

Rutgers University
Procedures Regarding Special Student Organizations

I. Introduction

In March 1972, the University Board of Governors adopted a policy to provide an alternative to the general student activity fee committees for funding educationally valuable student organizations. The university policy, *Funding of Special Student Programs* (10.3.3)¹, was supplemented by detailed procedures by which certain student organizations, Rutgers students and student governments, student affairs administrators, and the University Senate could cooperatively determine the willingness of Rutgers students to fund a petitioning student organization. The original procedures were revised in 2008, and the new procedures are detailed in the remainder of this document.

The procedures outlined herein apply only to special student organizations as defined in Section II below. They do not apply to other referenda conducted by student governments at Rutgers.

II. Funding Procedures for Special Student Organizations

Educationally valuable², student-sponsored organizations (e.g., nonpartisan student organizations, campus newspapers, or groups providing forums for expression of diverse views) at divisions of the university are eligible for funding. These organizations must demonstrate that they have exceptional circumstances that warrant a funding mechanism beyond that available to other student organizations. It is the responsibility and obligation of the students pursuing these measures to adhere to stated timeframes and regulations.

The procedures outlined herein provide timelines and involvement of various parties in petitioning for and conducting referenda for funding special student organizations. Such processes will only occur during the regular academic year.

Student organizations may qualify for funding through the following procedure.

- A. Each petitioning student organization is required to present its concept plan to the University Senate for review by its Student Affairs Committee and/or Executive Committee. If the committee finds that the program has demonstrated educational value and warrants the funding mechanism outlined in this procedure, the evaluating Senate committee(s) will recommend the organization's concept plan to the University President. Procedural timing will commence upon receipt of the concept plan and all required supporting documentation by the Executive Secretary of the University Senate.
- B. If the concept plan is approved as indicated in Paragraph A above, the petitioning student organization shall seek college, campus, or divisional referenda on the issue of student funding for its program, following Section XI of these procedures. At least thirty-five percent (35%) of the eligible voters in the voting unit³ must cast votes, and a simple majority of those voting within each voting unit must vote in the affirmative for implementation of alternate funding within that voting unit.
- C. For each unit at which the required affirmative vote is achieved, the approved fee (as described

¹ These will be the "procedures" to facilitate the revised *Policy on Funding of Special Student Programs* (10.3.3)

² "Educationally-valuable" is further defined in Section IV.B.1.

³ "Voting unit" refers to the division (such as a college or school) in which the student is enrolled

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in Section XV herein), for the organization shall be listed as a separate item for payment on the term bills of the unit's students for the following three (3) years.

D. Each organization shall be required to hold a referendum every three (3) years in order to continue to receive funds under this procedure.

E. Any referenda that fail to reach the affirmative-vote threshold described in Paragraph B above will be considered to have failed overall, and may not be conducted again in the unit at which the failure occurred until three years have elapsed.

III. Notice

The successful conduct of a referendum requires the involvement and cooperation of a number of university staff, administrators, and student leaders. It is the responsibility of the petitioning student organization and the Oversight Committee to ensure that proper notice of all referenda schedules, plans, and requirements are communicated to all parties involved or concerned with the referenda.

IV. Referendum Concept Plan

A. *Plan Submission Process*

1. Each petitioning student organization seeking authorization to conduct referenda must first submit a concept plan to the Executive Secretary of the University Senate, who will communicate to the Senate Executive Committee that the plan has been sent for review by the University Senate Student Affairs Committee and/or the Executive Committee (at the Executive Committee's discretion). The concept plan and all required supporting documentation must be submitted to the Executive Secretary of the Senate by the first week of the semester prior to referenda.
2. The Executive Secretary will forward the concept plan to the University President and the Vice President for Student Affairs and/or Associate Chancellor(s) of Student Affairs as a matter of information.

