



Policies Applying to Campus Activities, Organizations and Students (PACAOS)

60.00 POLICY ON STUDENT GOVERNMENTS

Responsible Officer:	VP - Student Affairs
Responsible Office:	SA - Student Affairs
Issuance Date:	7/28/2004
Effective Date:	7/28/2004
Scope:	For all pertinent activities involving University students, employees, and properties, the <i>Policies Applying to Campus Activities, Organizations and Students</i> apply to the Division of Agriculture and Natural Resources and to the Department of Energy Laboratories operated by the University of California, subject to Laboratory implementing regulations and contractual obligations between The Regents and the Department of Energy.

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I. POLICY SUMMARY

The *Policies Applying to Campus Activities, Organizations and Students* are a compendium of University-wide policies relating to student life. Section 60.00 describes the University's policy on student governments.

II. DEFINITIONS

Definitions for the *Policies Applying to Campus Activities, Organizations and Students*, and the campus implementing regulations adopted pursuant to them, are provided in Section 14.00.

III. POLICY TEXT

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61.00 Status

Chancellors have authority to authorize or discontinue recognition of student governmental entities as official student governments, consistent with the status of such governments as official units of the University of California (see [The Regents' Policy on the Status of Associated Students](#)). Such governments are responsible for representing student constituencies comprising either the student body as a whole or particular segments of it. Chancellors may also assign to such governments specified powers and other responsibilities concerning student affairs.

61.10 Authority, Responsibility, and Purposes

Student governments shall have authority and responsibility over matters that are consistent with their enabling documents such as constitutions and by-laws, and with the University's purposes for such governments as defined by these *Policies* and implementing campus regulations. It shall be the responsibility of student governments, in consultation with the Chancellor or the Chancellor's designee, to ensure that their enabling documents, as well as all their programs and activities, are consistent with the status of such governments as official units of the University, and with the University's purposes for such governments as set forth in Section 61.10-15 of these *Policies*, as well as with all other provisions of these *Policies* and with implementing campus regulations.

Consistent with the provisions of these *Policies*, the University's purposes for student governments are:

61.11

To provide students with the educational benefits of participation in student government;

61.12

To provide a forum for the discussion of issues and ideas of interest, importance, and/or of concern to students;

61.13

To provide financial and other tangible support for student activities and organizations on a viewpoint-neutral basis, consistent with the provisions of Section 86.00 of these *Policies*, in order to foster a sense of community and to further discussion among students of the broadest range of ideas;

61.14

To communicate student views to audiences, including external governmental offices and agencies, consistent with the provisions of Sections 63.00 and 64.00 of these *Policies*; and

61.15

To provide such additional services to students as may be determined by the Chancellor or Chancellor's designee to be consistent with the status of student governments as official units of the University and with the other provisions of these *Policies*.

62.00 Support

Student governments may be supported by compulsory campus-based student fees as specified in Section 81.00 of these *Policies* and/or by voluntary student contributions as specified in Section 90.10 of these *Policies*.

63.00 Right To Take Positions on Public Issues

Student governments shall have the right to address and take positions on public issues as consideration of such matters serves the University's purposes for such governments as set forth in Section 61.10-15 of these *Policies*. Positions on issues taken by student governments shall not be represented as or deemed to be positions of any entity of the University other than the student government.

64.00 Lobbying and Other Public Policy-Oriented Activities

Consistent with the University's purposes for student governments as set forth in Section 61.10-15 of these *Policies*, student governments may undertake lobbying and other public policy-oriented activities on student-related matters, as defined in Section 64.01 and 64.02 of these *Policies*, supported by compulsory campus-based student fees and/or by voluntary student contributions.

The lobbying and other public policy-oriented activities of student governments serve the University's purposes for such governments when such activities provide students with educational experiences in developing, discussing, and resolving positions on student-related matters, and articulating these positions through public and private discussions, meetings, and other forms of communication.

In furtherance of the University's purposes for student governments, the educational benefit provided to students by such activities must outweigh any purpose of furthering a particular ideological or political viewpoint. Consistent with this requirement, all such activities must be established by and under the direct and exclusive control of student governments and their democratic processes, and offer opportunities for participation by University of California students in meaningful learning experiences.

64.01 Definition of Lobbying Activities

The term "lobbying activities" as used in these *Policies* means the funding or sponsorship by student governments of any program or activity of such governments that involves direct contact (whether face-to-face, by telephone, or in writing) with non-University legislative or other governmental officials in order to communicate a student government position (including the supporting rationale for that position) on a student-related matter.

64.02 Definition of Public Policy-Oriented Activities Other Than Lobbying

The term "other public policy-oriented activities" as used in these *Policies* means the funding or sponsorship by student governments of any program or activity of such governments (other than "lobbying activities" as defined in Section 64.01 of these *Policies*) that involves the communication to a University audience of a student government position (including the supporting rationale for that position) on a student-related matter.

64.10 Systemwide Pro Rata Refund Requirement for Lobbying Activities

Any student objecting to a particular lobbying activity of student government (as defined in Section 64.01 of these *Policies*) supported by compulsory campus-based student fees is entitled to a pro rata refund of that portion of his or her fees that went to support the activity. Criteria and procedures for particular campus-based refund mechanisms shall be developed by campuses in consultation with their student governments, and with the Office of the President and the Office of the General Counsel as required, to ensure the compliance of such mechanisms with both these *Policies* and the law. Such criteria and procedures must provide that the availability of pro rata refunds be widely and frequently publicized among students, and that all requests for such refunds by objecting students be processed equitably and expeditiously. (See also Sections 70.83 and 86.13 of these *Policies*.)

