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Responsible Office:  
[University Life](#)

**Policy Title:**  
Student Activity Fees - Mandatory

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State-Operated Campuses

## Table of Contents

[Summary](#)  
[Policy](#)  
[Definitions](#)  
[Other Related Information](#)  
[Procedures](#)  
[Forms](#)  
[Authority](#)  
[History](#)  
[Appendices](#)

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## Summary

This policy governs the collection, use and disbursement of mandatory student activity fees.

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## Policy

### Student Activity Fees

#### A. Referendum

Prior to the close of the academic year 2004-2005 and every two years thereafter, the student body (or such components thereof as may be designated by the campus president or designee) at each state-operated campus of the State University of New York shall determine by referendum whether student activity programs shall be supported by either voluntary or mandatory student fees. Such referendum (Appendix A – “Guidelines for the Conduct of the Referendum Under Policy of the Board of Trustees”) shall be held on the same day as the annual elections for officers of the representative student organization or organizations (hereinafter referred to as “student government”). The determination resulting from each referendum shall remain in force for a period of two academic years, except that at any time and from time to time within such two year period a subsequent referendum held in accordance with the constitution and by-laws of the student government may affect a change in this determination with respect to the following academic year.

#### B. Voluntary fees

Where students at a state-operated campus have determined to make the payment of student activity fees voluntary, the student government shall be responsible for the collection, appropriation and disbursement of such fees subject to the permitted uses authorized in section (C) (3) (Use of Funds) of this policy. With the approval of the campus president or designee, personnel or facilities of the campus, or both, may be used in connection with the collection of such fees on behalf of the student government provided that the collection of voluntary student activity fees is clearly distinguished from the collection of required University fees.

#### C. Mandatory fees

Where students at a state-operated campus have determined to make the payment of student activity fees mandatory, the appropriation, collection and disbursement of such fees, whensoever collected, shall be governed by the following regulations:

1. Preparation and certification of the budget

a. The student government shall prepare and approve a budget governing expenditures from student activity fees in accordance with the constitution and by-laws of the student government, and consistent with the principles of equal opportunity and viewpoint neutrality, prior to registration for each academic year.

b. The constitution and by-laws of such student government shall specify the criteria governing eligibility for funding of and allocations to student organizations from student activity fees. While referenda of the student body may not be used to help determine specific allocations to particular student organizations, mechanisms such as polls or surveys may be used to ascertain student interest and participation in programs or events.

c. Allocations included in the budget shall fall within programs defined in section (C) (3) (Use of Funds) of this policy. The approved budget shall thereafter be presented to the campus president prior to the registration for each academic year for review and certification that the allocations from the fee and any proposed sources of revenue are in compliance with the provisions of section (C) (3) (Use of Funds) of this policy. Upon determination by the campus president or designee that the approved budget is in compliance with these regulations, he or she shall so certify and such certification shall authorize the collection of the fee at registration.

Appeals

In the event that the campus president or designee concludes that a particular proposed allocation included in the budget may not be in compliance with the provisions of this part, he or she shall refer such proposed allocation to a campus review board composed of eight members of whom four shall be appointed by the student government and four appointed by the campus president or designee. The campus review board shall study the proposed allocation and make a recommendation to support or not to support it. The campus president or designee shall thereafter make the final decision. Any proposed allocation which is determined not to be in compliance with the provisions of these regulations shall be excluded from the budget.

2. Collection at registration

The collection, disbursement and use of mandatory student activity fees shall be consistent with the University Fiscal and Accounting Procedures for Mandatory Student Activity Fee Programs.

a. The total amount of the fee for one academic year, as fixed and assessed by the student government, shall not exceed an amount to be determined by the chancellor in consultation with the student assembly. The current maximum allowable annual amount is \$250.00, which applies to all campuses. Upon registration, every student shall be required to pay one-half of the total fee, or proportionate part thereof, if registered for less than full-time, for each term for which he or she registers. Failure to pay the required fee may result in denial of registration.

b. The fiscal officer of each state-operated campus shall collect the prescribed fee at the time of registration and shall pay over the amounts so collected to an independent fiscal agent designated by the student government and approved by the campus president or designee. If there is reasonable evidence in an individual case, as determined by the campus president or designee that payment of the fee may cause undue hardship, such student may nevertheless be allowed to register and the obligation to pay such fee shall thereafter be subject to administrative review and action by the campus president or designee after consultation with the student government.

In a case in which a student has been allowed to register without payment of the student activity fee, the campus president may withhold grades or transcripts of credits until payment has been waived by such administrative action or the obligation has been met. In addition, the student government may determine to deny participation in student activities in the case of any student who has not fulfilled his or her obligation with respect to payment of the mandatory student activity fee.

c. Student-imposed fees in excess of the mandated fee shall be considered voluntary within the provisions of section (B) (Voluntary Fees) of this policy. Policies governing refunds to students who cancel their registration or withdraw from the University shall be established by the student government.

d. For those periods outside the academic year (i.e. summer session) a mandatory fee also may be collected, provided the amount of the fee is consistent with the level of programming provided during that period and is used in accordance with the State University Board of Trustees policy. The amount of this fee shall be determined by the student government in consultation with the campus president or designee and shall not be included within the cap applicable to the amount charged for the academic year.

