

## Guide to Creating a Student Fee Referendum at UC Irvine

Revised February 2017

### Introduction

This document is intended to serve as a resource guide for students who are interested in initiating a compulsory campus-based student fee. A compulsory campus-based student fee is fee levied at individual campuses that must be paid by all registered students to whom the fee applies. The fee may be used to fund student-related services, programs, and facilities. All fee initiatives must adhere to both:

- University of California Policies Applying to Campus Activities, Organizations, and Students < <http://policy.ucop.edu/doc/2710528/PACAOS-80>>
- University of California, Irvine Guidelines for Compulsory Campus-Based Fees [Attachment 1]

In most circumstances, compulsory campus-based student fees are established, increased, or renewed following a student vote. This guide will help students navigate the approval process and provide templates to assist in creating a referendum. Included as part of this guide are:

- Timeline
- Things to include as part of the ballot language
- Frequently asked questions (FAQ)
- Attachments
  - Campus guidelines
  - Templates (Ballot, Letter to Chancellor for ballot approval)

Please make sure to review all ASUCI and/or AGS Election Codes and pertaining documents in order to comply with rules of running a proposed fee initiative.

### Timeline

It is recommended that proposed fee initiatives follow the appropriate timelines to ensure that the various entities involved in the approval process have sufficient time to review the proposal and address any concerns.

#### Fall Quarter: **Proposal Development Phase**

Create a written proposal and develop ballot language (see Attachment 2 - ballot language template). To gain feedback on your proposal, you are encouraged to consult with:

- Dean of Students
- Executive Director of Student Government & Student Media
- Student Fee Advisory Committee (SFAC)

Week 7: Final language must be submitted to the Vice Chancellor of Student Affairs, who will work with the campus Budget Office, UCOP General Counsel, UCOP Budget and Planning, and UCOP Student Affairs, for review to ensure that the procedures and criteria are consistent with the law and university policy.

Please send your proposal with:

- A cover letter that outlines your goals
- Your contact information
- Proposed title of the fee initiative
- Ballot language
  - Per CSF standing Policy 7 - all referenda should include a sunset clause (end date)
- Current guidelines for compulsory campus-based fees
- Guidelines governing the distribution of funds
- 10-year budget of program/service with proceeds of the fee

Week 10: Follow-up with the Office of the Vice Chancellor of Student Affairs to see if ballot language has been reviewed by the campus Budget Office, UCOP General Counsel, UCOP Budget and Planning, and UCOP Student Affairs.

Winter Quarter: **Approval To Place On Ballot Phase**

This is a critical quarter for gaining approval to be able to put your initiative out for a student vote. Approval may be obtained using the one of the following options:

Option 1: Approval from student government by submitting legislation to:

- ASUCI Senate for fees affecting undergraduate students
- AGS Council for fees affecting graduate students
- Both ASUCI and AGS Senate/Council for fees affecting all students

Option 2: Petition signed by the student body

- At least 8% of undergraduate students and/or at least 8% of graduate students for fees affecting each respective student bodies

- NOTE – THE REFERENDUM/INITIATIVE CANNOT BEGIN CAMPAIGNING UNTIL IT HAS BEEN DECLARED BY EITHER OPTION 1 OR 2 ABOVE, OR ELSE IT IS IN JEOPARDY OF BEING DISQUALIFIED.

The following are important deadlines during the Winter Quarter:

Week 1: For both Option 1 and 2, submit all documents to the Chair of the Student Fee Advisory Committee (SFAC) for review. The Chair of SFAC must add it to the SFAC agenda for review and the Chair of SFAC will issue their comments in writing.

Week 3: Option 1

- Submit the legislation<sup>1</sup> (in the form of a written resolution<sup>2</sup>) to the ASUCI Senate and/or the AGS Council for consideration at their meeting(s) during Week 4 and for their vote on the resolution during their next meeting. This language must be the final, approved

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<sup>1</sup> Legislations must be submitted by a member of the ASUCI Senate/AGS Council for consideration by the Senate/Council; however, it is customary that your representative (as determined by your academic area of study) will serve as author should you not find a Senate/Council member who is supportive of your efforts. It is recommended that you work with the member to draft the resolution.

<sup>2</sup> The resolution should include the reason the fee is being proposed, the purpose of the fee, and the action requested from Senate/Council (i.e., approval for placement on the ballot). To the extent possible, it should also try to address the items that ASUCI Senate/AGS Council will be considering when decided to place a referendum on the ballot (see questions below). Models of previous legislations are available online at the ASUCI website.

language by all governing bodies (UCI/UCOP/SFAC) who must review it prior to this point. This will be the final language presented on the ballot in the Spring as well as to the Chancellor for further approvals.