64.20 Pro Rata Refunds for Public Policy-Oriented Activities of Student Governments Other than Lobbying

In consultation with its student government or governments, a campus 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 compulsory campus-based student fees that has been allocated to support a particular public policy-oriented activity of student government other than lobbying (as defined in Section 64.02 of these *Policies*). Campuses are encouraged but not required to consult with the Office of the President and with the Office of General Counsel in the development of criteria and procedures for any such refund mechanism. Such criteria and procedures should provide that the availability of pro rata refunds be widely and frequently publicized among students, and that all requests for such refunds by objecting students be processed equitably and expeditiously. Establishment of such a refund mechanism for the public policy-oriented activities of student governments other than lobbying is not required either as a matter of University policy or the law. (See also Section 86.13 of these *Policies*.)

65.00 Sponsorship of Speakers

Compulsory campus-based student fees allocated to student governments and/or voluntary contributions made to student governments may be expended to support speakers sponsored by those governments. The purpose of such support must be to stimulate on-campus discussion and debate on a wide range of issues. Student governments may bring in speakers as part of their public policy-oriented activities consistent with Sections 63.00 and 64.00 of these *Policies*. In the event that an allocation is made by a student government to sponsor a forum with speakers advocating for or against a candidate for a non-student-government office, or for or against an off-campus ballot proposition, the student government must make a good faith effort to invite a representative of the opposing campaign or campaigns to appear at the same time or, if this opportunity is declined, to appear at another time. (See also Sections 66.00 and 86.34 of these *Policies*.)

66.00 Participation in Non-University Political Campaigns

Consistent with Section 41.10 of these *Policies* and with the *University's Legal Guidelines for UC Participating in Ballot Campaigns*, student governments may not use University resources to support or oppose a particular candidate or ballot proposition in a non-University political campaign. This is not intended to preclude the use of such resources by student governments for legitimate educational purposes related to such non-University campaigns, in which information about competing candidates for government office and/or information about competing viewpoints with respect to particular ballot propositions is provided in a fair and balanced way. (See also Sections 65.00 and 86.34 of these *Policies*.)

67.00 Fiscal Soundness and Fiscal Accountability

Chancellors are responsible for the fiscal soundness of student governments, and are responsible in addition for maintaining fiscal accountability over compulsory campus-

based student fees and voluntary contributions collected from students to support student governments under the University's authority. The allocation and expenditure of all such funds by student governments shall be in accordance with all applicable University policies.

In the discharge of these responsibilities, Chancellors may conduct audits of the finances of student governments, exercise control over expenditures of their funds when and to the extent necessary to maintain the financial solvency of student governments, and where required may take action to ensure that any financial or business activity under the control of student governments is operated in accordance with sound business practices and is consistent with legal requirements and University policies and procedures.

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

Compulsory campus-based student fees may be expended by a student government 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 student government membership 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 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 student government) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based fees may not otherwise be expended by a student government 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, 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, that is earmarked for the purpose of providing direct support to any non-University organization, program, or activity. (See also Sections 70.90 and 87.00 of these *Policies*.)

IV. COMPLIANCE / RESPONSIBILITIES

Chancellors shall adopt campus implementing regulations consistent with these *Policies*. The University shall publish these *Policies* and make them widely available, and Chancellors shall do the same with respect to the implementing regulations for their campuses. This requirement may be satisfied through the on-line publication of these *Policies* and their respective campus implementing regulations. (See also Section 13.20 of these *Policies*.)

V. PROCEDURES

The President shall consult as appropriate with Chancellors, Vice Presidents, the Office of the General Counsel, and Universitywide advisory committees prior to amending these *Policies*. Chancellors shall consult with faculty, students, and staff prior to submitting to the President any campus recommendations related to proposed amendments to these *Policies*. Amendments that are specifically mandated by law, however, do not require consultation with campus representatives or Universitywide advisory committees to the extent that legal requirements do not permit such consultation. (See also Section 13.10 of these *Policies*.)

Chancellors shall consult with students (including student governments), faculty, and staff in the development or revision of campus implementing regulations except when the development or revision of such regulations results from changes to these *Policies* that have been specifically mandated by law. Campuses shall specify procedures, including consultation processes, by which campus implementing regulations may be developed or revised. (See also Section 13.30 of these *Policies*.)

Prior to their adoption, all proposed campus implementing regulations, including all substantive modifications to existing such regulations, shall be submitted to the Office of the President for review, in consultation with the Office of the General Counsel, for consistency with these *Policies* and the law. (See also Section 13.40 of these *Policies*.)

VI. RELATED INFORMATION

See also *Policies Applying to Campus Activities, Organizations and Students* sections:

10.00 Preamble and General Provisions

11.00 Authority

- 12.00 Applicability
- 13.00 Development and Review of Universitywide Policies and Campus
Implementing Regulations
- 14.00 Definitions

VII. FREQUENTLY ASKED QUESTIONS

Not applicable

VIII. REVISION HISTORY

Original issuance September 1, 1970
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