



May 4, 2009

**CHANCELLOR ROBERT J. BIRGENEAU**

**RE: PROPOSAL FOR REVISIONS TO THE BERKELEY CAMPUS GUIDELINES FOR  
ESTABLISHING, INCREASING, REDUCING OR ELIMINATING CAMPUS-BASED  
FEES**

Enclosed for your review and approval are revised *Guidelines for Establishing, Increasing, Reducing or Eliminating Campus-Based Fees*.

The attached guidelines have been revised to increase the transparency of the process for campus units and students seeking to initiate or increase a compulsory, campus-based fee and to clarify the roles of the Student Fee Referendum Committee (SFRC) and the Chancellor's Advisory Committee on Student Services and Fees (CACSSF) with regard to these fees. The intent of the policy has not changed and the procedures have not been changed in a manner that significantly increases cost or workload.

Sections 80.00 – 87.00 of the University of California's *Policies Applying to Campus Activities, Organizations, and Students*<sup>1</sup> contain the specific guidelines for compulsory campus-based student fees. Section 84.10 requires that Chancellors establish campus implementing regulations and procedures. The Berkeley campus guidelines were originally approved in July 2002.

In the process of developing the original guidelines, SFRC reviewed policies at other UC campuses and vetted policy drafts with Deans, Chairs, Directors, senior administrators, staff and students. The proposed revisions were developed by SFRC and reviewed by the cross-functional CACSSF<sup>2</sup>.

Please let us know if you need additional information at this time.

<sup>1</sup> <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc80.html>

<sup>2</sup> CACSSF membership includes representation from the Academic Senate, Committee on Student Fees and Budget Review, ASUC, Graduate Assembly, Academic Planning and Facilities, Administration, EVC&P's Immediate Office, Graduate Division, Students Affairs, Teaching and Learning, Equity and Inclusion, Budget and Resource Planning and Financial Aid and Scholarships Office.

Thank you.

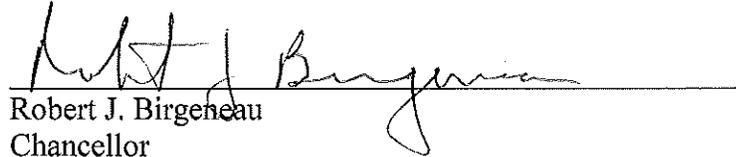


Harry Le Grande  
Co-Chair  
CAC on Student Services and Fees



Chandresh Patel  
Student Co-Chair  
CAC on Student Services and Fees

Approved:

  
Robert J. Birgeneau  
Chancellor

5/12/09  
Date

Attachments:

- *Campus Guidelines for Establishing, Increasing, Reducing or Eliminating Campus-Based Fees*

cc: Executive Vice Chancellor and Provost George Breslauer  
Vice Chancellor Nathan Brostrom  
Vice Chancellor Gibor Basri  
Vice Provost Christina Maslach  
Graduate Dean Andrew Szeri  
Associate Vice Chancellor John Ellis  
Associate Vice Chancellor Susanna Castillo-Robson  
Acting Associate Vice Chancellor Teresa Costantinidis  
Assistant Vice Chancellor and Dean of Students Jonathan Poullard  
ASUC President Roxanne Winston  
Graduate Assembly President Miguel Daal  
Student Fee Referendum Committee  
Chancellor's Advisory Committee on Student Services and Fees

**University of California, Berkeley**

**Policy Issued:** May 12, 2009

**Effective Date:** July 1, 2009

**Supersedes:** Campus Guidelines for Establishing, Increasing, Reducing or Eliminating Campus-Based Student Fees (July 2, 2002)

**Title: Campus Guidelines for Establishing, Increasing, Reducing or Eliminating Campus-Based Student Fees**

**Responsible Executive:** Robert J. Birgeneau, Chancellor

**Responsible Offices:**

Chancellors Advisory Committee on Student Services and Fees	Campus-wide strategic fee planning and dispute resolution
Student Fee Referendum Committee	Fee proposal, development, elections procedures, fee implementation/reductions/changes
Vice Chancellor Administration Budget Office	Student fee policy and procedure

**Contact:**

Tina Barnett, Student Fee Referendum Committee Co-Chair, [barnett@berkeley.edu](mailto:barnett@berkeley.edu)

Jill Moak, Senior Budget Coordinator, [jmoak@berkeley.edu](mailto:jmoak@berkeley.edu)

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**Policy Statement**

University of California student fees are governed by a number of Regental, Office of the President and campus policies. These implementing guidelines are intended to amplify, clarify and augment the policies pertaining to compulsory or voluntary campus-based fees.

**Who is Affected by This Policy**

Campus Departments, Student Groups and Student Government wishing to run a fee referendum.

**Who Administers This Policy**

Co-chair of the SFRC  
Campus Budget Office

**Why We Have This Policy**

Berkeley compulsory campus-based student fees may arise from three sources: 1) imposed by the Chancellor under the exception clause for compulsory campus-based fees, 2) initiated by a campus unit through campus executive management approval, or 3) by students or student organizations through the ASUC (Associated Students of the University of California) or its election practices. Campus units seeking to initiate or increase a compulsory campus-based fee must follow these guidelines. Although the

guidelines are advisory to students and the ASUC(which is governed by its own election policies) students are strongly encouraged to follow the guidelines as it is to their advantage in assuring successful referenda.

