

ENCLOSURE 1

University of California
Office of the President
December 28, 1992

GUIDELINES FOR IMPLEMENTING A VOLUNTARY STUDENT FEE PLEDGE SYSTEM

Introduction

A voluntary student fee in support of a registered campus organization that is collected using the University's registration procedures may be established only in accordance with the Voluntary Student Fee Policy, the University's Campus-Based Student Fee Policy, the University's Policies Applying to Campus Activities, Organizations, and Students (Parts A and B), campus implementing policies and procedures, and these Guidelines.

The University of California Voluntary Student Fee Policy presently provides for funding of registered campus organizations by means of a positive check-off, an indication of individual student financial support for the relevant organization each academic term.

As an additional means of implementing a voluntary student fee, the Voluntary Student Fee Pledge System may be established to support registered campus organizations. In such a case, the following Guidelines shall apply. Should issues arise that are not addressed specifically by the Guidelines, or in the event the Guidelines are not consistent with campus regulations, University and campus regulations should be followed.

1. The pledge is a mechanism by which a student may act affirmatively to contribute to a registered campus organization by pledging to pay a voluntary student fee each academic term for the duration of the student's academic career at a specific campus, unless reversed in writing or other format as provided by the campus contractual agreement.
 - 1.1 The voluntary student fee pledge system should be simple for students to comply with and participate in.
2. A voluntary student fee pledge system may be established only following a student vote in a campus election held in compliance with campus regulations in favor of establishing the fee, the pledge mechanism, the amount of the fee, the duration of the fee, and any other campus-specific conditions which may govern the collection of the voluntary student fee.
 - 2.1 The wording of the referendum to establish the voluntary student fee pledge system should be prepared consistent with campus election procedures or other applicable campus regulations and procedures.
 - 2.2 The registered campus organization should notify a Chancellor or his or her designated representative in the Fall of the academic year during which students plan to place a referendum on the campus ballot to establish a pledge system.

3. A voluntary student fee pledge system may be implemented and maintained only with a valid campus contractual agreement which is negotiated between the registered campus organization and the Chancellor or his or her designated representative, consistent with campus regulations and procedures.
 - 3.1 Campus contractual agreements should include, at a minimum, provisions regarding: establishment of the voluntary student fee and the pledge mechanism; the main text and format of the pledge materials; a timeline for implementing the pledge system; minimum procedures for informing students of the voluntary student fee pledge; procedures for collecting, verifying, and submitting pledges, including the locations for submitting pledges; billing and pledge presentation; procedures for reversing pledges; procedures for collecting the fee and remitting the amounts collected; how outstanding accounts receivables will be handled; and reimbursement for costs incurred. Campus contractual agreements may specify methods for distributing pledge forms.
 - 3.2 Campus contracts also should specify the duration of the contract; the conditions and procedures for amending, renewing, or extending the contract; any conditions for conducting student referenda related to the voluntary student fee; the procedures for resolving disputes that may arise between the parties; and procedures for discontinuing collection of the fee or use of the pledge system (for example, see Section 6.1 below).
 - 3.3 Campus contractual agreements should include indemnification provisions that the campuses routinely include in other contractual agreements, including provisions that the registered campus organization shall indemnify, defend, and hold harmless the University in any legal action which may arise in connection with the contract.
 - 3.4 Campus contractual agreements should indicate clearly any requirement to show evidence of the registered campus organization's ability to pay costs associated with a voluntary student fee pledge system.
 - 3.5 The locations where pledges may be submitted should be easily accessible and, in accord with campus regulations, may be locations where students go regularly in the course of registering for classes and/or paying fees. The date by which students must submit pledges should be as late in the academic term as the billing schedule allows.
4. At a minimum, a valid voluntary student fee pledge should state clearly the amount of the fee being pledged each academic term and that such pledge is for the duration of the student's academic career at that campus, unless revoked in writing or other format as provided by the campus contractual agreement. The pledge should include the student's name; registration identification number; and the student's signature and the date of the signature. On campuses which use alternative formats such as telephone or electronic means for collecting student pledges, the campus contractual agreements should include procedures that assure the validity of the student's pledge in a manner similar to those provided by a student's signature.
 - 4.1 Additional information may be included with the pledge, as provided in campus contractual agreements with the registered campus organization.
 - 4.2 The pledge system should be compatible with campus registration and billing systems. Whenever possible, accommodations should be made to collect voluntary student fee pledges on campuses using telephone or electronic registration systems.

