

Associated Students Inc.
California Polytechnic State University
San Luis Obispo

Bill #21-02

ASI's Commitment to Viewpoint Neutrality in the Reallocation of Student Fees

Article I. Origin

This Bill is presented in accordance with the ASI Bylaws by Samuel Park, College of Science and Mathematics.

Article II. Purpose

The purpose of Bill #21-02 is to ensure that Associated Students, Incorporated (ASI) at California Polytechnic State University, San Luis Obispo (Cal Poly) is in compliance with the directive from the CSU Chancellor's Office that requires AS and ASIs to remain viewpoint neutral when making decisions about how to allocate or use the mandatory associated student body fee paid by students.

Article III. Background

In 2020, as part of the settlement of a 2017 federal lawsuit filed against the ASI of a CSU university and CSU Chancellor's Office, the CSU Chancellor's Office issued a directive to all campuses requiring that all decisions about how to allocate or use the student association fee be made in a viewpoint neutral manner. The directive requires that all such decisions be based on and made in accordance with policies, procedures, and criteria that are viewpoint and ideologically neutral. Decisions cannot be based on whether or not the campus AS or ASI approves or disapproves of, or agrees or disagrees with, an organization's viewpoints, ideology or beliefs.

ASI at Cal Poly has maintained and followed, and continues to maintain and follow, this viewpoint neutral approach in making decisions about the allocation and use of the student association fee. However, in accordance with the Chancellor's Office directive, ASI wishes to now document and adopt the principle of viewpoint neutrality as an official and formal policy. This will make clear to all students that ASI at Cal Poly is committed to making viewpoint neutral funding decisions.

Article IV. Implementation

Insert after subsection 11.4.1 and its subsubsections:

11.4.2: Viewpoint Neutrality Principles Applicable to Reallocation of Student Fees. All ASI allocation decisions regarding those portions of the Associated Student Body Fees used to support or fund expressive speech or conduct protected by the First Amendment shall be done and made in a viewpoint neutral manner. Further details on the viewpoint neutral principles are set out and can be found within the ASI "Viewpoint Neutral Funding" policy. The Board of Directors of ASI shall adopt policies and procedures to ensure implementation of this standard.

After the implementation of the new subsection 11.4.2 in the Bylaws, the old 11.4.2 shall become 11.4.3 and 11.4.3 shall become 11.4.4.

Add the following term and definition into the Glossary of Terms located at the very end of the Bylaws:

Viewpoint Neutrality: A process in which all funding or allocation decisions governing the allocation of mandatory student association fees are made pursuant to narrow, objective, and definite standards, and which does not involve the exercise of judgment or formation of an opinion concerning the content of the event or is otherwise affected in any way by the viewpoint of a student organization or the proposed event.

CERTIFIED as the true and correct copy, in witness thereof, I have set my hand and seal of the Associated Students, Inc. this 6 day of January, 2021.

ADOPTED at the regular meeting of the Board of Directors by ***unanimous vote*** on January 6, 2021.

ASI Secretary

ASI Chair of the Board

ASI Executive Director

Sponsored By: Samuel Park, College of Science and Mathematics