-thirds (2/3rds) supermajority vote of the Board of Directors. All amendments must be distributed to the general membership of the Society no less than forty-eight (48) hours in advance of the meeting at which ratification of such changes is to occur.

## **2 SOCIETY**

### **2A Maintenance and Access to Society Records and Documentation**

- (1) The Society's official address (Registration and Records) will be maintained at 6133 University Boulevard Suite 3306 Vancouver, BC V6T 1Z1.
- (2) The Secretary will ensure that original copies of all documents and records determined not to require limited access by the Board, of the Society, and its Committees for the previous calendar year are deposited regularly in the SLFS Archives.
- (3) Documents and records designated by the Board to require limited access will be kept in a special filing cabinet in the Society office. They will be accessible only to the Directors and to authorized staff members.
- (4) All discussion of prospective or ongoing cases shall be treated as confidential, and the period of any meetings where such cases are discussed, both including and not limited to the Board and Litigation Committees, shall be considered as closed, and the minutes of which shall not be made public.

### **2B Records Retention**

- (1) When SLFS Records are no longer needed for current use or otherwise required to be maintained for legal purposes, those SLFS Records that may be of future use to the Society or that it may be desirable to preserve for legal purposes (including without limitation pursuant to the Societies Act) shall be transferred to the SLFS Archives.
- (2) The SLFS Archives, in compliance with applicable legislation and any direction provided by the Board, shall establish how long SLFS Records shall be kept once they are no longer needed for current use or otherwise required to be maintained for legal purposes. In keeping with section 35(1) of the *Personal Information Protection and Electronic Documents Act*, if the Society uses an individual's personal information to make a decision that directly affects the individual, the Society will retain that information

for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it under the *Personal Information Protection and Electronic Documents Act*.

## **2B Society Correspondence**

- (1) All correspondence under the Society's letterhead must be signed by the appropriate Board member and preserved accordingly.
- (2) Letters written by Board members shall be brought to the attention of the following meeting of the Directors.
- (3) Copies of all correspondence relating to the establishment and maintenance of the Society shall be provided to the official Registration & Records office, including but not limited to:
  - (a) any documentation or filings as required by the Societies Act; and,
  - (b) year financial statements;
  - (c) minutes from any general meetings, including special resolutions.
- (4) E-mail messages shall not be considered official correspondence unless sent from a Society address, carbon copied to [archives@slfs.org](mailto:archives@slfs.org), and printed.

## **2C Signing Authority**

- (1) All Society financial accounts shall require at least dual signing authority.
- (2) The President and the Treasurer shall have overall signatory authority for the society with respect to financial matters.
- (3) The Board may authorize other Board members to share financial signing authority.
- (4) The Boards by a two-thirds vote may rescind any financial signing authority other than that of the President and the Treasurer.

## **2D Contractual Signing Authority**

- (1) Any contract entered into by the Society must have Board approval and be signed by the or their designate.

## **2E Reporting**

- (1) The Treasurer shall provide monthly bank statements, cheques and receipts to the Society's accountant.
- (2) The Treasurer shall provide the Board with monthly financial statements.

## **3 DETERMINATION OF FUNDING**

### **3A Intention and Purpose**

- (1) The purpose of this section is to state guiding principles for the amount of funding provided to cases deemed worthy of funding by the Society.

### **3B Case Funding Criteria**

- (1) Cases must fall within the mandate of the Society as specified in the Constitution and determined by the Board.
- (2) Cases must affect full or part-time University of British Columbia students.
- (3) The Board may consider the following criteria when selecting cases to fund, in no particular order:
  - (a) the financial need of applicants;
  - (b) the Society's financial resources in relation to its other obligations and activities;
  - (c) the potential precedential value of each case;
  - (d) the potential impact of success or failure for the applicant;
  - (e) the potential impact of success or failure for others, including other cases funded through the Society;
  - (f) the significance of the issues raised both in terms of the social goals which may be achieved and in the development of the law; and
  - (g) the extent cases address systemic, as opposed to individual, student legal issues.
- (4) The Society will fund completed cases only in exceptional circumstances, determined by the Board.
- (5) When opposing parties in a conflict apply for funding, the Society shall not offer funds to both parties.

### **3C Guidance for Case Funding**

- (1) The Society shall fund cases in full only in exceptional circumstances.
- (2) Funding for any individual case shall not exceed the value of \$60,000.
- (3) Should the Society decide to fund a case, the Society will provide for potential legal cost consequences should the plaintiff be unsuccessful.
- (4) The Society may choose to fund litigation on condition that particular arguments are advanced or refrained.