Option 2:

- Begin petitioning the student body

Week 5: Option 1:

- Confirm approval by the ASUCI Senate/AGS Council

Option 2:

- Complete petitioning and work with Executive Director of Student Government & Student Media to confirm petition

Week 6: Draft a letter to the Chancellor with the Executive Director of Student Government & Student Media carbon copied (see Attachment 3). Attach a copy of the referendum guidelines, ballot language, and all needed items as noted and submit it in paper form to the Office of the Vice Chancellor of Student Affairs, who will endorse it and work with the Chancellor to authorize the initiative.

Week 7: Follow-up with the Vice Chancellor's office to ensure that your request for authorization has been received.

Week 9: Submit the Chancellor's approval of the ballot and its accompanying documents to the ASUCI Elections Commissioner before Friday 5:00pm of Week 10. This is a hard deadline so that the appropriate information is on the Spring Elections ballot.

#### Spring Quarter: **Voting Phase**

Week 3: ASUCI Spring Elections. For undergraduate fee initiatives, at least 20% of students affected by the fee must submit a ballot. For graduate fee initiatives, at least 20% of students affected by the fee must submit a ballot. At least 60% of those students who voted "yes" or "no" on the referenda in question must have voted "yes".

For a fee-funded facility or a joint-action fee initiative, at least 20% of the total combined registered undergraduate and graduate students affected by the fee must submit a ballot. At least 60% of those students who voted "yes" or "no" on the referenda in question must have voted "yes".

Week 4: The Executive Director of Student Government & Student Media shall be responsible for sending the ballot language, certifying documentation, and any other supporting documents to the Chancellor and Budget Office, who will in-turn, submit the fee initiative to the UC Office of the President for review and approval. If appropriate, the Office of the President will obtain approval by the Regents.

### **Things to Include as Part of the Ballot Language**

Ballot language for the proposed fee initiative must be impartial and include the following information (see Attachment 2 for a template):

- Sponsoring organization
- Purpose of fee
- Amount of fee
- Effective date of fee
- Which quarter(s) the fees will be charged
- Who will pay the fee (undergraduates, graduates or both)
- Wording on the ballot
- Voting procedure
- Information on how much of the fee will go to return-to-aid (a minimum of 25% and usually no greater than 33%)
- Information on how much of the fee will go toward the University of California Office of the President (UCOP) assessment to support UCOP
- Inflation index language (implemented by the Chancellor of UC Irvine)
- How student oversight and public reporting on allocations will be established (implemented by University of California Council on Student Fees Policy 7 and by the Chancellor of UC Irvine)
- Each proposed new compulsory campus-based fee, or proposed increase to or renewal of any existing fee (except as specified in Section 83.00 of the *Policies*) must be voted on by students as a separate ballot measure in a student election. Exceptions to this requirement include where the proposed fees or fee increases or renewals strongly and clearly support a common student life, student services, or other programmatically related goal (see Section 84.14 of the *Policies* for more information).

When considering proposed fee initiatives requesting placement on the ballot, ASUCI and/or AGS will evaluate it on a content-neutral basis. Decisions will be based on the feasibility of the proposal and the following considerations:

- Who did you consult with to create the fee amount, guidelines, and ballot language?
- Are you sure the fee amount will be sufficient for your proposed initiative? For example, if you intend to fund salary for a full-time staff member, have you accounted for benefits and future increases? Also, how will you deal with the rising costs of goods and services (i.e, adjusting for inflation to meet the needs of the program service, or building maintenance in the foreseeable future)?
- Does the referendum meet all of the necessary requirements, including return-to-aid?
- Is there a sound plan for administering the fee revenue should the initiative pass? If the fee revenue is not going to be administered by an existing campus entity, is the fee initiative accompanied by the creation of a body that would be able to successfully allocate the funds? Is there a set of guidelines that adequately outlines the structure and operation of this new entity?
- Is the proposed fee amount reasonable within the context of other student fees?
- Is there a “sunset clause” for the fee initiative? Does it specify whether it will be re-evaluated by the student body after a set number of years? If the fee is for a construction bond, does the ballot language specify when students will stop paying the fee?
- When considered within the overall framework of the university, is it reasonable to expect students to pay for the proposed service, program, building, etc.?
- Is the quarterly fee rounded to the nearest dollar? This helps reduce the administrative cost of reconciling the account.

