

Procedures for Conducting Student Referenda

1. PURPOSE

To provide a comprehensive process for conducting student referenda.

2. DEFINITIONS

- A. Student Referendum or Referenda: A campus-wide student vote administered through designated university channels for the purpose of recommending approval of proposal(s) related to official UTRGV business, which may be initiated by student(s) or department(s) or the UTRGV president.
- B. Business Day: For purposes of these guidelines, means a calendar day other than (i) a Saturday or Sunday, (ii) a holiday designated on UTRGV's holiday schedule, or (iii) a day on which UTRGV is officially closed or when business operations are suspended due to emergent situations.
- C. Class Day: A business day on which classes are held.
- D. Fee: May refer to either the imposition of a new fee, or an increase in a currently imposed fee.
- E. SGA: Student Government Association of The University of Texas Rio Grande Valley.
- F. Sponsor: A UTRGV community-based unit who will conduct research, submit a proposal, and educate stakeholders throughout the referendum process.
- G. Project Manager: A UTRGV community member who is designated by an official Sponsor and who is responsible for preparing and administering a budget and overseeing account reconciliations.

3. REFERENDUM PROCESS

3.1 Process Goals

- A. To ensure compliance with UTRGV policies;
- B. To raise awareness and encourage discussion and debate across the voting population;
- C. To gain as much knowledge and insight as possible from as many stakeholders available during each phase of the referendum process.

3.2 Propositions for Referenda

A. General Guidelines

- I. A proposition title shall be neutral and shall not contain value-bias language such as (but not limited to) "Save The...", "Prevent A...", "Give To...", or "Take Away...".
- II. A proposition should be limited to one specific area of focus or one specific issue in question.
- III. A proposition must include only two answer choices per question.
- IV. A proposition must include a clearly identified Sponsor.
- V. More than one proposition may appear on a final ballot.
- VI. More than one call for a referendum may be made if exigencies so dictate.
- VII. A proposition must clearly identify if the referendum is "fee related" or "non fee related."
- VIII. In the event a proposition is "fee related," the proposition must include the following information:
 - a. Project Manager: A clearly identified Project Manager as designated by the referendum proposal Sponsor.
 - b. Introductory Statement: a one-paragraph description of the proposed use(s) of the fee, and a clear identification of the campus unit(s) that will be delivering benefits or services to students in connection with the fee.
 - c. Background: an explanation about why the fee is needed, why it is needed at this time, what alternative(s) to a fee have been explored, and why these alternatives are not feasible or are less satisfactory than a fee.
 - d. Purpose: a clear explanation of what new or expanded services will be developed and how the services will benefit the students if the fee is approved.
 - e. Fee Governance and Oversight: a clear explanation that identifies the composition of any student advisory committee for the fee (if such a committee is proposed or already exists), and what role the committee will play in decision-making on the uses of the fee, how frequently the committee will meet, whether the committee will

include non-student members, and any other information about the manner in which oversight will be provided.

- IX. A draft of the official ballot language must include:
- a. Ballot Question: A simple question that can be answered with one of two answer choices.
 - b. Ballot Information: Information including the purpose of the fee, when it will start and end, the amount of the fee per semester, whether it will increase over time, and who will be paying this fee.
 - c. Ballot Answers: Two distinct options that directly correspond to the Ballot Question.
 - d. Sponsor(s): A list identifying any campus unit(s) that will be delivering benefits or services to students in connection with the fee.

(See Addendum A for a basic example of the structure for a Referendum Proposal)
(See Addendum B for a basic example of the structure for Official Ballot Language)

B. Department-Initiated Propositions for Referenda

- I. A department submitting a proposition for referenda shall notify their department's leadership, appropriate vice president, and President of all information being submitted on the proposal.
- II. A university department may be designated to act as the official Sponsor for a proposition that is submitted.
- III. The Sponsor seeking referendum shall present the referendum proposal to the Student Government Association.
 - a. A referenda request application, found on the SGA website (www.utrgv.edu/sga) must be completed and officially submitted.
 - b. The SGA Advisory Council shall be in charge of approving the referenda request application.
 - c. The designated Sponsor must contact the Chair of the SGA Senate (sgasenatechair@utrgv.edu) to request time for a formal presentation at the next available SGA Senate meeting.

