UNIVERSITY OF WISCONSIN-EAU CLAIRE
STUDENT SENATE RESOLUTION

IN SUPPORT OF A FORMAL LEGAL ANALYSIS OF THE INTERSECTION OF
WISCONSIN STATE STATUTE 36.09(5) AND REGENT POLICY 30-4

1 WHEREAS, Wisconsin State Statute 36.09(5) guarantees
2 student’s “responsibility for the disposition of those student
3 fees which constitute substantial support for campus
4 activities;” and
5 WHEREAS, it further enumerates the students of each
6 institution or campus’ “right to organize themselves in a manner
7 they determine and select their representatives to participate
8 in institutional governance;” and
9 WHEREAS, Regent Policy 30-4 allows non-institutional or
10 campus organizations that the University of Wisconsin System
11 recognizes as having an “inter-institution governance support
12 purpose” to request to be funded by a mandatory refundable fee;
13 and
14 WHEREAS, in accordance with WI State Statute 36.09(5) the
15 students of UW-Eau Claire have organized a governance structure
16 that distributes fees that constitute support for campus
17 activities through routes other than referenda; and
WHEREAS, it is the contention of UW-Eau Claire Student Government that the MRF is a fee to support campus activities, as evidenced by the preponderant expense and energy spent on campus activities by the sole recipient of the MRF; and

WHEREAS, it is the view of the University of Wisconsin-Eau Claire Student Senate that Regent Policy 30-4 restricts both the ability of students to organize as they see fit, choose representatives for institutional governance at the state level, and dispose of student fees which constitute substantial support for campus activities;

BE IT THEREFORE RESOLVED that the UW-Eau Claire Student Senate respectfully request that UW System General Counsel present a formal interpretation of whether Regent Policy 30-4 conflicts with Wisconsin State Statute 36.09(5); and

BE IT FURTHER RESOLVED that “inter-institutional governance support purpose” be defined; and

BE IT FURTHER RESOLVED that what constitutes “governance support” be defined; and

BE IT FURTHER RESOLVED that UW-System define what type of fee the MRF is, and whether or not it is a segregated fee; and

BE IT FURTHER RESOLVED that UW-Eau Claire Student Senate respectfully request the analysis by February 22, 2013; and
BE IT FURTHER RESOLVED that UW-Eau Claire Student Senate thanks the UW System Office of General Counsel for the clarity they will provide; and

BE IT FINALLY RESOLVED that upon passage a copy of this resolution be sent to Dr. Gilles Bousquet, Interim Chancellor; Dr. Patricia Kleine, Provost/Vice Chancellor; Dr. Beth Hellwig, Vice Chancellor, Student Affairs; Dr. Brian Carlisle, Dean of Students; Dr. Susan Harrison, Chair, University Senate; Dave Gessner, Assistant Chancellor, Budget & Finance; Mark Reeves, Director, Budget & Finance; UW System President Kevin Reilly; Regent Jeffry Bartell; Regent John Behling; Regent Mark Bradley; Regent John Drew; State Superintendent of Public Instruction Tony Evers; Regent Vice President Michael Falbo; Regent Tim Higgins; Regent Tracy Hribar; Regent Edmund Manydeeds; Regent Regina Milner; Regent Katherine Pointer; Regent Charles Pruitt; Regent Gary Roberts; Regent Brent Smith; Regent Mark Tyler; Regent José Vasquez; Regent David Walsh; Regent Gerald Whitburn; and UW System General Counsel Tomas Stafford.

SUBMITTED BY:
Cordon Fish, Student Body President
Tyrel Zich, Chief of Staff, Academic Affairs Commission
Director and Off-Campus Senator
February 4, 2013