### **Responsibilities**

Budget Office

- Fee policy development and guidance

Chancellor:

- Approves, denies fee referenda

Student Fee Referendum Committee

- Develop and recommend to the Chancellor for approval policies, procedures, and criteria for compulsory campus-based fee referenda

Chancellors Advisory Committee on Student Services and Fees:

- Accountability clarification

### **Procedures**

See attached pages.

## AUTHORITY

University of California student fees are governed by a number of Regental, Office of the President and campus policies. These implementing guidelines are intended to amplify, clarify and augment the policies pertaining to compulsory or voluntary campus-based fees. The guidelines herein do not apply to

- University-wide fees (Registration Fee, Educational Fee, Non-resident Tuition),
- Non-referendum-based campus health insurance fees assessed to meet a non-academic condition of enrollment,
- Fees related to instruction (such as Course Materials Fees),
- Other fees requiring the President's approval, or
- Campus-based miscellaneous fees.

Unless explicitly stated otherwise in these guidelines, all compulsory campus-based student fees must be approved through a student referendum process. All student referendum results are advisory to the Chancellor and, conditional on the Chancellor's recommendation, are subject to final approval by the UC President under the authority delegated to the UC President by The Regents.

### **Standing Order of the Regents**

The authority for establishing student fees is vested in The Regents, who in their Standing Order 100.4 "Duties of the President of the University", section (g)<sup>1</sup>, delegate specific authority to the President.

100.4(g) The President shall fix and determine the amount, conditions, and time of payment of all fees, fines, and deposits to be assessed against students of the University, except that the President shall secure the Board's approval prior to the assessment of the University Registration Fee, Educational Fee, tuition fees, and fees and charges required in connection with the funding of loan financed projects, except student-fee-funded facilities, parking facilities and housing projects.

The UC President, in consultation with the General Counsel, reviews all campus proposals for new compulsory campus-based fees or subsequent increases to those fees for clarity and consistency with University and Regental policies.

The UC President, under Delegation of Authority 2115<sup>2</sup>, retains the right to determine whether a new fee falls in a category that is delegated to the Chancellors or remains under Presidential control. The authority of the Chancellors to set fees may not be re-delegated.

### **University of California Policies Applying to Campus Activities, Organizations, and Students**

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<sup>1</sup> <http://www.universityofcalifornia.edu/regents/bylaws/so1004.html>

<sup>2</sup> <http://www.ucop.edu/ucophome/coordrev/da/da2115att1.html>

Sections 80.00 – 87.00 of the University of California's *Policies Applying to Campus Activities, Organizations, and Students*<sup>3</sup> contain the specific guidelines for compulsory campus-based student fees.

80.00 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.

Compulsory campus-based student fees are defined as:

81.10 Compulsory campus-based student fees are fees levied at individual campuses that 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 buildings and other facilities such as student centers and recreation facilities; and (3) authorized student governments (as defined in *Section 61.00 of the Policy on Student Governments*<sup>4</sup>), Registered Campus Organizations, and student government- and Registered Campus Organization-related programs, events, and other activities.

### **Compulsory Campus-Based Fees Not Requiring Referenda**

Section 83 of the UC *Policies* allows a compulsory campus-based student fee to be imposed, increased or renewed without a referendum as an exception, subject to the Chancellor's and President's recommendations and subsequent approval by The Regents, under any of the following circumstances:

- The original referendum document specifies it is permissible to do so;
- It is necessary to meet legal or contractual obligations, or
- The Chancellor determines the fee is necessary for the health and safety of students.

In these circumstances, the Chancellor may ask for an advisory referendum as appropriate.

UC policy defines safety issues as those that are potentially dangerous consistent with the standards set forth in the *University Policy on Seismic Safety*<sup>5</sup> and the *University Policy on Management of Health, Safety, and the Environment*<sup>6</sup>. Examples of safety issues covered by these policies are fire risks, the presence of asbestos, or the existence of seismic or other structural deficits. The cost to students for funding safety- or health-related maintenance must be based on the proportion of current non-academic student use of the building or other facility. Health- and safety-related fees must be retired once the fees' stated purposes are fulfilled unless the Chancellor and President petition The Regents for continuation or renewal of the fees.

### **Increasing, Eliminating or Reducing Compulsory Campus-Based Fees**

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<sup>3</sup> <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc80.html>

<sup>4</sup> <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc60.html>

<sup>5</sup> <http://www.ucop.edu/ucophome/coordrev/policy/1-17-95.html>

<sup>6</sup> <http://www.ucop.edu/riskmgmt/bsas/presidentialpol.pdf>

A compulsory campus-based fee may be eliminated or reduced by passage of a referendum. It cannot be increased without an affirming referendum unless

- the increase was written into the original referendum, or
- the increase can be imposed by the Chancellor under the conditions and approval process outlined above for compulsory campus-based fees that do not require a referendum.

A compulsory campus-based fee may be eliminated or reduced by the Chancellor without a referendum when

- a program or service supported by the fee either is not undertaken or has been reduced or eliminated, or
- a lower fee has been demonstrated to be sufficient to sustain the initial purpose of assessing the fee (for instance, when the debt service on construction bonds is lower than anticipated at the time the fee was approved).

### **Voluntary Campus-Based Fees**

Section 90 of the UC *Policies* allows Chancellors to establish procedures to collect from students voluntary fees in support of student governments and registered campus organizations, or their programs and activities, through a formal campus assessment process. The voluntary fees may be collected only from those students who have affirmatively elected to be assessed by means of a positive check-off mechanism, and the programs or activities supported by the fees must be in compliance with all applicable UC policies and the law.

