

# Mandatory Student Fees

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## Purpose

A significant portion of Associated Students, Incorporated revenues is derived from mandatory student fees. Pursuant to Education Code Section 89300 and 89304, all students pay these fees, regardless of the number of units taken and irrespective of whether an individual student benefits from ASI programs or services. The involuntary nature of this arrangement places a special obligation on the ASI to observe numerous laws, statutes, and regulations imposed by federal, state and campus authorities. The ASI recognizes that these rules are designed to protect the Constitutional and civil rights of all fee-paying students. As such, the Associated Students, Incorporated accepts these restrictions without protest.

Nevertheless, the ASI recognizes that it has an equally compelling obligation to support the role of higher education in promoting discussion and debate of controversial ideas and topics. Provided that such discussion and debate is germane to the educational mission of the university, the ASI endeavors to impose no restriction on the use of mandatory student fees which unduly constrains freedom of expression in funded programs and services.

The purpose of the Mandatory Student Fee Policy is to establish a clear understanding between the Associated Students, Incorporated and budget area representatives of the policies and objectives governing the use of revenues derived from mandatory student fees. Specifically, this policy attempts to protect the rights of fee-paying students, while preserving the traditional role of the university as a forum for the free investigation and expression of ideas.

## Policy Statement

It is the policy of the ASI to observe lawful restrictions on the use of mandatory student fees through means that do not inhibit discussion and debate germane to the educational mission of the university. This policy shall apply to all mandatory student fees over which the Associated Students, Incorporated has budgetary and programmatic authority.

## Who Should Know This Policy

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Budget Area Administrators | <input checked="" type="checkbox"/> Elected/Appointed Officers | <input checked="" type="checkbox"/> Grant Recipients |
| <input checked="" type="checkbox"/> Management Personnel       | <input checked="" type="checkbox"/> Program Advisors           | <input type="checkbox"/> Staff                       |
| <input type="checkbox"/> Supervisors                           | <input type="checkbox"/> Volunteers                            |  |

## Definitions

For purposes of this policy, the terms used are defined as follows:

Term	Definition
Ideological Activities	Activities which are primarily dedicated to advocating a specific political or ideological position rather than creating a forum to promote discussion or debate of political or ideological issues from different perspectives
Mandatory Student Fees	The Associated Students fee and the University Student Union fee
Political Activities	Activities which seek partisan support or sponsorship of ballot initiatives, candidates seeking office, or other political purposes
Religious Activities	Activities which support or sponsor religious rites, services, instruction, recruitment, or proselytism; promote religious purposes; or limit participation to members of a certain faith
Title V	Title V of the California Code of Regulations

## Regulations

### 1.0 Approved Uses of Mandatory Student Fees

The principle underlying the allocation and subsequent expenditure of Associated Students funds collected through mandatory fees is that such expenditures shall be made in programs that reflect the broadest variety of student interests and that are open to all students who wish to participate. Pursuant to Title 5, Section 42659 of the California Code of Regulations, funds obtained from mandatory fees may be expended for the following programs:

- 1) Programs of cultural and educational enrichment and community service
- 2) Recreational and social activities
- 3) Support of the University Student Union

- 4) Scholarships, stipends, and grants-in-aid for only currently enrolled students in accordance with provisions of Section 42500, subdivision (d) of Title V
- 5) Tutorial programs
- 6) Athletic programs, both intramural and intercollegiate
- 7) Student publications
- 8) Assistance to recognized student organizations
- 9) Student travel insurance
- 10) Administration of student fee program
- 11) Student government-scholarship stipends, grants-in-aid, and reimbursements to student officers for service to student government
- 12) Student employment to provide payment for services in connection with the general administration of student fees
- 13) Augmentation of counseling services, including draft information, to be performed by the campus. Such counseling may also include counseling on legal matters to the extent of helping the student determine whether he should retain legal counsel, and of referring him to legal counsel through a bar association, legal aid foundation or similar body.
- 14) Transportation services
- 15) Child day care centers for children of students and employees of the campus
- 16) Augmentation of campus health services

## 2.0 Assistance to Student Organizations

ASI shall not provide financial support to organizations external to the corporation; the ASI funds programs, not organizations. ASI shall, however, provide grants of money to support programs and activities produced by student organizations for the benefit of the student body. ASI shall not consider these grants to be a form of financial support. Grants shall be restrictively administered by ASI and provide recipient organizations with only limited discretion in purchasing and expenditure decisions.