B. *Plan Review Process*

1. The concept plan must:
 - a) Contain a description of the structure, aims, general policies, and intended programs of the petitioning student organization.
 - b) Provide sufficient evidence of the educational value of the student organization's activities. Such evidence should clearly demonstrate how the activities are consistent with the Rutgers University's mission and values, as well as how those activities reflect community standards.
 - c) Demonstrate the need for the financial resources and a funding mechanism beyond what is available to other student organizations. If an increase in an existing fee is requested, then the petitioning organization should demonstrate fiduciary responsibility, including forecasting of future income and expenses.
 - d) Include evidence of annual independent audits, which shall be submitted to the

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Executive Secretary of the University Senate as part of the concept plan review. All student organizations that are authorized to receive funding as described in Section VII of these procedures shall request an annual audit by a third party as described in Section VIII of these procedures.

2. The Senate Executive Committee, upon the recommendation of the Student Affairs Committee (or, in rare circumstances, on its own evaluation), shall review and approve the concept plan with the sole criteria of determining whether the educational value of the organization justifies the proposed investment in resources, and that the organization has demonstrated the need for the funding mechanism outlined in these procedures. The University Senate Executive Committee shall make a recommendation to the University President within thirty (30) class days after the first regularly scheduled meeting of the Senate's Student Affairs Committee following receipt of the petitioning student organization's concept plan and all required supporting documents. The Executive Secretary of the Senate will forward to the University President and the Vice President for Student Affairs and/or Associate Chancellor(s) for Student Affairs any such approved concept plans and supporting documents.
3. Upon approval by the University President, a designated representative from the administration shall notify all appropriate student governments, in writing, of such approval. Two weeks prior to the scheduled start of the referendum, the petitioning student organization shall send written notice of the intent to begin the referendum to the Executive Secretary of the University Senate, and to the Vice President for Student Affairs and/or Associate Chancellor(s) for Student Affairs on campuses where referenda are planned. The Vice President for Student Affairs and Associate Chancellors for Student Affairs so notified shall be responsible for notifying each division of their respective campuses where a referendum is to be held.

V. Referendum Budget

The petitioning student organization shall provide the Oversight Committee (see Section C, "Oversight Committee" below) with a budget that shall include the direct costs of administering the referendum. The referendum coordinator shall be responsible for keeping expenditures within the budget approved for conducting the referendum. The Oversight Committee and the petitioning student organization may amend the budget with joint approval. The petitioning student organization shall bear the entire cost of conducting the referendum.

VI. Referendum Procedures

A. Approval or rejection of the ballot question is based on the yes/no vote as recorded in the referenda. The turnout requirements are intended to ensure that the approval of the student organization occurs with wide participation of the student body. It is the responsibility of the petitioning student organization and referendum staff to ensure the widest possible student participation. Furthermore, no party shall take action which might tend to restrict voting options.

B. *Oversight Committee*

1. At each regional campus (Camden, Newark, New Brunswick) where referenda are scheduled, the student government of each voting unit where a referendum will be held shall appoint one representative to an Oversight Committee. This shall occur after receiving the written notification from the Office of Compliance, Student Policy, Research &

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Assessment (of the Office of the Vice President for Student Affairs) and/or the Office of the Associate Chancellor for Student Affairs as outlined in Section IV.B.3 of these procedures. This shall be done within an appropriate time frame established by petitioning student organization.

- a) There may be an independent Oversight Committee formed for each regional campus where referenda are scheduled.
- b) In the event of a single-division referendum, the appropriate student government shall appoint three members to the Oversight Committee.
- c) In instances of referenda at two divisions, the student government of the larger of the two divisions shall appoint two members of the Oversight Committee, and the student government of the smaller of the two divisions shall appoint one member to the Committee.

2. Within five (5) class days of receiving names of the members of the Oversight Committee from the student governments, the petitioning student organization shall forward these names and letters of certification the Office of Compliance, Student Policy, Research & Assessment and/ or the Associate Chancellor of Student Affairs and the Executive Secretary of the University Senate

3. The members of the Oversight Committee serve as representatives to their respective student government associations, and they are responsible for communicating and reporting the decisions made and actions taken by the Oversight Committee to their respective student government associations.

4. The Oversight Committee shall convene at least fifteen (15) class days before the start of balloting by the petitioning student organization. The Oversight Committee shall review and adopt specific referenda procedures within ten (10) class days of its first meeting. A Chair shall be elected by the Oversight Committee and that Chair will convene and conduct all future meetings.