A voluntary fee may be authorized through the referendum process or a duly adopted resolution of student government provided it is consistent with the UC *Guidelines for Implementing a Voluntary Student Fee Pledge System*<sup>7</sup>. If the referendum process is chosen, voluntary fee sponsors must follow all the requirements of these Guidelines, with the following exceptions:

- A return-to-aid allocation is not required,
- Only the Chancellor's approval (not the President or The Regents) is required, and
- A disclaimer must be incorporated into the ballot language to the effect that the collection of such voluntary contributions through a formal campus assessment process does not constitute UC or campus sponsorship or endorsement of the fee.

After the Chancellor has approved a voluntary fee, the SFRC will work with the appropriate campus administrative units and the sponsoring student government or registered campus organization on the correct process to collect the fee and ensure that students are assessed appropriately. All collection costs will be borne by the recognized campus organization.

The Chancellor may approve reduction or discontinuation of a voluntary fee when

- The purpose of collecting the fee is no longer valid (that is, a program or activity supported by the fee is eliminated), or
- The benefiting recognized campus organization requests discontinuation of the fee.

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<sup>7</sup> <http://www.ucop.edu/ucophome/coordrev/policy/12-28-92.html>

## **Origins of Campus-Based Student Fees**

Berkeley compulsory campus-based student fees may arise from three sources: 1) imposed by the Chancellor under the exception clause for compulsory campus-based fees, 2) initiated by a campus unit through campus executive management approval, or 3) by students or student organizations through the ASUC (Associated Students of the University of California) or its election practices. Campus units seeking to initiate or increase a compulsory campus-based fee must follow these guidelines. The guidelines are advisory to students and the ASUC, which is governed by its own election policies.<sup>8</sup> If these guidelines are disregarded by students or the ASUC, however, the fees may or may not be recommended for approval to the Chancellor and/or the President and the Regents. It is particularly important to adhere to the provisions concerning ballot content, clarity of language, adherence to campus and University policies, and voter information and education.

## **STUDENT FEE REFERENDA COMMITTEE**

### **Purpose**

The Student Fee Referenda Committee (SFRC) is a standing subcommittee of the Chancellor's Advisory Committee on Student Services and Fees (CACSSF) and its purpose is to develop and recommend to the Chancellor for approval policies, procedures, and criteria for compulsory campus-based fee referenda on the Berkeley campus, which may include but not be limited to fee proposal development, elections procedures, fee implementation/reductions/changes, and reporting on use of fees throughout their duration.

### **Membership**

SFRC voting membership includes staff representatives from the following: ASUC Auxiliary, Dean of Students Office, Graduate Division, Registrar, Campus Budget Office, VC Student Affairs, VC Administration, and VC Equity and Inclusion. The Election Manager for department-initiated fees serves as a non-voting member of the SFRC.

Student voting membership includes two representatives each from the ASUC, Graduate Assembly (GA) and the Committee on Student Fees (CSF), and the ASUC Elections Council Chair.

In the event an SFRC committee member is in a department, administrative unit, or organization that will benefit from a proposed referendum, the committee member shall refrain from advocating on behalf of the referendum or his or her administrative unit and will recuse him/herself if there is a vote on any matters related to that particular referendum.

### **Co-chairs**

The SFRC will have two co-chairs. Each co-chair of the SFRC will:

- Serve a two-year term with one co-chair starting and ending his or her term in an even year and the other in an odd year,
- Forfeit his or her vote during his or her term,

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<sup>8</sup> <http://www.asuc.org/documents/bylaws/Title%2004%20-%20Elections.doc>, see especially Article VII Propositions.

- Preferably have a background in student services and knowledge of campus fee structures,
- Serve his or her term in an impartial manner, and
- Represent the SFRC on CACSSF.

In May of each year, the current membership of the SFRC will forward to CACSSF their recommendation for the incoming co-chair, who will serve at the pleasure of CACSSF.

### **Duties**

The duties of the SFRC are as follows:

- Provide guidance on adherence to Campus and University policies and practices as they relate to compulsory campus-based fees;
- Advise all sponsors of referenda (students, the ASUC, and campus departments) on the development and implementation of fee language and election procedures;
- Identify appropriate campus resources for additional consultation;
- Serve as a resource for the Election Manager for department-initiated referenda;
- Assist in determining a timeline leading up to the election;
- Approve the election dates for departmental-initiated referenda;
- Following an election, notify the Chancellor and CACSSF whether the referendum is in accordance with these guidelines and whether there are any potential impediments to its approval by the President;
- Hear appeals on actions taken by the Election Manager and render final decisions; and
- Ensure the fee is used for its intended purpose.

### **Quorum**

A simple majority (50% plus one) of the SFRC voting membership will constitute a quorum for issues requiring a vote of the committee.

## **REFERENDUM PROCESS**

### **Goals**

The goals that guide the referendum process are:

- To ensure compliance with Campus and University policies;
- To foster the widest possible discussion and debate in an effort to create a well-informed voting population; and
- To achieve the broadest possible consultation among both students and the appropriate campus units during all phases of planning and implementation of the fee.

### **Concept Approval**

Any campus department planning to establish a compulsory campus-based fee first must receive concept approval to conduct a fee referendum. Sponsors of referenda should present an initial draft outline of their fee proposals when seeking concept approval. For department-initiated referenda, CACSSF must recommend to the Chancellor whether a concept should be approved, delayed or denied no later than December 31 for an election to be held no earlier than the following October. For student-initiated referenda, concept approval is not required but it must fulfill the ASUC

requirements to be included in an ASUC election (either by signed petition or the ASUC Senate approval). Students and/or student groups are strongly encouraged to consult with the SFRC and/or the ASUC Senate no later than October 15 for an election to be held no earlier than the following April as it is to their advantage in assuring successful referenda.