## Frequently Asked Questions

1. **What if I can't meet the deadlines or the recommended timeline for the referendum process?**
  - a. While the suggested timeline is recommended, all of the deadlines recommended allow for adequate time for the appropriate parties to approve the referendum. **After Friday at 5:00pm of Week 10 of Winter Quarter, no item will be placed on the ballot that has not received appropriate approval in writing from all of the required parties.** It is the responsibility of the person and/or group sponsoring the referendum to ensure that the process is moving forward in a timely fashion.
  
2. **What if the referendum is a combined graduate and undergraduate student fee initiative?**
  - a. If it is a combined referendum, you need both the AGS Council and ASUCI Senate to approve of the referendum guidelines and ballot language (or receive petition signed by 8% of the undergraduate student body and 8% of the graduate student body). The ASUCI Senate and the AGS Council shall determine whether the results of the balloting shall be combined or considered separately.
  
3. **How may we spend the fees?**
  - a. 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 Section 86.11, and also [Section 70.20](#) of the *Policies Applying to Campus Activities, Organizations, and Students*)
  - b. 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 [Section 86.20](#) and [86.30](#) of the *Policies Applying to Campus Activities, Organizations, and Students*. (See also [Section 70.81](#) of the *Policies Applying to Campus Activities, Organizations, and Students*)
  
4. **Can students get a refund if they don't agree with the fee?**
  - a. Presently, there is no pro rata refund of compulsory student fees mechanism established at UC Irvine. Establishment of such a refund mechanism is not required either as a matter of University policy or the law. (See Section 86. 13 and also [Section 70.83](#) of the *Polices Applying to Campus Activities, Organizations, and Students*.)
  
5. **Why do we have to return at minimum 25% of the fee to aid?**
  - a. Beginning April 14, 2006, any compulsory campus-based student fee approved as either a new fee or an increase to an existing fee shall provide for fee revenue for local need-based financial aid ("return-to-aid") to be set aside in an amount equal to at least 25% of the total new fee or fee increase as appropriate. This provision ensures that financial aid packages issued to students with financial need will be sufficient to cover the additional cost of the fees. See Section 81.20 of the *Policies Applying to Campus Activities, Organizations, and Students* for more information.

**6. What are the campaign rules?**

- a. Make sure you are briefed on all of the elections rules regarding fee initiatives as established by ASUCI and/or AGS. Information may be found in the ASUCI Elections Code and AGS Bylaws, which are located on their respective websites ([www.asuci.uci.edu](http://www.asuci.uci.edu) and [www.ags.uci.edu](http://www.ags.uci.edu)), as well as other supporting documents.

**7. Can departments sponsor my campaign?**

- a. Departments, including ASUCI and AGS, may allocate funds toward a campaign as long as there are equal amounts of money set aside and made publicly available to run a campaign against the referendum. The department must make viable all materials that are granted use to the referendum campaign team. Allocations of funds are administered through the Student Government & Student Media Business Office.
- b. Non-student university staff and/or faculty may advise the undergraduate student representing the referendum, but may not campaign for the referendum or be the official representative of the campaign.
- c. If a department chooses to endorse, they must complete an official endorsement form and follow election rules for completion.
- d. Please review all elections codes and documents for ASUCI and/or AGS for further information.

**8. Are there additional requirements for new fee-funded buildings and major renovations?**

- a. The actual language of any ballot measure that is intended to fund either construction of a new building or other facility, or major renovation of an existing building or other facility, explicitly state:
  - (1) whether the fee will be continued following retirement of the original debt on the new construction or major renovation, and
  - (2) if the fee is to be continued, the purpose or purposes for which the fee will be used, as well as the mechanism that will be used to determine the level at which the fee will be set, following retirement of the original debt (please note that, as a general principle, campuses are encouraged to continue such fees at an appropriately adjusted level following retirement of the original debt, to provide for the actual costs associated with long-term building or other facility maintenance needs).
- i. Referenda must be initiated only from the time that students can actually benefit from and use the new or renovated building or other facility, except as specified immediately below. All student referendum results are advisory to the Chancellor and, conditional on the Chancellor's recommendation, are subject to final approval by the President under the authority delegated to the President by The Regents. We recommend you consult with the Office of the Vice Chancellor of Student Affairs for any proposals for fee-funded building or major renovations to be sure you have acquired space allocation and have properly budgeted for all construction, renovation, and maintenance costs. See Section 84.15 of the *Policies Applying to Campus Activities, Organizations, and Students* for more details.