The Oversight Committee shall be responsible for the orderly conduct of the referenda including: review of specific referenda procedures proposed by the petitioning student organization; approval of a Referendum Coordinator; oversight of balloting, tabulation, and counting of the ballots; and certification of the results. All decisions and actions of the Oversight Committee shall comply with the provisions of these procedures.

5. Minutes and attendance lists of all Oversight Committee meetings shall be forwarded by the committee Chair to the: Executive Secretary of the University Senate; Office of Compliance, Student Policy, Research & Assessment (of the Office of the Vice President for Student Affairs); and/or the Office of the Associate Chancellor for Student Affairs; and to the student government association of every unit where referenda are planned.

C. Referendum Staff and Hiring Procedures

1. Referendum Coordinator

The petitioning student organization shall propose to the Oversight Committee a candidate for the position of Referendum Coordinator, who shall be interviewed and hired at the

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discretion of the Oversight Committee. The Referendum Coordinator may be a voluntary or paid position. Where necessary, the Referendum Coordinator may hire an assistant after first securing the approval of the Oversight Committee and the petitioning student organization.

The Referendum Coordinator's responsibilities include:

- a) hiring, training, and overseeing poll workers and ballot counters as necessary;
 - b) distributing ballots, polling signs, and other material to the poll workers;
 - c) maintaining an accurate count of, and impounding, the ballots;
 - d) processing payment of all referendum staff, and maintaining accurate records of all hours worked and payments to those staff;
 - e) ensuring that all polling places are staffed at all times; and,
 - f) tabulating the ballots.
2. If the Referendum Coordinator vacates the position, or does not fulfill the position's duties for any reason, the petitioning student organization shall propose a replacement to the Oversight Committee within five (5) class days of receiving notice of the vacancy.
 3. Salaries of the Referendum Coordinator, poll workers, and all referendum staff shall be determined by the petitioning student organization in consultation with the Oversight Committee, and in accordance with Section IV.E of these procedures.

D. Individuals Employed as Poll Workers

1. Poll workers shall be hired as temporary, part-time employees through the requesting organization as is necessary, or may be volunteers to staff the scheduled polling places. If poll workers are paid, they shall be paid uniformly but not below the current state minimum wage.
2. Members of the governing boards of the petitioning student organization, its staff, or students enrolled in internship programs conducted by the petitioning student organization may not be hired as referenda poll workers.
3. Poll workers should be identified as such while working at a polling location. While scheduled to work at a poll, the poll worker should not leave the polling station, unless such absence is approved by the Referendum Coordinator.

Poll workers are prohibited from expressing their opinions from the polling location on the referendum question, and are also prohibited from wearing or distributing campaign materials. No campaigning shall take place within a radius of fifty (50) feet of the polling table, and poll workers are expected to monitor any potential problems related to these requirements. Poll workers may encourage students to vote, but may not attempt to influence a voter's choice in any way.

VII. Campaigning

- A. The Oversight Committee may establish guidelines on what is considered acceptable

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B. Campaigning shall be allowed in favor or opposition of the referendum and its passage by lobbying voters at distances of at least fifty (50) feet from any polling unit voting location. No materials that encourage an affirmative or negative vote shall be visible within the aforementioned distance.

C. Non-affiliated campaigners, if paid, must be paid an hourly wage set by the petitioning organization that is no less than the current state minimum wage.

VIII. **Wording on the Ballot⁴**

The petitioning student organization shall develop wording of the ballot for review by the Oversight Committee., but all ballots shall follow a standardized format, with a one-sentence question asking whether the student wishes to approve funding for the proposed program or organization followed by two boxes labeled "Yes" or "No." The petitioning student organization may provide a statement, which shall appear on the ballot. The statement shall describe the structure, function, and goals of the organization and may be no more than one paragraph (up to 100 words) in length.

IX. **Voter Eligibility**

Eligible student voters are defined as full-time or part-time undergraduate and graduate students who would be assessed the fee, and who have a reasonable expectation of being enrolled in the semester following the referendum.

X. **Determination of Turnout Requirements**

The Office of the University Registrar shall provide to the Office of Compliance, Student Policy, Research & Assessment a report, by division, of enrolled students, excluding graduating seniors, for each division at which a referendum is scheduled, as of the last scheduled day of the referendum. The report shall include each student's name, student identification number, and school of enrollment. The Office of Compliance, Student Policy, Research & Assessment shall forward the report to the petitioning student organization.

