

## **80.00 POLICY ON COMPULSORY CAMPUS-BASED STUDENT FEES**

The Regents have authority to impose fees for any university purpose. All campus-based student fees at a campus must be approved by the chancellor of that campus, except that no compulsory campus-based fees shall be effective until also approved either by the Regents or by the president under the president's delegated authority, as appropriate.

### **81.00 Compulsory Campus-Based Student Fees**

Compulsory campus-based student fees are fees levied at individual campuses, which must be paid by all registered students to whom the fee applies. Such fees may be used to fund: (1) student-related services and programs, including, but not limited to, referenda-based student health insurance programs; (2) construction and renovation of student facilities such as student centers and recreation facilities; and (3) student governments, registered campus organizations, and student government- and registered campus organization-related programs and activities.

**81.10** This *Policy* does not apply to university wide fees, to campus-based health insurance fees except those that have been approved by the Regents, to fees related to instruction, or to campus-based miscellaneous fees that require either the chancellor's or the president's approval.

### **82.00 Referendum Requirement for Establishing or Increasing Compulsory Campus-Based Student Fees**

Compulsory campus-based student fees may only be established or increased following a referendum in which students vote in favor of the compulsory fees, except as provided in *Section 83.00* of these *Policies*. If also authorized by students as part of the original referendum, a portion of the revenue from these fees may be set aside for financial aid purposes.

### **83.00 Exceptions to the Referendum Requirement**

**83.10** An increase in compulsory campus-based student fees may be approved either by the Regents or by the president under the president's delegated authority as appropriate, subject to the chancellor's recommendation, and does not require a student referendum, under any of the following circumstances:

**83.11** When a student referendum was not specifically required for increases in a compulsory campus-based student fee, as established in the original ballot measure language approved by students in a student election.

**83.12** When the chancellor determines that an increase is necessary for the health and safety of students, such as for the maintenance of the safety of a building or facility that is funded wholly or in part by compulsory campus-based student fees. Safety issues are those that are potentially dangerous such as risk of fire, asbestos, earthquakes, or structural defects. (See the *University Policy on Seismic Safety* and the *University Policy on Environmental Health and Safety*.)

For buildings or facilities with multiple uses, whenever possible the costs to students for funding safety-related or health-related maintenance should be based on the proportion of current non-academic student use of the facility. A portion of the revenue from these fees may be set aside for financial aid purposes.

**83.13** When the fee increase is necessary to meet legal requirements (such as new code requirements) or contractual obligations (such as income projections) specified in the funding covenants of a building or facility that is funded wholly or in part by student fees. For buildings or facilities with multiple uses, whenever possible the costs to students for such increases should be based on the proportion of current non-academic student use of the facility.

**84.00 Procedures and Required Approvals for Establishing or Increasing a Compulsory Campus-Based Student Fee**

**84.10** Except as provided in *Section 83.00* of these *Policies*, to establish or increase a compulsory campus-based student fee chancellors shall establish in campus implementing regulations, prior to any referendum:

**84.11** Procedures for student consultation and, in the case of student fee-funded facilities, procedures for continuing student consultation once the facility is constructed;

**84.12** Voting pool requirements, in which a substantial number of students, as specified by the chancellor in advance of the referendum, participate; and

**84.13** A requirement for at least a majority-vote approval.

**84.20** All referendum results are advisory to the chancellor and, conditional on the chancellor's recommendation, are subject to final approval either by the Regents or by the president under the president's delegated authority, as appropriate.

**85.00 Requirements for Reducing or Eliminating a Compulsory Campus-Based Student Fee**

Chancellors shall establish in campus regulations procedures for reducing or eliminating a compulsory campus-based student fee.

**86.00 Support for Registered Campus Organizations and Related Programs and Activities from Compulsory Campus-Based Student Fees** [replaces the University of California Guidelines for Funding Registered Campus Organizations and Related Programmatic Activities by Compulsory Student Fees, as revised October 26, 1999]

**86.10 Conditions for Support**

Compulsory campus-based student fees allocated to student government may be reallocated to support registered campus organizations and registered campus organization-related programs and activities consistent with the university's educational purposes in providing such support, as set forth in *Section 86.20* or these *Policies*. The process for making such reallocations must be based solely on viewpoint-neutral criteria, as set forth in *Section 86.30* of these *Policies*.

**86.11** A registered campus organization that is predominantly or exclusively funded by a student government or other campus entity from compulsory campus-based student fees shall primarily have University of California students as its members. Particular programs and activities of a registered campus organization funded from compulsory campus-based student fees shall be open to participation by the entire campus community. In addition, all expenditures relating to particular programs and activities of a registered campus organization (whether the program or activity takes place on- or off-campus) that are funded from such fees must be under the direct control of University of California students. (See also *Section 70.20* of these *Policies*)

**86.12** The referendum process set forth in *Section 82.00* of these *Policies* shall not be accessible to a registered campus organization or any student group other than a student government. The foregoing is not intended to preclude access to the referendum process by any administrative unit of the university, subject to appropriate student consultation. Support for a registered campus organization or any student group other than a student government from compulsory campus-based student fees must be in the form of a reallocation from student government or other appropriate campus entity to the registered campus organization or other student group. All such reallocations must be made consistent with the requirements for viewpoint-neutral funding set forth in *Sections 86.20* and *86.30* of these *Policies*. (See also *Section 70.81* of these *Policies*.)