### 3. Use of funds

Funds which are collected under provisions of this policy which require every student to pay the prescribed mandatory fee and all revenues generated from use of the fee shall be used only for support of the following programs for the benefit of the campus community:

- a. Programs of cultural and educational enrichment;
- b. Recreational and social activities;
- c. Tutorial programs;
- d. Athletic programs, both intramural and intercollegiate;
- e. Student publications and other media;
- f. Recognized student organizations including religious student organizations, for the purposes and activities of the organization that are of an educational, cultural, recreational or social nature; provided that the criteria for recognition of such student organizations, including, the criteria governing eligibility for funding of and allocations to such student organizations from student activity fees, shall be specified in the constitution and by-laws of the student government;
- g. Insurance related to conduct of these programs;
- h. Administration of these programs;
- i. Transportation in support of these programs;
- j. Student services to supplement or add to those provided by the University;
- k. Remuneration and reimbursement of reasonable and necessary travel expenses in accordance with state guidelines to students for service to student government;
- l. Campus-based scholarships, fellowships and grant programs, provided the funds are administered by the campus or a campus affiliated organization;
- m. Payments for contractual services provided by a nonprofit organization to the extent that such services are in aid of an approved student activity during the budget year and which activity serves the purposes set forth above and provided further that such payments may not be exclusively for the general corporate purposes of such organization;
- n. Salaries for professional non-student employees of the student government to the extent that they are consistent with hiring practices and compensation rates of other campus-affiliated organizations; and

o. Charitable donations to a nonprofit organization; provided, however, that such donations may be funded only from the proceeds of a fundraiser held by a recognized student organization.

4. Disbursement of funds

Proceeds of the student activity fee shall be disbursed by the student government, through the designated independent fiscal agent, provided that the proposed fiscal commitment for each expenditure shall have been approved by the campus president or designee.

(a) In the event that the campus president or designee concludes that a particular proposed fiscal commitment may not be in compliance with an approved budgetary allocation and the provisions of this section, he or she shall refer such proposed fiscal commitment to the campus review board for review and recommendation.

Final determination for approval of the compliance with this policy of any proposed fiscal commitment shall rest with the campus president or designee.

Fiscal and accounting procedures prescribed by the chancellor or designee shall be adopted and observed by the student government. These procedures shall include, among other things, provisions for an annual independent audit including the communication to student government management by the independent auditor of any internal control matter(s) noted during the conduct of the audit; and for public dissemination of information regarding the budgeting process including a list of funded activities, current allocations and expenditures.

5. Changes to approved budget

Changes to the approved budget after certification, either prior to or subsequent to the collection of mandatory fees, shall be subject to administrative review and certification by the campus president or designee in the same manner as was applicable to the original budget.

D. Use of college facilities

The provisions of this policy shall not be interpreted to authorize the use of facilities for student activities and programs without appropriate administrative approval. Appropriate payments shall be made by student organizations for the use of campus facilities where there are extraordinary costs to the campus associated with such events.

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## Definitions

There are no definitions relevant to this policy.

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## Other Related Information

There is no related information relevant to this policy.

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## Procedures

[Student Activity Fee Programs - Mandatory. Fiscal and Accounting Procedures for](#)

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## Forms

There are no forms relevant to this policy.

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## Authority

[Tuition, Fees and Charges \(8 NYCRR 302\)](#)

State University of New York Board of Trustees Resolution, 02-65 adopted June 25, 2002.

[State University of New York Student Assembly, Adoption of College at Oneonta Resolution in Increase Cap on the Student Activities Fee \(Resolution # 1213-009\), Adopted November 3, 2012.](#)

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## History

This policy was approved through the rule making process followed by final adoption of the University Board of Trustees on September 28, 2004.

Chancellor King formed the task force on student activity fees in June 2001. This University-wide group was put together in response to legislative interest in the University's student activity fee program, particularly, the referendum process. The specific charge to the task force was to review the current University Board of Trustees policy on the mandatory student activity fee, which had not been reviewed since its development in the late 1970s (see Board of Trustees Resolution 76-248 adopted on September 22, 1976) to ensure that procedures were in place to achieve fiscal accountability and to address recent Supreme Court decisions regarding viewpoint neutrality (Southworth case). The task force, through subcommittees, studied issues relating to referenda, communication, disclosure, fiscal integrity, and operational procedures.

The task force recommendations are intended to update and refine University policies and procedures relating to the mandatory student activity fee while clarifying the roles and responsibilities of the three participants within the overall student activity fee structure: the student government, the campus president, and the independent fiscal agent. The recommendations address a range of legal issues that have been the subject of recent court decisions. In addition, a number of recommendations seek to increase student participation in the decision-making process as well as strengthening internal control features to ensure fiscal accountability.

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## Appendices

[Appendix A](#) - Guidelines for Conduct of Referendum Under Policy of the Board of Trustees.