### **Fee Proposal**

A fee proposal is a working document that ultimately results in the complete referendum text, the ballot language, and the marketing plan and its budget. The sponsors must present their fee proposal to the SFRC (*see Addendum A for fee proposal content information*) and also may be asked to share their fee proposal with units who may be affected by the fee and/or student groups for input. Fee proposals are accepted by March 1 for department-initiated referenda and by November 1 for student initiated referenda.

### **Student Involvement**

Student representation is required during the planning, election, implementation and oversight of a fee. Sponsors are required to establish and convene a student advisory board or committee that includes representation from student constituency groups and meets several times a year throughout the duration of the fee. At a minimum, the committee must include representatives from the CSF (Committee on Student Fees), the ASUC, and the Graduate Assembly.

### **Ballot Language**

Ballot language must be neutral in tone and provide basic information about the fee. This includes a description of the fee amount and conditions attached to the referendum along with any anticipated fee escalations, followed by a neutrally phrased question for approval. Ballot language must be finalized for department-initiated referenda by May 15 and for student initiated referenda by February 1.

## **REFERENDUM REQUIREMENTS**

### **Duration**

The maximum duration for new, increased, or reauthorized campus fees cannot exceed ten (10) years unless the fee is to support construction projects or debt service.

### **Return-to-Aid**

All compulsory campus-based fees must include a return-to-aid component. The Berkeley campus return-to-aid standard for new, increased, or reauthorized mandatory campus-based fees is calculated as at least one-third (33.3%) of the total fee. The Chancellor has the authority to modify this percentage.

### **Refunds**

All fees are refundable in accordance with the University and campus refund policy and the schedule of refunds for mandatory student fees<sup>6</sup>.

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<sup>6</sup> <http://registrar.berkeley.edu/Registration/feepaymentinfo.html> and <http://budget.ucop.edu/fees/200708/0708sched.html>

## **Reporting**

Throughout the duration of the fee, sponsors are required to report on the use of fees through an annual report submitted at the close of each spring semester to the SFRC who will make it available to CSF, the ASUC and the GA. *See Addendum B for Annual Report Outline.*

In addition, the SFRC will generate an annual report to be submitted to CACSSF.

## **Accountability**

If the SFRC has any concerns regarding the use and/or implementation of the fee, it will refer those concerns to CACSSF for appropriate action.

## **ELECTION PROCEDURES**

### **Democratic and Fair Elections**

The conduct of the referendum election shall conform to the principles of democracy and fairness. All participants, whether on advisory committees, in student government, in the sponsoring unit, on election campaign groups, or otherwise involved, shall abide by these principles. These principles include the right of voter access to complete and accurate information; confidentiality of each person's vote; honest campaigning free of intimidation, threats, or pressure; equal opportunity for all to cast their ballots; and a complaint/grievance process with a swift and impartial response.

### **Timing of Fee Elections**

Student fee elections initiated by campus departments will be held during the last week of October or the first week in November, and student initiated fee elections will occur concurrent with ASUC government elections. ASUC government election dates are determined by the ASUC Senate by the 10<sup>th</sup> week of the Fall semester. The default election dates are the Tuesday, Wednesday, and Thursday of the second week following Spring Break.

### **Passing a Referendum**

The population eligible to vote will be those registered students who belong to the segment of the population (e.g. undergraduate, graduate or both) that would be required to pay the fee. In order for any fee referendum to pass, a minimum of 20% of registered students (based on the campus' official census for that semester) eligible to vote must vote on the referendum, and a simple majority of those voting (50% plus one) must approve the proposed fee. Abstentions are not included in the count of the number of students voting on the referendum.

If a department-initiated referendum is approved, the SFRC will notify the Chancellor with a copy to the co-chairs of CACSSF of the election results. For a student-initiated referendum, the ASUC President will notify the Chancellor of the election results and its recommendation on whether the referendum should be approved and submitted to Office of the President. Regardless of whether the referendum was initiated by students or a department, the SFRC will also inform the Chancellor whether the referendum is in accordance with these guidelines and whether there are any potential impediments to its approval by Office of the President. If the Chancellor approves either a department initiated or student initiated referendum, the Campus Budget Office will prepare the required documents to seek final approval from the UC President to assess the fee.

All requests for new, increased, or reauthorized mandatory campus-based fees must be received by the President's office no later than June 1 for fees to begin during the following academic year. New fees cannot begin in the summer, but may begin in either Fall or Spring semesters.

### **Election Manager**

For a department-initiated referendum, an Election Manager from Student Affairs will be appointed by the Vice Chancellor for Student Affairs once CACSSF approves the referendum concept. The Election Manager conducts, monitors, and verifies the election and reports to the SFRC.

The responsibilities and authority of the Election Manager are outlined in Addendum D.

### **Election Costs**

For department-initiated referenda, costs of running and publicizing the election will be borne by the department or organization sponsoring the fee initiative. This includes but is not limited to: elections logistics costs (such as equipment rental and computer programming and content specific to the election), election public information, and election management staff costs including the campus Election Manager's time.

The costs of student-initiated referenda must conform to the policies and procedures of the ASUC.