**86.13** A student government in consultation with the campus, or a campus with the concurrence of the student government, may at its discretion establish and administer a mechanism providing for a pro rata refund to any student of that portion of his or her student government fees that are allocated by a student government or other campus entity to support a particular registered campus organization or registered campus organization-related program or activity. Establishment of such a refund mechanism is not required either as a matter of university policy or the law. (See also *Section 70.83* of these *Policies*.)

**86.20 The University's Educational Purposes**

The university's educational purposes are served when reallocations by a student government or other campus entity of compulsory campus-based student fees to support registered campus organizations and registered campus organization-related programs and activities are made: (1) to provide opportunities for the educational benefits and personal and social enrichment that derive from participation in extracurricular programs and activities; and (2) to stimulate on-campus discussion and debate on a wide range of issues from a variety of viewpoints.

Consistent with the above purposes, such reallocations shall not only be made to support either the general organizational expenses of registered campus organizations and registered campus organization-related programs and activities or their associated communicative purposes.

In addition, allocation decisions to provide such support must be made without regard to the viewpoint of a particular registered campus organization or registered campus organization-related program or activity, and must be balanced in relation to the support provided to other registered campus organizations or registered campus organization-related programs and activities in similar circumstances.

**86.30 Campus Procedures and Criteria to Assure Viewpoint Neutrality**

In fulfilling these purposes consistent with applicable law and *Section 86.20* of these *Policies*, campuses shall have responsibility for ensuring that student governments and, as applicable, other campus reallocation entities, maintain procedures and criteria for making specific reallocation decisions for the support of registered campus organizations and registered campus organization-related programs and activities from compulsory campus-based student fees. Such procedures and criteria must be viewpoint-neutral in their nature; that is, they must be based upon considerations, which do not include approval or disapproval of the viewpoint of the registered campus organization or any of its related programs or activities.

**86.31** Criteria appropriate to be given balanced consideration in the making of viewpoint-neutral reallocation decisions might include, but are not limited to: the objectively documented organizational needs of the registered campus organization based on membership size; its office or equipment requirements; the extent of financial support the registered campus organization receives from other sources; or the production costs associated with a particular event or series of events the registered campus organization typically sponsors. Such

sponsored events supported in whole or in part by compulsory campus-based student fees need not avoid controversial political, religious, or ideological content, subject to the understanding that under current university policy (see *Section 30.20* of the *Policy on Speech and Advocacy*) campuses have a responsibility to assure an ongoing opportunity for the expansion of a variety of viewpoints.

**86.32** Campus procedures and criteria shall provide: (a) that student governments or other campus entities responsible for reallocating compulsory campus-based student fees must publicize widely and regularly to registered campus organizations the availability of such funds to support registered campus organizations on a viewpoint-neutral basis, as well as the viewpoint-neutral criteria on the basis of which such funds will be reallocated; and (b) that communications to registered campus organizations on the availability of such funds must be made in a timely fashion, and be reiterated periodically during the year as long as such funds remain available, to ensure sufficient time for the preparation of funding proposals in advance of funding decisions.

**86.33** Campus criteria and procedures shall also provide for: (a) documentation of all funding processes available to registered campus organizations, including notice of the opportunity to apply for funding and the criteria upon which funding requests will be judged, consistent with *Section 86.32* of these *Policies*; (b) documentation of all funding requests by registered campus organizations and actions taken by the student government or other campus entity with reference to the published funding criteria in response to such requests; and (c) a formal process that allows registered campus organizations or individual students to appeal, in a reasonable and timely manner, funding decisions regarding particular registered campus organizations or registered campus organization-related programs and activities made by the student government or other campus reallocating programs and activities made by the student government or other campus reallocating entity. (See also *Section 62.06*)

**86.34** Compulsory campus-based student fees may be reallocated to pay for speakers sponsored by registered campus organizations. Over time, such events should stimulate on-campus discussion and debate from a wide range of viewpoints on a variety of issues.

**86.40 Legal Review of Campus Procedures and Criteria**

Campus procedures and criteria for reallocation of compulsory campus-based student fees to support registered campus organizations and registered campus organization-related programs and activities on a viewpoint-neutral basis must be reviewed by the Office of General Counsel to ensure that the procedures and criteria are consistent with the law and these *Policies*. In addition, campuses are advised to consult with the Office of General Counsel should a question arise about whether a particular reallocation is viewpoint-neutral in nature and meets the university's educational purposes as specified in *Section 86.20* of these *Policies*.

**87.00 Transfer of Compulsory Campus-Based Student Fees to Non-University Entities**

Compulsory campus-based student fees may be expended by a student government, registered campus organization, or other campus entity to cover the expenses of direct participation by university students in a particular non-university-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain membership by a student government or registered campus organization in national and other regional non-university associations at the basic level established by such associations, so long as the level of any such assessment is in line with what is assessed similar student organizations at other institutions comparable in size and nature to the university as a requirement of basic membership. Except as provided immediately below, memberships at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership,

or the assessment by such non-university associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus-based student fees.

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based fees by a student government, registered campus organization, or other campus entity to such non-university associations may be made only when they can be justified, in advance of the transfer, to the chancellor (or other campus official designated by the chancellor with administrative oversight over the student government, registered campus organization, or other campus entity) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based student fees may not otherwise be expended by a student government, registered campus organization, or other campus entity in support of, or be otherwise transferred to, a non-university organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, registered campus organization, or other campus entity, its programs or activities.

The referendum process set forth in *Section 82.00* of these *Policies* shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, for the purpose of supporting any non-university organization, program, or activity. (See also *Sections 67.10* and *70.90* of these *Policies*.)