- 4.3 When there is a break in enrollment, assessment of the voluntary student fee may be resumed for continuing students, as defined by campus policies, without requiring receipt of a new pledge document when the student re-enrolls at the same campus. For returning students, as defined by campus policies, assessment of the voluntary student fee need not be resumed unless a new pledge form is received.
5. In a manner consistent with University and campus policies, registered campus organizations may gather pledges in support of a voluntary student fee. The registered campus organization must maintain its status throughout the implementation of the pledge system, including solicitation of pledges, holding the referendum, and the duration of the contract.
 - 5.1 Opportunities to inform students about the registered campus organization, the voluntary pledge fee, and the pledge mechanism should be made available throughout the year.
 - 5.2 A registered campus organization may be permitted to collect pledges prior to the student referendum and before the campus contractual agreement is finalized. Pledge forms collected prior to a student referendum shall have no effect if the student referendum is defeated. For fee billing purposes, at a minimum, the campus should honor pledges collected during the same academic year in which a student referendum is held to establish a pledge system, provided the students approve the measure.
 - 5.3. Once a pledge system is implemented, students may execute and submit pledge forms throughout the year. Opportunities to execute pledges should be made available, as provided in campus contractual agreements and campus regulations. A date should be set for each academic term by which time all pledges must be submitted in order to be effective for the next term's billing statement.
 - 5.4 Registered campus organizations may make pledge forms available to students as provided in campus contractual agreements or as otherwise provided in campus regulations.
6. To ensure that the additional administrative workload is justified, no less than 10 percent of the total student body on the campus should submit a pledge to pay the voluntary student fee before a pledge mechanism may be implemented. In determining the minimum number of students who must submit pledges, a campus may use the campus' student enrollment count which is used to establish voting pool requirements for student referenda or other standards established in campus regulations.
 - 6.1 If, by the end of the final billing cycle of the academic year following implementation, and any year thereafter, the percent of students having pledged equals less than the number in established campus policies, a referendum regarding the continuation of the voluntary student fee pledge system should be placed on the ballot of a campus election held in compliance with campus regulations. In the absence of established campus policy, no less than 10 percent of the student body shall be required to participate.
7. For each student who has pledged to pay the voluntary student fee, the fee should be itemized on the fee bill with other fees and included in the total amount due for that billing period. A check-off mechanism to opt-out of the fee or reverse the pledge should not be included on the billing statement.
 - 7.1 As provided in campus contractual agreements, the voluntary student fee pledge mechanism should be implemented and effective as of the billing period as soon as possible, but no later

than two academic terms following the student vote in favor of establishing the voluntary student fee and the pledge system as described in this document and as provided in campus contractual agreements.

8. The actual costs for implementing and collecting the voluntary student fee shall be assessed to the registered campus organization, including costs in the first year for designing and implementing the pledge billing system. Such assessed costs cannot exceed the actual costs incurred for billing and collection of the fee, including the pledge mechanism. The pledge system should be designed with compatibility with campus registration and billing systems and cost efficiency as goals. Registered campus organizations should work-with campuses to identify methods for minimizing costs.

8.1 In the event of a change in billing procedures or any other changes which would affect how the voluntary student fee is collected, campuses should discuss with registered campus organizations how proposed changes in billing procedures may affect the collection of the voluntary student fee. The registered campus organization should receive notice of the need for changes as far in advance as possible to ensure that the registered campus organization has adequate time to make any necessary adjustments.

9. A student who has pledged to pay a voluntary student fee in support of a registered campus organization may revoke the pledge by written request or other format as provided by the campus contractual agreement to the University.

9.1 Methods by which a student may revoke a pledge may include submitting a pledge reversal form, a letter to the Registrar or other appropriate official, or a hand written statement on the student's billing statement which is signed and provides any additional information required for verification, as specified in the campus contract.

9.2 Pledge reversal forms which provide the student's name, signature, date of signature, and registration identification number for verification should be made available as a means of reversing a pledge, as provided in campus contractual agreements or as otherwise provided in campus regulations.

9.3 Students may execute and submit pledge reversal forms throughout the year. A date should be set for each academic term by which time all pledge reversal forms must be submitted in order to be effective for the next term's billing statement.

9.4 Once a student has submitted a voluntary student fee pledge reversal form, or otherwise has provided appropriate notification to the University that the student no longer wishes to pay the fee, the campus should no longer bill the student for the fee and the student's billing status should be the same as the billing status of a student who has not pledged to pay the fee.

10. If a student has pledged to pay the voluntary student fee, but pays less than the total amount due, it will be presumed conclusively that any shortfall, up to the amount of the pledge, was a failure to pay all or part of the voluntary student fee.

10.1 Once a student has pledged to pay a voluntary student fee, failure to pay the fee in any given academic term will not be interpreted as failure to pay required fees for registration purposes. Therefore, a student's registration will not be held up, nor will a student be dropped from classes, because the student did not pay the voluntary student fee.

10.2 In the absence of an official revocation, failure to pay the voluntary student fee as pledged in a

given academic term should not be interpreted as an intention to revoke the pledge.

- 10.3 If a student underpays his or her fees, campuses are encouraged to include the voluntary student fee on "late bills" sent to the student. However, it is not expected that campuses will send "late bills" if the amount unpaid is equal to or less than the total amount of the voluntary student fee or if the campus does not send "late bills" routinely.
11. Voluntary student fees should not be considered in determining a student's need for financial aid and payment of the voluntary student fee shall be made in accordance with Federal, State, University, and campus student financial aid policy.
12. Campuses are not obligated to undertake responsibilities on behalf of the registered campus organization beyond those specified in these Guidelines.
13. Disclosure of information regarding students who provide voluntary student fee pledges must be made in accordance with Federal and State privacy laws and University policy.