- d. The Sponsor shall present the referendum proposal to the SGA Senate at least forty-five (45) class days prior to their proposed date of referendum. The SGA President reserves the right, with support of a simple majority vote from the SGA Senate, to set the referendum date.
 - e. The Sponsor may propose referendum language, but the provided language shall not be considered final.
 - f. The Sponsor shall take into consideration the timing of regular or special session(s) of the Texas Legislature, agenda or other deadline(s) for The University of Texas Board of Regents, and other administrative deadlines when requesting referendum dates.
- IV. After a Sponsor has formally presented their proposal for referenda to the SGA Senate, the SGA Senate will review the proposed referenda and, by simple majority vote, do one or more of the following:
- a. Decide to accept written proposed referendum language;
 - b. Choose not to entertain a proposed referendum;
 - c. Refer the proposal to an appropriate SGA committee;
 - d. Revise referendum language;
 - e. Perform other parliamentary operation(s) on the proposed referendum in accordance with SGA's parliamentary authority.
- V. The SGA Senate may request for the SGA President to meet with interested stakeholders of the proposed referendum (including, but not limited to, the sponsoring department) in order to gather a more informed and more holistic understanding about the proposal. For any and all SGA referendum inquiries, both fee and non-fee related:
- a. The SGA Senate shall provide the SGA President with a request for feedback on any proposed referendum inquiry a maximum of five (5) class days from the day the Sponsor presented to the SGA Senate.
 - b. Once the SGA Senate has submitted their inquiry request to the SGA President, the SGA Senate shall provide a maximum of twenty (20) business days for the SGA President to submit any and all feedback.
- VI. If the SGA Senate votes to accept a referendum proposal and conduct a referendum, refer to Section 3.3.

C. Student-Initiated Propositions for Referenda

- I. Any student currently enrolled at UTRGV and who is in good standing with the university may conduct a student petition for a referendum, either fee-related or non-fee related.
- II. The student petition must clearly present the referendum statement.
- III. The petition must be signed by the equivalent of at least 3% of the enrolled students in the most recent Fall semester census. Only students enrolled during the current academic year are eligible to sign a petition.
- IV. For each name listed on the student petition, the following information must be included:
 - a. Printed Student Name
 - b. Official Student University Email Address
 - c. Active Student ID
 - d. Current College or School in which Enrolled
 - e. Student Signature
 - f. Date of Signature
- V. Promotional/marketing items (e.g., tangible or intangible goods or services, but not cash or cash equivalents) may be provided by student(s) when conducting a petition, but such items cannot be used as consideration to solicit or influence a student's decision to sign a petition. Coercion of a student in obtaining that student's signature is prohibited.
- VI. A student-initiated petition requesting a referendum must be submitted either in person or via email to the SGA Chief Justice (or Interim Chief Justice), or online via the SGA website (www.utrgv.edu/sga).
- VII. After the student-initiated petition requesting a referendum is submitted, the SGA Chief Justice, or Interim Chief Justice in the absence of a Chief Justice, shall review the petition and ensure its legitimacy.
- VIII. If a student petition is created for a proposition that includes a fee, refer to the details in Section 3.2.A.VIII for the structure of information that must be presented.
- IX. If a student petition is created for a proposition that includes a fee, the Dean of Students shall be the Project Manager:

- a. The Dean of Students reserves the right to designate another UTRGV community member as the Project Manager.
 - b. The student petition initiator(s) shall work with the Project Manager to ensure all sections, as stated in Section 3.2.A.VIII, is on the petition.
- X. Other rules and restrictions, as outlined in the SGA Bylaws, Constitution, and Election Rules may apply.
- XI. Once a fee-related or non-fee related student petition reviewed by the Chief Justice, or Interim, is recognized as legitimate and is officially approved, proceed to Section 3.3.

D. University President-Initiated Propositions for Referenda

- I. The University President may directly initiate referendums that do not pertain to fees.
- II. The University President shall submit their proposition for referenda as outlined in Section 3.2.B.III.
- III. The SGA shall refer to Sections 3.2.B.IV and 3.2.B.V when reviewing a University President-initiated proposition for referenda.
- IV. If the SGA Senate votes to accept a University President-initiated proposition for referenda and conduct a referendum, refer to Section 3.3.

3.3 Referendum Election Procedure

A. Elections Committee

- I. An Elections Committee shall be formed by the SGA Advisory Council within ten (10) class days of the SGA Senate's official approval of a referendum proposal.
 - a. The Elections Committee shall be chaired by the Chief Justice of the SGA.
 - b. Up to six (6) other SGA members may be assigned to the Elections Committee by the SGA Advisory Council.
 - i. The SGA Advisory Council shall receive the names of SGA members interested in serving on the Elections Committee.

- ii. The SGA Advisory Council shall review the work of the interested SGA members and select up to six (6) members to serve on the Elections Committee by a simple majority vote.
 - c. The Dean of Students shall work with the Elections Committee as the Elections Committee Advisor. The Dean of Students reserves the right to designate another UTRGV community member as the Elections Committee Advisor.
- II. The Elections Committee shall oversee the design of the referendum ballot.
- III. The Elections Committee shall ensure all ballot language remains neutral and free of value-based language.
- IV. The Elections Committee shall ensure the specific referendum statement (as officially voted on by the SGA Senate or as officially approved via student petition) appears on the final ballot verbatim.
- V. The Elections Committee shall be responsible for administering the balloting of the referendum.