## UNIVERSITY OF CALIFORNIA, IRVINE GUIDELINES FOR COMPULSORY CAMPUS-BASED FEES

This memo supersedes the memo entitled "Guidelines For Compulsory Campus-Based Fees" signed by Chancellor Drake in 2014.

These guidelines apply to the establishment, increase, or cessation of student compulsory fees for supporting student-related programs and services. Examples include sports programs, child care programs, and student fee-funded facilities. These guidelines apply to all compulsory fees for student-fee-funded facilities or student governments.

These guidelines are provided in accordance with the University of California Policy 80 on Compulsory Campus-Based Student Fees, which states "Chancellors shall establish in-campus implementing regulations, prior to any student referendum, procedures that meet at least the ... minimum system-wide standard for such referenda."

1. A proposal for the establishment or increase of a compulsory campus-based fee initiative may be submitted to the Chancellor for approval from one of the following sources:

- a. From ASUCI Senate for undergraduate student compulsory fees;
- b. From AGS Council for graduate student compulsory fees;
- c. From both ASUCI and AGS Councils for compulsory fees affecting all students;
- d. A petition signed by at least 8% of the undergraduate students and/or at least 8% of the graduate students;
- e. Directive of the Chancellor.

Prior to submission to the Chancellor by the Councils in sources a, b, and c, the proposal shall be submitted to the Student Fees Advisory Committee for review.

2. The content of the compulsory fee initiative shall be submitted to the Chancellor for approval. Information shall include: sponsoring organization, purpose of fee, amount of fee, return-to-aid percentage, effective date of fee, reaffirmation date (with the exception of compulsory fees serving debt), and wording on ballot, and voting procedures. In addition, if undergraduate and graduate students are voting on the same initiative, both ASUCI Senate and AGS Council shall determine, prior to the election, whether the results of the balloting shall be combined or considered separately. Balloting for an initiative shall not take place without prior approval of the Chancellor.

3. Should UC Irvine administrative office(s) spend funds to produce printed materials in support of a fee initiative, it shall make available, through student government, an equal amount to produce printed material against the fee initiative. The amount of the funds shall be limited to the cost of printing these materials. An "Information Brochure" about the initiative shall be exempt from this policy. The allocation of these funds shall be determined by the ASUCI Senate and/or the AGS Council after reviewing proposals from registered UCI Clubs and Organizations. Expenditures shall be administered through the student government's business office

4. Fee initiatives:

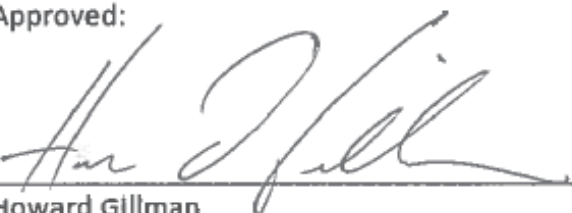
- a. For undergraduate fee initiatives, at least 20% of registered undergraduate students affected by the fee must submit a ballot;
- b. For graduate fee initiatives, at least 20% of registered students affected by the fee must submit a ballot;
- c. For initiatives that are a joint-action proposed by both undergraduates and graduates, at least 20% of the total registered student body affected by the fee must submit a ballot;
- d. For fee-funded facilities, at least 20% of the total registered student body affected by the fee must submit a ballot;
- e. At least 60% of those students who voted "yes" or "no" on the referenda in question must have voted "yes".
- f. If approved by students, the results shall be sent to the Chancellor for approval. The Chancellor will then forward the compulsory fee recommendation to the Regents for their approval.

5. Compulsory fees not tied to debt services may be reduced, eliminated, or raised by amending referenda, governed by the above guidelines.

6. If referenda fees are tied to debt service, those fees must end when the debt obligation has been retired. If fees are not tied to debt service, the fees must be reaffirmed through referenda starting at a maximum of 26 years after the fee is enacted. If there is no vote to reaffirm a fee by the 30<sup>th</sup> year after the fee's initiation, the fee will sunset. If referenda debt is refinanced, it should be done so in good faith and the fee tied to that debt should be reduced or adjusted accordingly.

7. The above guidelines apply to the establishment or increase of student compulsory fees. The Chancellor has the authority to establish the process for the elimination or reduction or an existing compulsory campus based fee. This process, including timelines, shall take into consideration commitments and obligations of the existing fee.