## **4 PROTECTION OF CONFIDENTIAL INFORMATION**

### **4A Definition**

- (1) The Society will ensure the retrieval, use and distribution of private information will comply with the *Personal Information Protection and Electronic Documents Act*:
  - (a) All information from funding applicants shall be treated as confidential.
  - (b) All Society Board, Litigation Committee and staff members who have access to confidential information will sign a non-disclosure agreement upon request.

## **5 FINANCES**

### **5A Purpose**

- (1) This policy is designed to cover volunteers engaged in authorized work for the Society including, but not limited to: the Board of Directors, the Officers of the Society, staff and general committee members.

- (2) This policy is also designed to cover transactions between the Society and outside organizations, including AMS-affiliated organizations and corporations.
- (3) Only the Treasurer and the President are authorized to make exceptions to the following policy/guidelines and such exceptions should, whenever feasible, be made in advance of incurring any pertinent expense and should be disclosed to the Board of Directors.

### **5B Budgetary Procedure**

- (1) The Treasurer shall ensure a minimum amount of \$50,000 is held by the society at the end of the fiscal year.
- (2) In accordance with Bylaw 20 section 89, the Treasurer, the President, or their appointed designate must present a final, detailed budget to the Board no later than August 30th in each fiscal year for that fiscal year.
- (3) If the budget initially presented fails to pass by a two-thirds resolution of the Board, a motion to pass an amended budget shall automatically be placed on the order of business of the next meeting of the Directors.
- (4) The finalized and approved budget shall be updated and distributed to the Society's members on a regular basis.

### **5C Amendments**

- (1) Amendments to the budget must be passed by the Board if the amount of money involved in the amendment concerns is \$1001 or greater prior to the monies being moved and spent.
- (2) The Treasurer may move existing monies from one line item to another, provided the amount is \$1000 or less, but may not create new line items or introduce new spending.

## **6 IN-CAMERA MEETING**

### **6A Intention and Purpose**

- (1) The purpose of this policy is to clarify the appropriate approach for in-camera sessions of the Board and committee meetings of the Society.
- (2) In-camera meetings have a legitimate purpose but they should be used judiciously and sparingly for the right reasons. In-camera sessions are designed for and intended to help the Board and committees work through potentially legally-sensitive, and contentious issues so that the best interests of the Society and students are served.
- (3) The Board and committees carry out their functions primarily through meetings. Meetings are most effective when, in addition to the Board and committee members, those people whose input is required attend and participate. Most meetings include the Board and committee members and Senior Management of the SLFS.
- (4) There are times when limitations are required on attendance by Senior Management and other advisors who customarily attend meetings. Such meetings are considered to be in-camera meetings.

## **6B Responsibilities**

- (1) The Board or Committee Chairs are responsible for managing the meeting process and for calling and ensuring the proper use of *in-camera* meetings.

## **6C Appropriate Subject Matter for *In-Camera* Meetings**

- (1) Subject to this overall responsibility, the Board and Committee will meet *in camera* to address the following but not limited to:
- (2) Sensitive matters about an identifiable individual that require Board/Committee discussion including identifying and resolving internal problems and factions of the Board/Committee, and other sensitive human resources issues;
- (3) Performance or reimbursement of Directors. In this instance, the results of the in-camera session are to be communicated to the Secretary as soon as possible thereafter by the Board Chair or his/her designate;
- (4) To ensure the integrity and independence of key positions of governance accountability;
- (5) Matters that are, or may become the subject of litigation or are related to confidential legal, civil or criminal proceedings.

## **6E Procedures**

- (1) An *in-camera* session will be a standing agenda at every Board meeting.
- (2) The Chair must ensure that the Board/Committee discusses only those items on the agenda that have been identified as being required to be held in camera, and do not hold discussions on new issues that are not properly in camera items.
- (3) The Board Chair/Committee Chair (Chair) should determine and announce who will remain in the meeting and the rationale if requested for excluding any individuals being asked to leave the meeting. In most cases, formal Board/Committee decisions will not be made during in-camera sessions, but rather, once the regular meeting reconvenes immediately following the conclusion of the *in-camera* session. These decisions will be recorded in the minutes of the regular meeting.
- (4) The minutes of the in-camera portion of the meeting, if any, will be recorded separately by the Board Secretary or by another individual appointed for this purpose. The Minutes will be forwarded to the Office of the President and Board to retain.
- (5) These minutes are approved at an *in-camera* session at the next regularly scheduled meeting. All persons attending an in-camera session will treat all matters and discussions with the utmost confidentiality unless they are brought forward by the presiding Chair as an agenda item to a future meeting.
- (6) When *in-camera* sessions are held without the Chair/President and Senior Management, the Chair must brief him/her on any substantive and relevant matters.