

**REGENT POLICY DOCUMENT REVIEW:
REMOVAL OF RPD 30-4, “MANDATORY REFUNDABLE FEE
POLICIES AND PROCEDURES FOR STUDENT GOVERNMENT
ORGANIZATIONS”**

EXECUTIVE SUMMARY

BACKGROUND

The UW System Board of Regents codifies its policies in Regent Policy Documents (RPDs), which it adopts under the authority granted in Chapter 36, Wis. Stats. The RPDs address a wide array of subjects, including academic policies and programs, contracts, student activities, and trust and investment policies. The Regents have adopted RPDs over time, with some dating back to the creation of the UW System.

In February 2011, the President of the Board of Regents formally announced a process to review and update the RPDs. Under this process, the original purpose of each policy is analyzed to determine whether the policy is still relevant and to determine the likely impact of any proposed revision. Policies are also formatted to meet standards established by the Board in RPD 2-3. Under this process, the Board has revised numerous policies, repealed obsolete policies, and established new policies to meet changing needs and policy priorities.

At its December 2018 meeting, the Board’s Business and Finance Committee will consider removing RPD 30-4, “Mandatory Refundable Fee Policies and Procedures for Student Government Organizations,” as statutory changes nullified this policy.

REQUESTED ACTION

Adoption of Resolution I.2.x., authorizing the Executive Director and Corporate Secretary of the Office of the Board of Regents to remove Regent Policy Document 30-4, “Mandatory Refundable Fee Policies and Procedures for Student Government Organizations.”

DISCUSSION

In 1980, the Board of Regents adopted a policy that governed the collection and distribution of a nominal student fee, known as the Mandatory Refundable Fee (MRF), to support an organization engaged in lobbying and activities related to issues of importance to UW System students. Between 1980 and 2012, the policy was revised several times to increase the amount of the fee (most recently \$3.00 per student per semester) or change the procedures.

RPD 30-4 describes the process for initiating or discontinuing the MRF for an eligible organization through a student referendum. If a majority of students approved the assessment of the MRF, this additional fee was collected by UW institutions at the start of each semester from every student, along with tuition and segregated fees, and remitted to the eligible organization.

Although any organization with an inter-institutional governance support purpose could have sought MRF funding, the United Council of UW Students (UC) was the only group to seek and obtain these funds.

Since July 2013, state law has prohibited the UW System from requiring students to pay a fee to support an inter-institutional student government organization. Section 36.27(6)(b), Wis. Stats., effective July 1, 2013, states:

The board may provide students with the opportunity to pay an additional fee to support an inter-institutional student government organization. The board may not require students to pay the fee.

Because this statutory change has nullified RPD 30-4 and the collection of a mandatory fee to fund an inter-institutional student government organization, the System President is recommending the removal of this Regent policy.

RELATED REGENT POLICIES

None.

30-4 MANDATORY REFUNDABLE FEE POLICIES AND PROCEDURES FOR STUDENT GOVERNMENT ORGANIZATIONS

****Effective July 1, 2013, Regent Policy Document 30-4 is superseded by s. 36.27(6)(b), Wis. Stats.****

Scope

This policy applies to any student organization(s) with a University of Wisconsin System inter-institutional governance support purpose that are funded or wish to be funded by the mandatory refundable fee (MRF) mechanism.

Purpose

The purpose of this policy is to describe procedures for student organizations that are funded and seek a change in the level of the MRF, or that wish to be funded by the MRF. In addition, the purpose of this policy is to provide students with the opportunity to determine if the MRF will be used to fund student organizations with an inter-institutional governance support purpose, or change the level of the MRF funding.

Policy Statement

The availability of the mandatory refundable fee mechanism shall be limited to Board-recognized student organizations with a University of Wisconsin System inter-institutional governance support purpose, and of which all students of the relevant institutions are members.

Student segregated fees are the primary and preferred means for funding student organizations and membership fees. The United Council of University of Wisconsin Student Governments and other such Board-recognized organizations will be eligible for approval of a mandatory refundable fee (MRF) from the Board of Regents in accordance with this policy. The MRF is a fee collected by the university with tuition and segregated fees as a condition of enrollment, which may be refunded to students upon request.

After the Board approves a MRF, the students may conduct referenda as to whether to begin such a fee, and once initiated, may conduct referenda on the question whether the fee should continue. A referendum to initiate or terminate the MRF may be called for by a majority of the campus student government body or by a petition with signatures representing ten (10) percent of the enrolled student body. Written notification of the referendum must be received by all organizations that wish to be funded by the MRF, by letter postmarked thirty (30) calendar days in advance of an upcoming referendum at any member or non-member institution. The result of the referendum is determined by a simple majority of students voting. Results of the binding referendum shall be implemented with the start of the next academic term, excluding summer session. Campus referenda are limited to one per academic year. The fee may be adjusted, as provided in section 2 below, or reviewed by the Board of Regents.

1. Referendum Language: The referendum shall be limited to the following language:

The students at the University of Wisconsin _____ agree to support _____ with a mandatory refundable fee of _____ per _____ and _____ per summer session. The amount plus postage is refundable upon written request to the _____, postmarked within 45 days of the first day of class. The fee may be adjusted or reviewed by the Board of Regents.

2. Changes in the Level of the MRF: The following procedure shall be used for consideration of changes in the level of the Mandatory Refundable Fee (MRF):
 - a. The organization seeking a change in the MRF level will first gain approval by its Board of Directors by a 2/3 vote of the members. The proposal for the change will then be taken back to each individual student senate and must be passed by 2/3 of the student senates by a majority vote in each senate. The proposed change will return to the Board of Directors to be passed by a 2/3 vote of the members. The student votes necessary to increase the MRF must all occur in one academic semester.
 - b. The request for the change in funding level will be forwarded to the University of Wisconsin System Administration Senior Vice President for Administrative and Fiscal Affairs to be considered for inclusion in the annual report to the Board of Regents on the segregated fee budgets.
 - c. The changed level, if any, will be implemented in the following term. Referenda indicating the new amount will be held in the normal time-frame after the change is approved by the Board.

Oversight, Roles & Responsibilities

The UW System Office of Administrative and Fiscal Affairs may request reports and budgets of student organizations funded by the MRF, prior to submission to the Board of Regents.

Related Regent Policies and Applicable Laws

Financial and Administrative Policy F44: Tuition and Fee Policies for Credit Instruction, UW System Administration

History: RPD 30-4 (formerly 87-3) amended by Res. 10017 (2/10/2012), which amended Res. 6873 (3/10/1995), which amended Res. 5732 (3/8/1991), which amended Res. 3764 and RPD 87-3 (4/10/1987), which rescinded Res. 2217 and RPD 80-4 (7/11/1980).