Approved:

  
\_\_\_\_\_  
Howard Gillman  
Chancellor

12-16-16  
\_\_\_\_\_  
Date



Attachment 2

Ballot Language Template:

[Title of the Fee]

Do you approve the creation of a [dollar amount] student per quarter fee effective [date of implementation] to support the [explain the purpose of the fee]?

- The fee will be charged to [undergraduate students, graduate students or both]
- The fee will be assessed during the [list the quarters].
- The fees collected will be managed by [list existing campus entity or reference a body that will be created and the guidelines for the creation and operation of this new entity].
- In accordance with campus practice, 33% of the fee will be returned to financial aid to help offset the cost of this fee for students who are eligible for financial aid.
- Starting fall \_\_\_\_\_, the fee will increase annually based on the California Consumer Price Index (CPI). The CPI will be taken from the California Department of Finance's calendar year annual average of all urban consumers CPI-U.
- A majority student board shall oversee the operating budget and administration of the fee-funded activities, and will be responsible for writing and distributing an annual report on the activities funded by this fee initiative.
- This fee is subject to reaffirmation by the student body on its 26<sup>th</sup> year (20XX-XX); otherwise, this fee will terminate at the end of its 30<sup>th</sup> year (20XX-XX).

Yes, I support a [dollar amount] per quarter fee for the [purpose/name of the fee].

No, I do not support a per quarter fee for the [purpose/name of the fee].

Attachment 3  
Chancellor Approval for Ballot Cover Letter

Re: Approval of (NAME OF REFERENDUM) Referendum Fee Initiative

In accordance with the “Guidelines for Compulsory-Based Fees”, your approval is requested for the following fee initiative approved by the (SPECIFIC SENATE/COUNCIL, i.e. ASUCI Senate) accordingly:

(NAME OF REFERENDUM) Referendum Fee Initiative (RESOLUTION NUMBER, i.e. Resolution R51-61) on (FULL DATE) by a vote of (VOTE NUMBER, i.e. 1-1-1) (NUMBER abstaining, NUMBER absent, NUMBER vacancies).

The Student Fee Advisory Committee also reviewed and gave any necessary feedback on said fee initiative on (FULL DATE).

Attached is the ballot for the initiative, which indicates the purpose of the fee, amount of the fee, and wording of the ballot. The fee would be effective (QUARTER AND YEAR). A copy of the guidelines that would govern the distribution of funds is also included.

(FOR USE ONLY IF AN UNDERGRADUATE FEE) Balloting would take place between (FULL DATE and FULL DATE) in conjunction with the ASUCI Elections and in accordance with the ASUCI Elections procedures. For approval, at least 20% of undergraduate students affected by the fee must submit a ballot. At least 60% of those students who voted “yes” or “no” on the referendum in question must have voted “yes”.

(FOR USE ONLY IF A GRADUATE FEE) Balloting would take place between (FULL DATE and FULL DATE) in conjunction with the AGS Elections and in accordance with the AGS Elections procedures. For approval, at least 20% of graduate students affected by the fee must submit a ballot. At least 60% of those students who voted “yes” or “no” on the referendum in question must have voted “yes”.

(IF A JOINT-ACTION UNDER/GRADUATE FEE or FEE-FUNDED FACILITY): Balloting would take place between (FULL DATE and FULL DATE) in conjunction with the ASUCI and AGS Elections and in accordance with the ASUCI and AGS Elections procedures. For approval, at least 20% of the total registered student body affected by the fee must submit a ballot. At least 60% of those students who voted “yes” or “no” on the referendum in question must have voted “yes”

Submitted by:

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(FULL NAME OF UNDERGRADUATE/GRADUATE REPRESENTATIVE)  
(TITLE, IF APPLICABLE)  
(ASSOCIATION, IF APPLICABLE, i.e. ASUCI/AGS or Sustainability Club)

Recommended for Approval:

\_\_\_\_\_  
(FULL NAME)  
Vice Chancellor, Student Affairs

\_\_\_\_\_  
Date

\_\_\_\_\_  
(FULL NAME)  
Chancellor

\_\_\_\_\_  
Date

Cc: (FULL NAME), Executive Director, Student Government & Student Media

Attachments:

Proposed Ballot Language - (NAME OF REFERENDUM) Referendum Fee Initiative  
Accompanying Guidelines - (NAME OF REFERENDUM) Referendum Fee Initiative  
Guidelines for Compulsory Campus-Based Fees (Current 2016)  
ASUCI Resolution NUMBER (IF APPLICABLE)  
AGS Resolution NUMBER (IF APPLICABLE)  
SFAC Review Documentation