B. Election Timeline

- I. The SGA President, with support of a simple majority vote from the SGA Senate, shall determine an appropriate time to hold the referendum.
- II. All branches of the SGA shall work together to raise awareness about the referendum and inform students about the voting date.
 - a. The SGA will officially announce the referendum at least twenty (20) class days prior to the time when the referendum will occur.
 - b. The SGA will ensure that publicity concerning the referendum shall be made available to students on campus (and digitally) a minimum of ten (10) class days before the referendum is voted upon.
 - c. The SGA will ensure all publicity is informative and unbiased.
 - d. The SGA, in collaboration with the SGA Elections Committee, will ensure that at least one town hall meeting will be held to educate the student body on any and all referenda. It is the responsibility of the SGA President to ensure that all stakeholders of the referenda are fairly represented at the town hall.

C. Election Provisions and Regulations

- I. Referenda shall not take place during summer semesters, during the first twenty (20) class days of any long semester, or during the last fifteen (15) class days of any long semester.
- II. Only students enrolled during the current academic year are eligible to vote on a referendum.
- III. Promotional/marketing items (e.g., tangible or intangible goods or services, but not cash or cash equivalents) may be provided to student(s) during the conduct of an election, but such items cannot be used as consideration to solicit or influence a student's vote. Coercion of a student to influence or attempt to influence a student not to vote or to vote in a particular manner is prohibited.
- IV. A simple majority of those voting (50% plus one) shall determine whether the referendum is approved or not.
- V. Subject to Section 3.3.C.I, in the event of a tie, a re-vote shall be scheduled within ten (10) class days.
- VI. The Student Government Elections Committee, in conjunction with the Dean of Students, will certify the results of a referendum.
- VII. It is the responsibility of the SGA President, in conjunction with the Dean of Students, to make sure the results of a referendum are made public via campus media within five (5) business days of the last day of voting on the referendum.
- VIII. Ballot data will be maintained by the Dean of Student's office for a minimum of three (3) years to the end of the semester in which the referendum took place.
- IX. Ballot data will also be held by UTRGV in accordance with its record-retention policy and schedule.

3.4 Referendum Election Appeals

- A. If online balloting is restricted because of a malfunction, any protests or complaints should be filed within three (3) class days following the referendum vote.
- B. To be official, the protest must be submitted via the Referendum Appeal Form offered by the Dean of Students' Office.

- C. All official protests will be reviewed by the SGA Judicial Branch in accordance with the SGA's Constitution and By-laws.

4. AMENDMENTS TO THE GUIDELINES PROCESS

4.1 Petition or Request

- A. Call for Change(s) to the Referendum Guidelines, or Proposed Amendment(s), may be considered through petition by any current UTRGV student, or request by the UTRGV President and or current head of a department.
- B. In the case of a student petition, the SGA Advisory Council will have 24 hours from the submission of the petition to review the petition for consideration of the Proposed Amendment(s) and then have it sent to the Student Senate where it may be added or disposed by majority vote to the Referendum Guidelines.
- C. A petition must include a copy of the Referendum Guidelines with the Proposed Amendment(s) highlighted and hand-written signatures of 2-6 current UTRGV students at the end of the document in a blank space or region of the paper.
- D. A request by the UTRGV President or any UTRGV head of department must be an email sent with a request to review a particular, or several, section(s) of the Referendum Guidelines.
- E. In the case of a request by the UTRGV President or any UTRGV head of department, the SGA Advisory Council will review the section(s) and make recommendations to the UTRGV President or any UTRGV head of department who has made the request.
- F. Based on the recommendations, the UTRGV President (or delegate) or any UTRGV head of department may attend a Student Senate Meeting, having two weeks since the recommendations, and present their Proposed Amendment to be voted on by the Student Senate for addition or disposing towards the Referendum Procedures.

*BSTUN 1.28 • EUCTR 218
(956)882-5111 • (956) 665-2517
UTRGV.edu/SGA • SGA@UTRGV.edu*

For any questions or concerns, please contact sga@utrgv.edu

Addendum A
Referendum Proposal Basic Structure Template

Referendum TITLE

Referendum Type:
Referendum Sponsor:
Referendum Project Manager:

INTRODUCTORY STATEMENT:

BACKGROUND:

PURPOSE:

GOVERNANCE AND OVERSIGHT:

BALLOT QUESTION:

BALLOT INFORMATION:

BALLOT ANSWER OPTIONS:

ENDORSEMENTS:

**Addendum B Sample Ballot Language
Template:**

[TITLE of the Fee]

QUESTION:

Do you approve the creation of a [dollar amount] student per semester fee effective [date of implementation] to support the [explain the purpose of the fee]?

INFORMATION:

- The fee will be charged to [undergraduate students, graduate students or both]
- The fee will be assessed during the [list the semesters].
- The fees collected will be managed by [list existing campus entity or reference a body that will be created and the guidelines for the creation and operation of this new entity].
- A majority student board shall oversee the operating budget and administration of the fee-funded activities, and will be responsible for writing and distributing an annual report on the activities funded by this fee initiative.
- This fee is subject to reaffirmation by the student body on its #th year (20##-##); otherwise, this fee will terminate at the end of its #th year (20##-##).

ANSWER CHOICES:

- Yes, I support a [dollar amount] per semester fee for the [purpose/name of the fee].
- No, I do not support a per semester fee for the [purpose/name of the fee].