In those instances where the University Registrar is unable to provide accurate enrollment figures, the petitioning student organization shall request from the campus Chancellor or the Dean of the school, college, or division an estimation of the eligible student voting population, based on the previous year's student population and current enrollment figures.

XI. **Referendum Timetable and Schedule of Polling Places**

A. The petitioning student organization shall provide the Oversight Committee with a timetable for the referendum, and with a schedule of polling places and hours. In instances where lack of staff, inclement weather, or other circumstances necessitate the closing or relocation of polling places, the Referendum Coordinator shall consult with the petitioning student organization to develop a revised polling schedule which will provide the greatest opportunity for the largest number of votes to be cast. Written notification of the revised schedule shall be submitted to the Oversight Committee and communicated to the Executive Secretary of the University Senate and Vice President for Student Affairs and/or Associate Chancellor(s) for Student Affairs.

⁴ "Ballot" refers to both print and electronic forms.

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1. Regardless of the voting medium used (e.g., print or electronic), the regulations outlined herein will apply. Additional documentation outlining security and confidentiality matters must be provided to the Oversight Committee at least ten (10) class days before polling can commence. Polling must be comparably secure and fair for both paper and electronic processes.
2. The Referendum Coordinator shall be responsible for ensuring that polls are established as provided for in the schedule, and may make no independent decision to amend the polling schedule.
3. Any disruption in the duration of the polling timetable must be approved by the Oversight Committee and communicated to the Office of Compliance, Student Policy, Research & Assessment or the Office(s) of the Associate Chancellor for Student Affairs, who shall forward it to the deans and student government associations of all affected divisions.

B. Once the Oversight Committee has approved the schedule and timetable, neither the hours nor the location of polling places may be restricted except with approval of the petitioning student organization. Polling may not continue after thirty-five (35) calendar days from the initial day of polling.

XII. Voting Procedures

A. *Information at polling locations*

1. At each polling location there shall be a sign stating that a voting-eligible student can report problems or concerns regarding the conduct of voting, or violation of any of these regulations or procedures, through processes detailed in Section XIV. "Appeals Procedures" below.
2. Each polling place shall be provided with an allotment of coded ballots, a record of which shall be kept by the Referendum Coordinator.
3. All voting procedures should maintain the security and confidentiality of printed and electronic student information.

B. *Voting*

1. In order to vote, a student must present a valid photo identification to the poll worker.
 - a) If the student is eligible to vote, the poll worker will provide the student with an envelope, a ballot and a pencil.
 - b) The student must provide his or her name and Rutgers University ID number, and school of enrollment on the front of the envelope in the space provided.
 - c) The student shall mark the ballot, place it in the envelope, seal it, and return it to the poll worker.
2. The poll worker shall write on the tally sheet provided what poll location the vote is from, and place the sealed envelope in the common ballot box.
3. At the end of each polling day the ballots will be emptied from the box and placed in

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larger envelopes.

a) Following each polling session, poll workers shall return all used and unused ballots to the Referendum Coordinator or his or her designee. Poll workers shall keep an accurate record on tabulation forms of the number of votes cast at each polling place in each time period, for each voting unit.

b) The Referendum Coordinator and assistants shall alphabetize all completed ballots, and separate all completed ballots by poll location and by division. However, completed ballots must not be opened or tabulated until the completion of referendum voting.

4. If online voting is used, procedures will be followed as approved in accordance with Section XI.A.1 of these procedures. Restrictions on campaigning shall be extended to electronic messages and ballots, and statements intended to influence the direction of votes shall not accompany, directly or through hyperlink, any electronic messages directly related to balloting.

5. Petitioning student organizations conducting referendum at the University College Community and/or graduate schools have two options for voting procedures, as follows:

a) The petitioning student organization may use the polling procedures outlined above, or

b) The petitioning student organization may conduct the voting through United States Postal Service first-class mailings. Mailed referendum voting packages shall contain the ballot, a ballot envelope, an explanation of the purpose and effects of the referendum items on the ballot (within the limits of restrictions outlined in Paragraph 4 immediately above), and a pre-paid (business-reply permit or first-class stamped) return envelope. The outside of each returned ballot envelope must be signed by the voter.