### 2.1 Eligibility for Funding

Properly recognized student organizations of the university may be eligible for ASI grants provided the programs for which support is sought have the effect or intent of accomplishing any of the following:

- Supplementing or enhancing academic preparation or development;
- Promoting or recognizing academic performance and excellence;
- Promoting an awareness and understanding of the ideas, customs, arts, languages, and social contributions of specific cultures;

- Promoting or sponsoring community service;
- Promoting discussion or debate of public issues from a variety of perspectives or viewpoints;
- Developing personal, professional, or career-related skills;
- Providing recreational or social activities for students; or
- Aiding in the retention and graduation of currently enrolled CSULB students

## 2.2 Ineligibility for Funding

Programs that consist primarily of religious, ideological or political activities are not eligible for grants of mandatory student fee money. The following are examples of activities that may not be funded with mandatory student fees.

- Activities which seek partisan support or sponsorship of ballot initiatives, candidates seeking office, or other political purposes, with the exception of expressions published in the student press and the support of positions taken by the Board of Trustees on any issue which the Board determines will significantly affect the California State University or any campus thereof (REFERENCE: Title V, California Code of Regulations, § 42403(c)(1));
- Activities which support or sponsor lobbying with local, State or Federal officials or entities with the exception of the support of governmental affairs representatives who may be attending upon the State Legislature or upon offices and agencies in the executive branch of the state government (REFERENCE: Education Code § 89300);
- Activities which support or sponsor religious rites, services, instruction, recruitment, or proselytism; promote religious purposes; or limit participation to members of a certain faith;
- Activities which have a financial affiliation with one or more off-campus organizations whose principal purposes are political, ideological, or religious; or
- Activities which are primarily dedicated to advocating a specific political or ideological position rather than creating a forum to promote discussion or debate of political or ideological issues from different perspectives.

## 2.3 Determination of Eligibility

The Associated Students Board of Control shall make the initial determination of whether a proposed program is eligible for mandatory student fees, subject to Senate approval. Any organization whose programs are declared ineligible for funding pursuant to this policy may file a written complaint with the Associated Students Judiciary. Decisions of the judiciary constitute final authority of the Associated Students.

## 2.4 Off-Campus Events

Student organization programs funded by ASI must be conducted under the supervision of campus personnel who have been delegated authority and responsibility for student affairs by the campus President. This authority is most effectively exercised when programs and

activities take place on campus grounds. Therefore, mandatory student fees shall not be used for student organization programs or activities occurring off-campus. Exceptions to this policy shall be made on a case-by-case basis. A principal factor in making these decisions is the degree to which the proposed activity contributes to the educational and leadership development objectives of the university.

### 3.0 Student Objections to Use of Mandatory Student Fees

The precautions of this policy notwithstanding, any student who believes that mandatory student fees have nonetheless been used to support activities primarily dedicated to advocating a specific political or ideological (including religious) position may file a written complaint with the Associated Students Judiciary. If the A.S. Judiciary determines that such a violation has occurred, each complainant shall be entitled to a pro rata reimbursement of that portion of his or her mandatory fee that supported the offending program.

Pro rata reimbursements shall be determined by the formula

$(x / y) * f$ , where

x = total mandatory student fees disbursed for the offending program;

y = total revenue derived from mandatory student fees for the semester in which the offending program took place; and

f = the amount of mandatory student fee assessed each individual.

Reimbursements made in restitution for violations of this policy or any provisions thereof shall be debited from the grant allocation(s) made to the sponsor of the offending program. In addition, sponsors of intentionally offensive programs may be subject to additional disciplinary action as determined by the A.S. Judiciary.

### 4.0 Support of University Programs

The following guidelines have been established to assist the Associated Students in the consideration of funding requests from divisions and units of California State University, Long Beach. Only those programs which meet the following six criteria will be eligible for consideration.

- 1) The Associated Students will consider requests for funding University-sponsored programs only if they are administered through the Division of Student Services.
- 2) Unless the Associated Students is granted the authority for exercising administrative control, no A.S. fees will be allocated for administrative expense.
- 3) To be eligible for funding, a University-sponsored program must provide a direct benefit to CSULB students consistent with the mission of the Associated Students.
- 4) Access to and eligibility for participation in the proposed program must be consistent with Title V, Division 5, Chapter 1, Subchapter 4, Article 4 "Nondiscrimination in Student Organizations".
- 5) The programs for which funds will be used must be consistent with Title V, Section 42500 "Functions of Auxiliary Organizations".

- 6) The proposed expenditures of the University-sponsored program must be consistent with Title V, Section 42659 "Approved Uses of Student Body Organization Funds".

## Forms

There are no forms associated with the execution of this policy.