### **Campaigning and Publicity**

The department sponsoring the referendum may organize and implement a campaign to educate students about the referendum. Although there is no limit to the amount of money a department may spend on its campaign, it is required to make an equivalent amount available to the Election Manager to provide to students who express an interest in organizing an opposition campaign. This funding must be provided to the Election Manager by September 1 and the amount is based upon the budget estimate provided in the fee proposal. Any funding not used by an opposition campaign will be returned to the department after the election.

Student-initiated fee referenda must follow the ASUC Guidelines for campaigning and publicity.

For department-initiated referenda, the SFRC, in conjunction with the Election Manager, will determine time, place, and manner protocol for the publicity of campaigns in favor of and against the proposed fee initiative to ensure that there is opportunity for all sides to comment and that full and complete information on the referendum is provided to students. All campaign and publicity materials will be shared with the Election Manager in advance to ensure that they are factually accurate.

The CSF (Committee on Student Fees) is expected to educate and inform the student voting population and as such it must provide to students a non-partisan voter's guide containing arguments for and against the referendum. CSF will review and comment publicly upon the accuracy of fee campaign materials prepared by students independently of the sponsoring department or student group (whether in support or opposition of the proposed fee).

**Online Fee Elections**

Department-initiated referenda elections will be conducted online, overseen by the Election Manager and administered by Information Services and Technology. Student-initiated referenda elections must conform to ASUC election policies regarding time and place.

**Post Elections Review**

Following an election, the SFRC will invite the sponsors of a referendum to a meeting to evaluate the process, reviewing what went well and what could be improved in future elections.

**Complaint Resolution**

Complaints concerning the election process involving department-sponsored fee referenda should be directed in writing to the Election Manager. Complaints must be submitted within one calendar week of the last day of the election and will be responded to within one week of their receipt. Complaints will not be considered if they are submitted later than the post-election one week period.

Any action taken by the Election Manager may be appealed to the SFRC for final resolution.

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Addendum A Outline for Fee Proposal  
Addendum B Sample Campaign Marketing Budget  
Addendum C Annual Report Outline  
Addendum D Election Manager Authority and Responsibilities  
Addendum E Election Verification Form

**ADDENDUM A**  
**UC Berkeley Guidelines for Campus-Based Fees**

Outline for Fee Proposal

A fee proposal is a working document that ultimately results in the complete referendum text, the ballot language, and the marketing plan and its budget.

As the campus committee whose purpose is to develop and recommend to the Chancellor for approval policies, procedures, and criteria for compulsory campus-based fee referenda, the SFRC is the body that will advise you (the sponsor) on the development and implementation of fee language and election procedures; and will notify the Chancellor whether or not the referenda is in accordance with the campus guidelines. For a department initiated referendum, this fee proposal is to be submitted to the SFRC only after receiving concept approval from the CACSSF (Chancellor's Advisory Committee on Student Services and Fees) that your referendum can be advanced to development and election. For a student initiated referendum, concept approval is not required but it must fulfill the ASUC requirements to be included in an ASUC election. It is advisable for students or the student group to consult with the SFRC and/or ASUC Senate no later than October 15 for an election to be held no earlier than the following April.

**Campus departments sponsoring referenda must submit their initial Fee Proposal to the SFRC by March 15 for an election to be held no earlier than the following October.** Proposals initially submitted after March 15 will most likely not be endorsed by the SFRC.

**Students should submit their initial Fee Proposal to the SFRC by November 1 for an election to be held no earlier than the following April.** Proposals initially submitted after November 1 will most likely not be endorsed by the SFRC.

New fees cannot begin in the summer term, but may begin in either Fall or Spring semesters.

Because a Fee Proposal is a working document, the SFRC will work with you to develop the areas of your proposal throughout the consulting process. You may also be asked by the SFRC to share your proposal with units who may be impacted by the fee and/or student groups for input.

A Fee Proposal follows the outline presented below. In all sections of the fee proposal it is important for the language to be clear and precise so students have unambiguous information upon which to vote.

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**I. Referendum Title:**

The title of the referendum should be neutral, that is it should simply state either the name of the benefitting unit or the service to be provided. It should not contain value-laden phrases such as "Save Our ..." or "Avert Disaster..." or "Stick it to...".

**II. Ballot Language:**

This section is the language that will appear on the elections website voting screen. The student will register his or her vote on this web page. Therefore, the ballot language should be completely viewable on one screen, without the need to scroll down. This section should contain

- A brief (2-3 sentences) description of the purpose of the referendum and the identity of the benefitting or sponsoring unit.
- A brief description (2-3 sentences) of why the fee is needed and why it is needed at this time. Include the proposed uses of the fee revenue.
- Identify which students will be expected to pay this fee (undergraduates, graduates, both) and whether the fee will apply to summer students.
- Specify the fee duration and amount of the fee per semester.
  - Be specific about when the fee would first be collected (for instance, Fall 2009 semester) and when it will end (for instance, Spring 2019 semester).
  - The fee amount should be either a whole number or end in .25, .50 or .75 cents in each year of its existence. You may want to use rounding to achieve this requirement.
  - If the amount is expected to increase during the existence of the fee, specify the amounts on a year-by-year schedule and explain how they have been calculated. The easiest way to display this information is to use a table similar to the following:

Fee/Referendum Title											
	% of Fee	Yr 1 Per Sem Amt	Yr 2 Per Sem Amt	Yr 3 Per Sem Amt	Yr 4 Per Sem Amt	Yr 5 Per Sem Amt	Yr 6 Per Sem Amt	Yr 7 Per Sem Amt	Yr 8 Per Sem Amt	Yr 9 Per Sem Amt	Yr 10 Per Sem Amt
Campus Unit	67%	\$ 6.00									
Financial Aid	33%	\$ 3.00									
Total Fee	100%	\$ 9.00									

