

**STUDENT GOVERNMENTS**  
*(Reference: UC Systemwide PACAOS 60.00 – 67.10)*

**400.00**      **Status**

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

**401.1**      **Authority, Responsibility and Purposes of Student Governments**

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

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

- A. To provide students with the educational benefits of participation in student government;
- B. To provide a forum for the discussion of issues and ideas of interest, importance, and/or of concern to students;
- C. To provide financial and other tangible support for student activities and organizations on a viewpoint-neutral basis in order to foster a sense of community and to further discussion among students of the broadest range of ideas;
- D. To communicate student views to audiences, including external governmental offices and agencies, consistent with the provisions below; and

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

**402.00 Support**

Student governments may be supported by compulsory campus-based student fees and/or by voluntary student contributions as outlined in systemwide policy.

**403.00 Right to Take Positions on Public Issues**

Student governments shall have the right to address and take positions on public issues as consideration of such matters serves the University's purposes for such governments as set forth in Section 401.00 of these policies. Positions on issues taken by student governments shall not be represented as or deemed to be positions of any entity of the University other than the student government.

**404.00 Right to Use University Name and Unofficial Seal**

The Associated Students and Graduate Students Association are official units of the University, and may use the unofficial seal of the University of California, as well as their designations (ASUCM and GSAUCM), and their on-campus addresses in connection with official correspondence and programs.

**405.00 Lobbying and Other Public Policy-Oriented Activities**

Consistent with the University's purposes for student governments, student governments may undertake lobbying and other public policy-oriented activities on student-related matters, as defined in systemwide policy, supported by compulsory campus-based student fees and/or by voluntary student contributions.

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

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

#### **405.10 Definition of Lobbying Activities**

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

#### **405.20 Definition of Public Policy-Oriented Activities Other Than Lobbying**

The term "other public policy-oriented activities" as used in these Policies means the funding or sponsorship by student governments of any program or activity of such governments (other than "lobbying activities" as defined in Section 405.10 of these Policies) that involves the communication to a University audience of a student government position (including the supporting rationale for that position) on a student-related matter.

#### **405.30 Systemwide Pro Rata Refund Requirement for Lobbying Activities**

Any student objecting to a particular lobbying activity of student government (as defined in Section 405.10 of these policies) supported by compulsory campus-based student fees is entitled to a pro rata refund of that portion of his or her fees that went to support the activity. Criteria and procedures for particular campus-based refund mechanisms shall be developed by campuses in consultation with their student governments, and with the Office of the President and the Office of the General Counsel as required, to ensure the compliance of such mechanisms with both these Policies and the law. Such criteria and procedures must provide that the availability of pro rata refunds be widely and frequently publicized among students, and that all requests for such refunds by objecting students be processed equitably and expeditiously. *Students should contact the Office of Student Life for information about pro rata refunds.*

#### **405.40 Pro Rata Refunds for Public Policy-Oriented Activities of Student Governments Other than Lobbying**

In consultation with its student government or governments, a campus may at its discretion, establish and administer a mechanism providing for a pro rata refund to any student of that portion of his or her compulsory campus-based student fees that has been allocated to support a particular public policy-oriented activity of student government other than lobbying, as defined in systemwide policy. Campuses are encouraged but not required to consult with the Office of the President and with the Office of General Counsel in the development of criteria and procedures for any such refund mechanism. Such criteria and procedures should provide that the availability of pro rata refunds be widely and frequently publicized among students, and that all requests for such refunds by objecting students be processed equitably and expeditiously. Establishment of such a

refund mechanism for the public policy-oriented activities of student governments other than lobbying is not required either as a matter of University policy or the law.

#### **406.00 Sponsorship of Speakers**

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

#### **407.00 Participation in Non-University Political Campaigns**

Consistent with systemwide policy and with the University's Legal Guidelines for [UC Participation in Ballot Campaigns](#) student governments may not use University resources to support or oppose a particular candidate or ballot proposition in a non-university political campaign. This is not intended to preclude the use of such resources by student governments for legitimate educational purposes related to such non-university campaigns, in which information about competing candidates for government office and/or information about competing viewpoints with respect to particular ballot propositions is provided in a fair and balanced way.

#### **408.00 Fiscal Soundness and Fiscal Accountability**

Chancellors are responsible for the fiscal soundness of student governments, and are responsible in addition for maintaining fiscal accountability over compulsory campus-based student fees and voluntary contributions collected from students to support student governments under the University's authority. The allocation and expenditure of all such funds by student governments shall be in accordance with all applicable University policies.

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

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

Compulsory campus-based student fees may be expended by a student government to cover the expenses of direct participation by University students in a particular non- university-sponsored educational program or activity. Such fees may also be expended in payment of applicable dues necessary to sustain student government membership in national and other regional non-university associations at the basic level established by such associations, so long as the level of any such assessment is in line with what is assessed similar student organizations at other institutions comparable in size and nature to the University as a requirement of basic membership. Except as provided immediately below, memberships at a preferential level that require the payment of higher periodic dues than what is required to sustain basic membership, or the assessment by such non- university associations of supplemental contributions from their members as an expectation but not a requirement of continued membership, may not be supported from compulsory campus-based student fees.

Other than for considerations of basic membership as set forth above, additional transfers of funds from compulsory campus-based fees by a student government to such non-university associations may be made only when they can be justified, in advance of the transfer, to the chancellor (or other campus official designated by the chancellor with administrative oversight over student government) as providing a direct educational benefit to University of California students commensurate with the proposed expenditure.

Compulsory campus-based fees may not otherwise be expended by a student government in support of, or be otherwise transferred to, a non-university organization, program, or activity, except in payment for goods and services directly necessary to the operation of that student government, its programs or activities.

The referendum process set forth in the systemwide policies on compulsory campus based student fees, and these implementing regulations, shall not be available either to establish a new compulsory campus-based student fee, or to lock in an increase to an existing such fee, that is earmarked for the purpose of providing direct support to any non-university organization.