XIII. **Tabulation Procedures**

A. After each day of balloting, the Referendum Coordinator shall impound all completed ballots in a predetermined, secure location or locations on the university campuses where they will eventually be counted. When such ballots have been transported, the Referendum Coordinator shall sign a waiver (see addendum) indicating that the ballots were transferred in whole, without any malfeasance, to the location at which they are to be counted. Any failure to comply with these procedures will void all votes from that polling location during that particular voting session.

B. Without opening the sealed ballots, the Referendum Coordinator or his or her designee shall recount the sealed ballots returned by each poll worker. The Referendum Coordinator shall maintain a running total of the number of sealed ballots cast at each campus polling place, during each time period, for each voting unit. This information shall be made available to the petitioning student organization.

C. It is the responsibility of the Oversight Committee to develop sound and consistent procedures for tabulating ballots. These instructions shall be distributed to the Referendum Coordinator and all other individuals involved with the tabulation of ballots

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1. One member of the Oversight Committee must be present to supervise the tabulations. At least two members of the petitioning student organization must be present to tabulate the ballots.
2. Counting and tabulation of ballots shall begin within five (5) class days following the last day of the polls closing. The counting and tabulation process shall take place at the ballot-storage location, without further transporting of the ballots.
3. Before tabulation begins, the lists of eligible students shall be compared to envelopes received, for duplicates. Duplicate ballots will be pulled and voided. All remaining ballot envelopes shall be opened and the results tabulated.
4. The ballots shall be counted in the presence of at least, but not limited to, one member of the Oversight Committee. A member of the petitioning student organization may be present during tabulation as well as members of the student government association of any affected voting unit.

D. In the event that the ballot question fails, the student organization may request that the Oversight Committee review all ballots set aside as duplicates, illegible, ineligible, or missing information. The Oversight Committee shall make a reasonable effort to determine the validity of the remaining ballots. Those found eligible shall be added to the tabulation, and the results thereafter considered final.

1. If it is determined that the referendum did fail, existing fees collected will continue to be collected through the end of the current semester.
2. If a referendum fails, the student organization may not conduct another referendum within three (3) years.

E. Counting, tabulation, and certification shall be completed within fourteen (14) class days of the close of balloting.

1. Results of the referendum shall be released to the public and campus news media following tabulation and certification of the results by the Oversight Committee, and official notice of the results shall be sent to the President of the University and Executive Secretary of the University Senate.
2. In the event that certification of the results does not occur within fourteen (14) class days of the close of balloting, the Oversight Committee shall immediately provide a statement of the situation to the petitioning student organization, the Chair of the Senate Student Affairs Committee, and the Vice President for Student Affairs and/or the Associate Chancellor(s) for Student Affairs.
 - a) The Vice President or Associate Chancellor(s) shall notify the deans and student government associations of each affected division.
 - b) All tabulation and certification must then be completed within ten (10) class days. If tabulation and certification is not completed within this period, the ballots shall remain sealed and then transferred to the University Senate office where the Senate's Student Affairs Committee will be responsible for counting and certifying the results by the end of the current semester.

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XIV. Appeals Procedures

A. Any member of the Rutgers University community may challenge a referendum's validity for improprieties at any point during the referendum process through an appeals procedure.

1. All alleged infractions must be reported in writing to the Oversight Committee within ten (10) class days of when the challenger becomes aware of the alleged infractions. If the challenge occurs while voting is being conducted, the determination of merit must be completed within twenty-four (24) hours of the Chair of the Oversight Committee receiving the appeal.

2. The Chair of the Oversight Committee must send to the other members of the Committee written notification of their need to meet to decide if the appeal, on its face, has merit. The Committee must then convene in order to make this determination, and the Committee Chair and one other member of Committee must be present. If a hearing of the appeal is scheduled, a quorum of 50 percent plus one additional member of the Oversight Committee must be present at the meeting where the appeal is heard.

B. If a hearing is ordered, it must begin within five (5) class days of the written notification of all involved parties, and within fifteen (15) class days after certification if voting has ceased.

1. Deliberations will be closed to the public.

2. All parties named will be allowed to make a statement and presentation of evidence and witnesses' testimony to the committee.