- If the increases are tied to an inflation index and the future amounts are not known at the time of the election, define the index and whether the index poses a maximum increase level (in which case, identify who will be deciding on the amount of the increase) or whether the fee will be automatically increased in line with changes in the index.
- Unless stated otherwise in the original authorizing referendum, the amount of all fees that are tied to indices must be communicated to the Campus Budget Office, Financial Aid Office, Graduate Division, Office of the Registrar and Summer Session by January 15 to be effective the following summer or Fall term.
- Indicate what percentage and amount of the fee will be used for financial aid and what portion of the fee will go to the benefitting unit.
- Indicate whether or not the fee will apply to summer students and the rationale for charging the fee to those students.
- If the fee will apply to summer students in an amount different than the semester amount, identify the amount of the summer fee.
- Identify what student advisory group will be overseeing the use of the fee.

This information should be followed by the following statement:

“Do you approve this mandatory fee to support \_\_\_\_\_?”

\_\_\_\_\_ Yes

\_\_\_\_\_ No

### **III. Complete Text of the Referendum**

This section is an expansion of the ballot language in order to provide additional information to the student voter.

#### Introductory Statement

Provide one paragraph identifying the sponsoring or benefitting unit and the proposed uses of the fee.

#### Background

Provide an explanation of why the fee is needed, why it is needed at this time, what alternatives to a mandatory fee have been explored, and why these alternatives are not feasible or are less satisfactory than a mandatory fee.

Explain in value-neutral language what the consequences will be if the fee is not approved. Save the emotion-laden language for the marketing and informational campaign.

What role have students played in the demand for the services or benefits, in the review of funding alternatives, and in development of the parameters or proposed uses of the fee?

If similar fees are in effect on other UC campuses, provide information on those fee amounts and uses.

#### Purpose of the Fee

Elaborate on what new or expanded services or benefits to students will be provided by the fee if it is approved.

#### Breakdown of the Fee

Follow the directions given above under the ballot language section concerning the duration of the fee, the amount of the fee, what groups of students will be subject to the fee, whether the fee applies to summer students, whether the fee will increase over time and by how much, and what is the percentage and amount of the return to financial aid.

#### Oversight of the Fee

Identify the composition of the student advisory committee for the fee, and what role it will play in decision-making on the uses of the fee, how frequently it will meet, whether the committee will include non-student members, and any other information about the manner in which oversight will be provided.

### **IV. Referendum Outline for Student-Initiated Fee:**

The primary difference between campus-sponsored referenda and student-sponsored referenda is that the ballot language for the student-initiated referendum comes at the

end of the referendum complete text and can consist of only two sentences, as provided in the ASUC Election By-Laws.

Student-sponsored referenda should follow the outline above, excluding the ballot language, and add the following section at the bottom of the text.

Ballot Language:

“The following language will be placed on the Spring 2\_\_\_\_ ASUC ballot for a vote of the student body:

Sentence 1: Include the purpose of the fee, when it will start and end, the amount of the fee per semester, whether it will increase over time, whether it applies to all students or only graduates or undergraduates, whether it applies to summer students, and the return-to-aid.

Sentence 2: Do you approve this fee?”

**V. Estimated Campaign/Marketing Sample Budget for Department-Initiated Referenda**

A campus department initiating a student fee referendum should submit an advance estimate of its anticipated spending on supplies and promotion for the campaign to educate students about the fee referendum. Although there is no limit to the amount of money a department may spend on its campaign, the department is required to make an equivalent amount available to the Election Manager for students who demonstrate an interest in organizing an opposition campaign.

**This estimated budget is due to the Election Manager by September 1 of the semester in which the fee election is scheduled to take place.**

Please follow the template below when submitting your estimated budget to the Election Manager.

<b><u>Fee Referendum Campaign Budget Estimate (Example)</u></b>				
<b><u>Election Publicity (Sample Line Items)</u></b>	<b><u># Items</u></b>	<b><u>Cost/Item</u></b>	<b><u>Total Cost</u></b>	<b><u>Notes/Description</u></b>
Daily Cal Ads				
Ad #1	1	\$720.00	\$720	
Ad #2	1	\$440.00	\$440	
Ad #3	1	\$440.00	\$440	
Voter Education Pamphlet	500	\$1.50	\$750	
Facebook Advertisements	10	\$40.00	\$400	
Banners	2	\$50.00	\$100	
Giveaways (pens, buttons)	500	\$1.00	\$500	
University Bulletin Board Service	1	\$75.00	\$75	
Flyers	1000	\$0.10	\$100	
<b>Subtotal</b>	<b>2016</b>	<b>\$1,767.60</b>	<b>\$3,525</b>	

<b>Supplies (sample Line Items)</b>				
Paper	250	\$125.00	\$125	
Printing/Copying	23	\$11.58	\$12	
Tables	67	\$33.50	\$34	
Tabling Supplies	29	\$14.61	\$15	
	<b>Subtotal</b>	<b>\$184.69</b>	<b>\$185</b>	
	<b>TOTAL</b>	<b>\$1,952.29</b>	<b>\$3,709.69</b>	

**ADDENDUM B**  
**UC Berkeley Guidelines for Campus Based Fees**

Department Referendum Timeline

Deadlines for items in **BOLD** are required per the Campus Guidelines, other deadlines are recommended. This timeline does NOT reflect all the steps in the referendum process. Please refer to the guidelines for more detail.

**ACTION**

**TIMELINE**

<b>FALL SEMESTER (prior to the election)</b>	
Establish plan for student representation	Once decision is made to pursue referendum
Draft Fee Proposal outline	One month prior to concept approval
<b>Receive concept approval from CACSSF</b>	<b>No later than December 31</b>
<b>SPRING SEMESTER</b>	
Begin communication with SFRC	Between January 15 and February 28
<b>Submit Fee Proposal to SFRC</b>	<b>By March 15</b>
Submit final fee language draft to SFRC	By April 15
SFRC vets fee language with OP	By April 30
<b>Finalize language with guidance from SFRC</b>	<b>By May 15</b>
<b>FALL SEMESTER (election)</b>	
Begin marketing campaign	By September 1
<b>Provide funding to EM for opposition campaign</b>	<b>By September 1</b>
<b>Election</b>	<b>Last week of October or first week of November</b>
Chancellor/President approval	By February 1

**ADDENDUM B**  
**UC Berkeley Guidelines for Campus Based Fees**

Student Initiated Referendum Timeline

All deadlines below are strongly recommended. This timeline does NOT reflect all the steps in the referendum process. Please refer to the Campus Guidelines and ASUC Bylaws<sup>9</sup> for more detail.

**ACTION**

**TIMELINE**

<b>FALL SEMESTER</b>	
Establish plan for student representation	Once decision is made to pursue referendum
Draft Fee Proposal outline	By September 30
Receive concept approval from ASUC	No later than October 15
Begin communication with SFRC	By October 15
Submit Fee Proposal to SFRC	By November 1
Submit final fee language draft to SFRC	By December 1
<b>SPRING SEMESTER</b>	
SFRC vets fee language with OP	By January 15
Finalize language with guidance from SFRC	By February 1
Begin marketing campaign	After February 1
Election	Early April (concurrent with ASUC elections)
Chancellor/President approval	Following the finalizing of elections results

<sup>9</sup> [http://www.asuc.org/documents/bylaws/Title%2004%20-\\$20Elections.doc](http://www.asuc.org/documents/bylaws/Title%2004%20-$20Elections.doc)

## **ADDENDUM C**

### **UC Berkeley Guidelines for Campus-Based Fees**

#### Annual Report Outline

Throughout the duration of the fee, sponsors are required to report annually on the use of fees through a report submitted at the close of each spring semester. Information from this report will be included in the SFRC end-of-year report that is submitted to the CACSSF.

The Annual Report provides accurate and detailed information on the following:

1. Name and Title of person completing the report and the role they play in regards to the oversight of the fee.
2. List the total revenues collected during the year and how they were expended.
3. If there are any remaining balances, explain what the plans are for expending the balances.
4. If the activities funded by the fee have changed from those defined in the referendum, explain why.
5. Identify the advisory committee members and the constituencies they represent.
6. Indicate how frequently the advisory group met during the year and what key issues were discussed.
7. Explain whether the intended goals of the fee have been accomplished. If they have not been accomplished, explain why.

Please submit your completed report electronically to the co-chairs of the SFRC who will make it available to CSF, the ASUC and the GA.

**ADDENDUM D**  
**UC Berkeley Guidelines for Campus-Based Fees**

Election Manager Authority and Responsibilities

The Election Manager is responsible for, and has the authority to:

- Publicize and advertise the fee election to build student awareness of the proposed fee. Suggested venues for publicity and advertising include the Daily Californian, Facebook or similar online social networking sites, campus bulletin boards, residence hall dining areas and bulletin boards, campus computer labs, student-wide CalMail distributions, campus banners or posters, and tabling on Sproul.
- Distribute nonpartisan information about the proposed fee referendum, including the voter's guide prepared by the Committee on Student Fees.
- Create an official election Web site with complete fee referendum and voting information and, if possible, track the number of visits to the Web site.
- Work with the appropriate Information Services and Technology (IST) staff to develop a secure, confidential, online voting system.
- Recruit, hire, train and supervise student staff as needed.
- Develop and manage the election management budget, purchase supplies as needed to perform Election Manager duties, and bill the sponsoring department for all costs incurred (including professional staff time for the Election Manager and other professional or student staff who work in connection with the fee election). The Election Manager will track all hours worked and provide an invoice to the sponsoring department for all such costs following the election.
- Send an informational email to all registered students shortly before the start of the election, reminding them to vote.
- Verify the election results, including the number of votes cast and the number in favor of and opposed to the fee referendum (see Addendum for proper form of Fee Referendum Verification).
- Release election results to the public upon verification.
- Review departmental campaign or publicity materials related to the proposed fee for factual accuracy, and require changes to such materials as needed before they are released publicly. The Committee on Student Fees will review and comment publicly upon the accuracy of fee campaign materials prepared by students independently of the sponsoring department (whether in support or opposition of the proposed fee).
- Monitor compliance by the sponsoring department with pertinent campus regulations, including fee referendum policy, and require the department to take whatever corrective steps are necessary to remedy any noncompliance.
- Respond to and resolve voter or departmental complaints related to the fee election. Any party unsatisfied with the resolution of a dispute or concern by the Election Manager may appeal the decision by contacting the co-chairs of the SFRC in writing within five (5) calendar days of the decision.
- Provide ongoing consultation to students and/or sponsoring departments with questions related to the fee referendum.
- Prepare a report after the completion of the election, summarizing the voting results and any salient issues and events leading up to and during the election (such as an overview of publicity efforts and a description of any organized opposition to the fee referendum), and offer recommendations, if any, for future fee elections.

**ADDENDUM E**  
**UC Berkeley Guidelines for Campus-Based Fees**

STUDENT FEE REFERENDUM ELECTION VERIFICATION FORM

Date: \_\_\_\_\_

Referendum Name: \_\_\_\_\_

Dates of Election: \_\_\_\_\_

Upon completion of all of the checked items and of all of the required signatures below, this form constitutes official verification of the results of a student fee referendum. If an item is not checked or a signature is lacking, the results are not verified, and the reasons will be provided on a separate sheet.

Upon completion of this form, the Election Manager shall provide a copy with the official referendum attached to the Student Fee Referendum Committee for them to submit to the Chancellor for approval. For information purposes, the Election Manager shall also provide copies to the Chair(s) of the Committee on Student Fees and to student representatives, as required in the *Berkeley Campus Guidelines for Campus-Based Fees*.

**Note:** There is a one-week period after the completion of the election during which the validity of the election is still subject to complaints formally submitted to the Election Manager. At the end of that one-week period, the Election Manager shall notify the Student Fee Referendum Committee, the Chair(s) of the Committee on Student Fees, and student representatives of the completion of complaint resolutions. One week period ends/ended on: \_\_\_\_\_.

**CHECKLIST**

\_\_\_\_\_ Final results of election provided by Information Services and Technology (IST), showing the number of yes and no votes, and the total vote count. Official computer printout attached.

\_\_\_\_\_ Confirmation provided by IST that the online election system functioned successfully during the election period and that there were no breaks in service or other problems that substantially affected system operation. Log or notes about operation may be attached.

\_\_\_\_\_ Verification by the Election Manager that the voting results produced either an approved or a not approved referendum. Fill in the spaces:

Minimum Required Voter Turnout \_\_\_\_\_  
(20% of spring student enrollment as confirmed by the Office of the Registrar)  
Total Spring 2006 student enrollment: \_\_\_\_\_

Referendum **Actual Voter Turnout**

(Yes or No votes; abstentions not included) \_\_\_\_\_

Yes Votes \_\_\_\_\_ No Votes \_\_\_\_\_ Abstentions \_\_\_\_\_

Required Majority for approval (50% + 1 of **Actual Voter Turnout**) \_\_\_\_\_

Result: Approved \_\_\_\_\_ Not Approved \_\_\_\_\_

\_\_\_\_\_ Confirmation by the Election Manager that complaints received to date do not materially change the results reported above. Log or notes may be attached.

**SIGNATURES**

Election Manager:

PRINT: \_\_\_\_\_ SIGN: \_\_\_\_\_

Information Services and Technology:

PRINT: \_\_\_\_\_ SIGN: \_\_\_\_\_

Witnessed by staff members of Committee on Student Fees:

PRINT: \_\_\_\_\_

SIGN: \_\_\_\_\_

PRINT: \_\_\_\_\_

SIGN: \_\_\_\_\_

Witnessed by independent student representative:

PRINT: \_\_\_\_\_

SIGN: \_\_\_\_\_

Witnessed by independent student representative:

PRINT: \_\_\_\_\_

SIGN: \_\_\_\_\_

## **Website Address for This Policy**

<http://students.berkeley.edu/committees/sfrc.asp>

## **Glossary**

ASUC – Associated Students of the University of California

CACSSF – Chancellor’s Advisory Committee on Student Services and Fees

Campus-based – Of or pertaining to a single campus of the University of California.

Census – In the context of these guidelines, the census is the official per semester count of registered students, usually taken as of the end of the fifteenth class day of the semester, generally the end of the third week of the semester.

CSF – Committee on Student Fees

Compulsory (or Mandatory) Fee –A fee levied at an individual campus that must be paid by all registered students to whom the fee applies as a condition of enrollment at the campus. A compulsory fee may pertain to undergraduate students, graduate students, or both.

GA – Graduate Assembly

SFRC – Student Fee Referendum Committee

Elections Manager - The Election Manager conducts, monitors, and verifies the election and reports to the SFRC.

President (or UC President) – The President of the ten-campus University of California system.

Quorum – The minimum number of voting members of a committee required to attend in order to have a valid meeting or to take binding votes.

Referendum - The principle or practice of referring measures proposed by a sponsoring unit to the students for approval or rejection.

Return-to-aid – A portion of the campus-based fee assessed to students that is retained by the campus for allocation as student aid to students demonstrating financial need.

The Regents – The 26-member board that governs the University of California and appoints the UC President and all executive officers of the University.

Voluntary Fee – A fee that a student opts to pay through a positive check-off mechanism as part of the registration process at a campus.

## **Keyword Index**

Campus based student fees

Compulsory

Fee Election

Fee(s)  
Referenda  
Referendum  
SFRC

**Related Documents**

<http://registrar.berkeley.edu/Registration/feepaymentinfo.html> and  
<http://budget.ucop.edu/fees/200708/0708sched.html>  
<http://www.universityofcalifornia.edu/regents/bylaws/so1004.html>  
<http://www.ucop.edu/ucophome/coordrev/da/da2115att1.html>  
<http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc80.html>  
<http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc60.html>  
<http://www.ucop.edu/ucophome/coordrev/policy/1-17-95.html>  
<http://www.ucop.edu/riskmgmt/bsas/presidentialpol.pdf>