3. A decision must be delivered in writing to the parties, the Secretary of the University Senate, and the Vice President for Student Affairs and/ or Associate Chancellor(s) for Student Affairs.

C. All decisions regarding challenges made by the Oversight Committee may be appealed by either party to the University Senate Student Affairs Committee, which shall follow a similar process.

1. The Student Affairs Committee will assign an ad hoc committee to hear the appeal, and will outline and communicate procedures for the appeal hearing in advance to all parties involved.

2. The quorum for a Student Affairs Committee hearing shall be 25 percent of Student Affairs Committee members who are voting University Senators, but the number of members present necessary to achieve quorum shall never exceed ten (10).

3. Only the Chair of the Oversight Committee and one (1) voting member of the Senate Student Affairs Committee need be present for the determination of merit though all members must be notified in writing and given a chance to participate.

D. The Oversight Committee will make a presentation if they are a party to the challenge, and may be asked to do so to clarify the rationale of their decision even if they are not a party to the challenge. If the conduct of the Oversight Committee is being challenged, the first appeal will be directly to the Student Affairs Committee.

1. The Student Affairs Committee must make its determination of merit within five (5)

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2. Student Affairs Committee hearings, if ordered, must begin no later than fifteen (15) class days after notifying the parties in writing that a hearing has been ordered.
3. All decisions by the Student Affairs Committee may be appealed to the Office of the Vice President for Student Affairs or the Associate Chancellor for Student Affairs.

XV. Collection of Fees

If the required affirmative vote is achieved at one or more divisions, the organization shall be listed on the university term bill of students attending those divisions. Provided a student does not indicate otherwise, the fee shall be included with the term bill payment. The statement on the university term bill shall read as follows:

“Optional-(student organization name here) Fee” (For more information see reverse side)

A notice of right for a reversal of fee shall be provided for students who initially contribute. If the organization processes a refund directly, the organization must make refund-process information easily accessible and available for students being assessed the fee. The student organization is obligated to maintain accurate records indicating refunds provided. Such records may be subject to the annual audit.

All affected students must be notified by email of the refund expiration time no later than ten (10) class days before that expiration occurs. Efforts will be made for reversals of fees to be completed by the add/drop date of the semester in which the fee is collected.

XVI. Reporting Requirements

A. Financial Reports

1. All student organizations that have been authorized to receive funding under these procedures shall have conducted annual, independent audits of all student monies collected. These audits are conducted to allow the organization to demonstrate that:
 - a) there are sufficient financial controls for the organization;
 - b) the organization is being operated in an effective manner, and complies with applicable financial accounting regulations and standards; and,
 - c) that there is proper management of the organization.
2. An audit report by a licensed, third-party accounting firm shall be prepared and will include, as appropriate, the following: assets (e.g., income, equipment), liabilities (e.g., salaries, accounts payable), revenue (fees, sales), and operating expenses (e.g., operating costs, marketing). The audit should account for all fees collected in the prior years. The petitioning student organization may be asked to provide additional supporting documentation to verify the audit.

Copies of each annual audit report shall be sent to the Office of the Vice President for Student Affairs who will forward to the Student Activities Business Office for review. This

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shall be the only requirement of financial disclosure. Evidence of annual independent audits shall be submitted to the University Senate as part of its concept plan review.

B. *Program Reports*

When requested, all student organizations which are authorized to receive funding shall make a report of their activities to student governments of campuses and divisions for which funding for the student organization has been approved by the student body.

XVII. **Office Space**

Colleges, schools, and divisions at which such special student organizations are authorized shall make every reasonable effort to provide adequate office space for special organizations to accommodate staff and volunteer efforts.

XVIII. **Procedure Review**

The University Senate, through its standing-committee structure, shall review these procedures every five (5) years to ensure that procedures are meeting the needs of the Rutgers University community.

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Appendix – Referendum Coordinator Waiver Form

Date:

Time:

As the Referendum Coordinator/Co-coordinator, I hereby verify that all ballots were a) transferred in whole, b) without misfeasance, c) before 12:00 AM (or designated time), and d) were appropriately accommodated by two (2) pre-assigned individuals and delivered to the appropriate location.

Name:

Signature: