



STUDENT ACTIVITY FEES: WHO GETS WHAT AND WHY?

By Jenna Ashley Robinson

“[T]he First Amendment permits a public university to charge its students an activity fee used to fund a program to facilitate extracurricular student speech, provided that the program is viewpoint neutral.”

— Supreme Court Justice Anthony Kennedy,
*Board of Regents of the University of Wisconsin
System v. Southworth et al.*

Most student organizations, from the Tar Heel Rifle and Pistol Association to the Future Business Leaders of America, receive operating funds from student activity fees—one of several payments by students above and beyond what they spend on tuition and books. These fees have been controversial over the years, as some students, especially conservative ones, complained that they were being forced to pay for activities that violated their values.

This study by the John William Pope Center for Higher Education Policy examines student activity fees in the UNC system in the light of the Supreme Court standard governing student activity fees.

We obtained information from the student governments of five out of the sixteen university campuses and from thirteen controllers’ offices. We found that, by and large, funds distributed by student governments go to non-political organizations. Where fees are used for political groups, the distribution seems to reflect the preferences of the student body; thus, they meet the Supreme Court’s “viewpoint neutral” standard.

Troubling, however, is the finding that very little of the student activity fees collected actually funds student organizations; most student activity fees go to university offices and are used by the administration. Students have no say in how they are spent and do not have access to information about where the money goes. Thus, the vast majority of student activity fees function essentially as additional tuition.

Background

In 1996, Scott Southworth and two other law students at the University of Wisconsin at Madison filed a lawsuit against the Wisconsin Board of Regents. They claimed that the existing student fee policy violated their First Amendment rights by forcing them to support “political and ideological” student organizations they objected to.

The case went to the Supreme Court, which in 2000 upheld the fees. The opinion, written by Justice Anthony Kennedy, said that “the First Amendment permits a public university to charge its students an activity fee used to fund a program to facilitate extracurricular student speech, provided that the program is viewpoint neutral.” Thus, student fees are legal as long as their disbursement is “viewpoint neutral.”

The purpose of our study was to determine whether fees at University of North Carolina campuses are used in a campus-wide program to fund student speech that is “viewpoint neutral.”

What Are Student Activity Fees?

Students at UNC schools pay separate fees for athletics, health services, student activities, “educational and technology,” and debt service. At most schools, the student activity fee is the largest fee, and it is the focus of our study. Student activity fees can represent a significant expenditure for students, equaling as much as 16 percent of total expenses for in-state students, as indicated in Table 1. Thus, how these fees are used can be important to many students and their parents.

Fees are reviewed each year by a committee on each campus composed of students and administration representatives. The committee recommends changes in the fees, subject to approval by the Board of Governors.

Disbursal of student activity fees is made both by student government to student organizations and by the university administration to offices of student affairs, student unions, or activity offices. These latter campus activities are operated by the school administration, and the budgets are not easily available to students (we had to contact the controllers’ offices to find out how these are spent).

TABLE 1: Tuition and Fees (2007-2008)

University	Student Activity Fee	Tuition	
		Resident	Non-Resident
ASU	\$515.00	\$2,221.00	\$11,963.00
ECU	\$587.00	\$2,431.00	\$12,945.00
ECSU	\$471.50	\$1,587.00	\$10,468.00
FSU	\$386.00	\$1,826.00	\$12,008.00
N.C. A&T	\$343.00	\$1,994.00	\$11,436.00
NCCU	\$328.00	\$2,218.00	\$11,962.00
N.C. State	\$363.50	\$3,760.00	\$15,958.00
NCSA	\$595.00	\$3,224.00	\$14,654.00
UNC-A	\$574.50	\$2,307.00	\$13,297.00
UNC-CH	\$291.30	\$3,705.00	\$19,353.00
UNC-G	\$349.00	\$2,458.00	\$13,726.00
UNC-C	\$382.00	\$2,461.00	\$12,873.00
UNC-P	\$445.00	\$1,949.00	\$11,209.00
UNC-W	\$508.65	\$2,413.00	\$12,376.00
WCU	\$446.50	\$2,028.00	\$11,611.00
WSSU	\$360.00	\$1,701.00	\$10,341.00

Source: University of North Carolina

Method

Data about student organizations, fee structures, and student government were collected from student government organizations and controllers' offices at UNC institutions. In each case, the most recent data were used; data come from both academic year 2006-2007 and 2007-2008. Efforts were made to contact all 16 UNC campuses; 13 controllers responded, but only five student governments responded fully.

Student organizations that received fees were placed into three categories: conservative, liberal, or non-political. Political organizations were categorized based on self-identification. If they were affiliated with a political party, they were identified as "conservative" or "liberal." If they described themselves as an advocacy or activist organization, the study considered them political, and they were placed in the "conservative" or "liberal" camp based on generally accepted political principles.

Groups such as College Republicans, Students for Life, and the Rifle and Pistol Society and chapters of the Federalist Society were deemed to be "conservative." Groups such as Choice USA, Sierra Club chapters, College Democrats, and chapters of the NAACP were deemed to be "liberal" organizations. (A complete list of groups and their categories is available on the Pope Center Web site, popecenter.org, under Research.)

Most campus groups were classified as "non-political." Religious, cultural, and education-based groups such as Campus Crusade for Christ and the Muslim Students Association were considered non-political. Academic, social, and pre-professional organizations such as the Society for Mechanical Engineers and Greek organizations were also considered "non-political," as were groups dedicated to volunteerism or charitable work.

Findings

Several findings emerge from the study.

- The five student governments that responded to our request use student fees primarily to fund academic, pre-professional, social and cultural organizations; that is, non-political organizations.
- Of the money that funds political groups, more goes to liberal groups than conservative groups at every school except North Carolina State University. This seems to reflect the tenor of the campuses in North Carolina.
- Perhaps the most cogent finding is that, at most schools, funding that goes directly to student groups is small. The largest part of student fees goes to university offices, and students have little say about how they are spent. The exception to this finding is UNC-Chapel Hill, where considerable amounts of money are spent on student groups and where students participate, often by referendum, in most decision-making.

Campus-by-Campus Results

Table 2 breaks out the allocations of student activity fees disbursed by the student government on the five campuses reporting disbursement.

TABLE 2: Fee Allocation (2006-2007)

University	Conservative	Liberal	Non-Political
Appalachian	\$0	\$0	\$6,976.02
NCSU*	\$632.40	\$350.00	\$41,745.00
UNC-CH	\$45,993.00	\$66,412.00	\$142,126.00
UNC-C	\$7,621.00	\$9,937.00	\$94,018.00
WCU	\$1,000.00	\$2,000.00	\$47,000.00

* Fall Semester Only

Source: Student government associations at each campus

The commentary below discusses student activity fees for each campus for which there is sufficient information. In the case of Appalachian State, Elizabeth City State, and Western Carolina, only estimates were supplied, and thus no tables for these schools are included. The universities discussed below are listed in order of total student enrollment.

North Carolina State University

In 2006-2007, N.C. State collected \$363.50 per year in student activity fees from each full-time student. Of that amount, \$8.85 per student is allocated to the student government organization to fund student organizations. That means that 97 percent of student activity fees are used for activities largely outside the control of student government. As indicated in Table 3, these include student publications such as the *Technician*; student legal fees, which pay for legal advice for students; recreational sports; and operating costs of the Talley Student Center.

In the fall semester of the 2006-2007 academic year, the NCSU Student Senate granted \$632 in student fee money to conservative groups and \$350 to liberal groups on campus. Non-political groups at NCSU, such as the Society of Mechanical Engineers, received \$41,745 in the same semester.

Of the schools surveyed, NCSU was the only one to give more money to conservative than to liberal groups and clearly the amounts are small. Students at NCSU have formed several political organizations, including College Republicans, College Democrats, and College Libertarian groups. There are also various activist groups on both the left and the right. Some received small disbursements in the fall 2006 semester.

One reason for the limited disbursement of funds to political groups is that NCSU has strict statutes in place governing student organization funding. According to the statutes, student organizations can receive a maximum of \$3,850 per semester from Student Senate, with only a limited portion of that being allowed to pay for travel. Additionally, no more than 50 percent of a student organization's budget can come from student fees; the remainder must come from dues or donations.

According to T. Greg Doucette, president of the NCSU Student Senate, NCSU "lets groups compete [for funding] on the merits of their proposals independent of their political leanings, so it leads to better projects on both sides of the fence and more students like the results."

TABLE 3: Student Activity Fee Allocation - N.C. State ('06-'07)

Student Government	\$8.85
Recreational Sports	\$76.60
Student Publications	\$15.00
School/College Operations	\$5.00
Student Legal Services	\$9.00
Student Center Operations	\$177.70
Student Activity Reserve	\$0.55
Student Center Repairs/Renovations	\$26.95
Union Activities Board	\$10.80
Total	\$330.45

Source: Controller's Office, NCSU

UNC-Chapel Hill

In 2006-2007, UNC-Chapel Hill collected \$291.30 per year in student activity fees from each full-time student. Of that amount, \$39.00 per student (compared to \$8.85 at NCSU) is allocated to student government to be disbursed to student groups. Student government directly gave \$66,412 to liberal student groups in academic year 2006-2007, \$45,993 to conservative groups, and \$142,126 to non-political groups on campus. UNC-Chapel Hill's political disbursements are far larger than all the other schools'.

In addition to these disbursements by the student government, there is significant student involvement in the decisions of the

Carolina Union Activities Board, which the student activity fee at UNC-Chapel Hill also funds. This board disbursed \$98.50 per student, or more than twice the amount allocated by student government. This student programming organization uses one-third of the student activity fee to provide social, cultural, educational, and entertaining events for the UNC-Chapel Hill community. The student leadership of the university is represented on and actively involved in decisions of the Tuition and Fee Advisory Taskforce and the Student Fee Advisory Subcommittee of that task force. So students are involved in all fee decisions, not just the fees distributed by student government.

TABLE 4: Student Activity Fee Allocation - UNC-CH ('06-'07)

Student Government	\$39.00
Student Endowment Library Fund	\$5.00
Student Legal Services	\$11.82
Sonja Stone Scholarship Fund	\$1.00
Safety and Security	\$1.70
Campus Recreation Services	\$84.00
Carolina Union Operating Expenses	\$98.50
Child Care Services	\$2.30
RESPC	\$8.00
Arts Fee	\$10.50
Undergraduate Teaching Award	\$1.50
A.P.P.L.E.S. Program	\$10.00
Total	\$273.32

Source: UNC-Chapel Hill Controller's Office

In the 2004-2005 academic year, UNC-Chapel Hill began collecting an additional \$8 fee per student earmarked for the UNC Renewable Energy Special Projects Committee (RESPC). After approval by the UNC-Chapel Hill trustees and the UNC Board of Governors, students approved the Green Energy Fee, with 85 percent of students voting "Yes" on the referendum in a 2003 student election. Although this might be interpreted as a "liberal" cause," the fact that students approved the fee by a large majority explains why the money collected for RESPC is not included in the analysis of political allocations on campus.

East Carolina University

In 2006-2007, East Carolina University collected \$519 per year in student activity fees from each full-time student, of which \$20.50 was distributed by the Student Government Association to student groups. No data were available at the time of publication from the Student Government Association about its distribution of fees.

Information from the controller's office is found in Table 5. The Student Media allocation funds the student radio station, minority magazine, a literary/art magazine, Web media, and online services. The Fine Arts allocation funds the gospel choir, Musical Organizations Student Forum, theatre, dance, a student art gallery, the Visual Art Forum, and the marching

TABLE 5: Student Activity Fee Allocation - ECU ('06-'07)

Student Government Association	\$20.50
Student Media	\$27.50
Fine Arts	\$8.00
Recreational Services	\$178.00
Minges Operation	\$6.00
Student Activity Programs	\$64.00
MSC Operations	\$215.00
Total	\$519.00

Source: ECU Controller's Office

band. Recreational Services funds campus recreation, the wellness center, and the North Recreation Complex. The Minges Operation allocation funds routine maintenance for the Minges-Williams Arena and the Minges pool.

UNC-Charlotte

UNC-Charlotte collects \$382 per year in student activity fees from each full-time student. Although only \$8.83 is distributed by the Student Government Association, students are involved in the disbursement of an additional \$36.08 through the Student Activity Fees Commission (SAFC), made up of nine appointed student-members. SAFC is empowered by the chancellor to allocate the student activity fees to the various student and administrative organizations, including the Student Government Association. The commission also conducts audits and supervises the use of funding to ensure that it is used for the best interest of the students.

Liberal groups at UNC-Charlotte received \$9,937 during the 2006-2007 academic year. Conservative groups received \$7,621. Non-political groups received a much larger portion of the student fees distributed by the student government association—\$94,018. College Republicans and College Democrats are both represented on the UNC-Charlotte campus, as well as several liberal activist groups, and in 2006-2007 all those groups received money from the student activity fee.

TABLE 6: Student Activity Fee Allocation - UNC-Charlotte ('07-'08)

Student Activity Fees Commission	
Student Government Association	\$8.83
SAFC Operations	\$2.52
SACSA	\$2.90
Leadership	\$2.25
Student Media	\$10.97
Campus Activities Board	\$17.44
SAC Operations	\$131.00
Cone Center Operations	\$144.00
Graduate and Professional Student Government	\$5.09
Intramural Fee	\$41.00
Playing Fields Maintenance Fee	\$16.00
Total	\$382.00

Source: UNC-C Student Activity Fees Commission, Office of the Chancellor

Table 6 indicates the total disbursements from the student activity fee. The SAC operations fee funds the James H. Barnhardt Student Activities Center, which is one of several fitness or recreation centers on campus. The Cone operations fee funds the Cone University Center, which serves as a UNC-C student union.

UNC-Greensboro

UNC-Greensboro collects \$323 per year in student activity fees from each full-time student. Student government disburses \$13.53 from this amount. No data were available at the time of publication about the UNC-G student government's distribution of fees to student groups. Table 7 shows, in addition to the \$13.53, the other expenditures, none of which is under the control of students.

TABLE 7: Student Activity Fee Allocation - UNC-G ('07-'08)

Student Affairs	
Student Government	\$13.53
Adult Students	\$1.03
Campus Recreation	\$66.28
Commuter Student Programs	\$2.48
Cultural Diversity	\$0.97
Dean of Students	\$6.67
EUC Box Office	\$1.79
Graduate Student Association	\$4.16
Leadership & Service Learning	\$18.49
Multicultural Affairs	\$7.67
University Concert/Lecture Series	\$6.96
Student Media	\$6.50
Elliott University Center	\$95.74
Equipment Reserve	\$11.98
Total Student Affairs	\$244.26
Business Affairs	
Student Facilities Operations	\$85.98
Student Safety Escort Program	\$6.16
Student ID Center	\$4.07
Total Business Affairs	\$96.22
WUAG - Student Radio	\$3.96
Reserve for Salary & Benefits	\$4.50
Total	\$348.93

Source: UNC-G Controller's Office

Appalachian State

Appalachian State University collects \$515 per year in student activity fees from each full-time student. According to our estimates, less than one percent of student activity fees, or

\$1.13 per student, is distributed by the Student Government Association. The actual percentage may be different, but the controller's office did not reply to our request for data. No money from student fees was given directly to political groups in the 2006-2007 academic year. In the past, some money allocated by student government has been given to activist groups, although the amounts have been small.

In academic year 2005-2006, student government gave money to the Appalachian State chapter of the National Organization for Women, the Boone Sustainable Energy Society, and the campus chapter of the American Civil Liberties Union. College Democrats and College Republicans are represented on campus, but neither organization has received student fee allocations in the past two years.

Funding amounts are limited by the Clubs Council, a student organizations advisory board, to \$200 per year for travel, \$475 per year for educational programs, and \$75 per year for service. Because of these limitations, student organizations, whatever their political orientation, always receive small amounts from student government. The Student Activity Budget Council recommends the distribution of student activity fees to student organizations.

In addition to student organizations, student activity fees at Appalachian State also support student programs such as the Student Union, a campus art gallery, and a social center. These distributions are not controlled by students.

UNC-Wilmington

UNC-Wilmington collected \$502.50 in academic year 2006-07 in student activity fees from each full-time student. In academic year 2007-08, UNC-W will collect \$508.65 from each full-time student. The student government will disburse \$53 of this amount to student groups. No data were available at the time of publication about the UNC-W student government's distribution of fees to student groups. Table 8 shows the allocation of the student activity fee.

TABLE 8: Student Activity Fee Allocation - UNC-W ('07-'08)	
Student Government	\$53.00
Student Support	\$22.00
Student Media	\$12.50
Student Union	\$126.00
Recreation and Intramurals	\$115.00
Postal Services	\$14.00
Athletic Facilities	\$96.00
Cultural Events	\$40.15
Leadership Center	\$21.00
ID/Debit Card	\$9.00
Total	\$508.65

Source: UNC-W Controller's Office

North Carolina A&T

N.C. A&T collects \$343 per year in student activity fees from each full-time student. Of this amount, \$28.79 was disbursed by student government to student organizations. No data were available at the time of publication about the N.C. A&T student government's distribution of fees to student groups.

Table 9 indicates the approximate disbursements from the student activity fee.

TABLE 9: Student Activity Fee Allocation - N.C. A&T ('06-'07)	
Student Government Association - Operations	\$28.78
SGA - Special Events	\$29.46
Marching and Pep Bands	\$12.84
Campus Ministries	\$5.35
Theatre Production	\$3.41
African Heritage Museum	\$0.64
University Events Center	\$6.85
Dean of Students	\$0.64
Council of Presidents	\$2.14
A&T Register (Student Newspaper)	\$4.92
College Yearbook	\$27.74
General Student Activities	\$94.23
Lyceum Program	\$10.70
Student Support Services	\$12.41
Minority Student Association	\$2.46
Residence Life Programs	\$17.83
Media Technician	\$1.50
Student Union Advisory Board	\$17.86
University Radio Station	\$21.50
International Students	\$0.64
Student Activity Office	\$3.21
A&T Dance Group	\$0.86
Student Activity Grant	\$2.14
University Observances	\$9.91
Pan Hellenic Council	\$10.70
Veterans and Disability	\$14.33
Total	\$343.04

Source: N.C. A&T Student Government

Western Carolina

Western Carolina collects \$446.50 per year in student activity fees from each full-time student. According to our estimates, approximately 2 percent of student activity fees, or \$8.93, is distributed by the Student Government Association. The actual percentage may be different, but the controller's office did not reply to our request for data.

Of that amount, very little is disbursed to political organizations. Liberal groups at WCU received \$1,950 in academic year

2006-2007. Conservative groups received roughly half that amount—\$1,000. Very few political groups exist on WCU's campus. College Republicans and College Democrats are represented on campus along with one gay rights group and one feminist organization. All other groups on campus are non-political, mostly pre-professional and academic. Non-political groups at WCU received \$47,000 in student fee money.

In addition to fees disbursed to the Student Government Association, the student activity fee also funds the Graduate Student Association, the Programming Board, a Lectures, Concerts and Exhibitions series, intramural and club sports, various performing arts, cheerleading, the campus shuttle bus, five non-partisan student media outlets, Student Outreach Services, Student Leadership, Women's Programs, Ramsey Center Programs, an outdoor recreation and education program, Greek life, the University Center and the Student Recreation Center. These disbursements far outweigh the allocations by students.

UNC-Pembroke

UNC-Pembroke collected \$416 in academic year 2006-07 in student activity fees from each full-time student. In academic year 2007-08, UNC-P will collect \$445 from each full-time student. The student government will disburse \$44.36 of this amount. No data were available at the time of publication about the student government's distribution of fees to student groups. Table 10 shows the allocation of the full activity fee.

Student Government	\$44.36
Student Life	\$52.46
University Center	\$128.94
Band and Chorus	\$44.00
Drama	\$11.20
Yearbook	\$22.52
Newspaper	\$13.12
Lyceum	\$68.98
Identification	\$25.00
Gym	\$18.42
Literary Magazine	\$3.70
Art Gallery	\$3.00
Intramurals	\$9.30
Total	\$445.00

Source: UNC-P Controller's Office

Winston-Salem State University

Winston-Salem State University collected \$350 per year in student activity fees from each full-time student in academic year 2006-07. In 2007-08, it will collect \$360 per full time student. Only \$5 is distributed by the Student Government Association. No data were available at the time of publication about the

WSSU student government's distribution of fees to student groups. Table 11 shows how the \$360 will be distributed.

At \$176.89 per student, the Campus Center is the largest single expenditure from student fees. Of that budget, 54 percent goes to pay the salaries of thirteen full-time/permanent employees.

Student Organizations	\$5.00
Campus Center	\$176.89
Senior Class	\$1.50
Junior Class	\$0.61
Sophomore Class	\$0.58
Freshman Class	\$0.58
Student Services Admin.	\$12.00
Raminiscence Jazz Combo	\$1.65
Campus Activities	\$9.00
Student Programs	\$18.00
Lyceum	\$8.00
Homecoming	\$20.00
Marching Band	\$16.00
WSSU Choirs	\$4.00
SGA	\$20.00
News Argus	\$3.00
Yearbook	\$12.00
Fitness Center	\$7.56
Recreation and Intramurals	\$8.00
Artsposure Series	\$3.00
Graduate Student Programs	\$0.60
Model United Nations	\$1.10
International Studies	\$1.30
Adult Student Services	\$1.80
Leadership Series	\$8.00
Miss WSSU	\$3.00
Multicultural Services	\$0.60
WSNC	\$0.60
Band Uniform Reserve	\$2.00
Mr. Ram	\$3.00
Totals	\$349.37

Source: WSSU Controller's Office

UNC-Asheville

UNC-Asheville collected \$522.50 in academic year 2006-07 in student activity fees from each full-time student. In academic year 2007-2008, UNC-A will collect \$574.50 from each full-time student, of which \$11.50 will be disbursed by students. No data were available at the time of publication about the UNC-A student government's distribution of fees to student groups.

TABLE 12: Student Activity Fee Allocation - UNC-A ('07-'08)	
Campus Commission	\$22.58
Highsmith University Union	\$271.25
Student Recreation	\$141.25
Student Government Association	\$11.50
Green Fund	\$9.50
Underdog Productions	\$34.50
Spirit Team	\$4.35
Special Student Programs	\$0.75
Student Media	\$9.80
Homecoming	\$3.40
Student Activities and Integrated Learning	\$1.00
Multicultural Student Activities	\$1.00
Cultural and Special Events	\$60.00
Welcome Weeks	\$3.62
Total	\$574.50

Source: UNC-A Controller's Office

Table 12 breaks out the expenditures from the student activity fee. The Campus Commission allocates \$22.58 per student to 50-60 student organizations. Students are partially involved in other disbursements. These include Homecoming, the Student Activities and Integrated Learning program, Multicultural Student Activities, and Special Student Programs.

The university administration disburses the rest of the student activity fee. The Highsmith University Union allocation funds the student union operations and student programming (but not its debt service). The Student Recreation allocation funds intramurals, outdoor recreational programming, and fitness programming. The Green Fund is a student-initiated and student-disbursed fee for campus environmental endeavors. The Student Government Association allocation is used only for operations. Underdog Productions is another student programming board. Spirit Team allocations provide funding for cheerleaders, the dance team, and the campus mascot. The Student Media allocation funds student radio, a student literary magazine, and the student newspaper. The Cultural and Special Events allocation funds campus guest speakers, concerts, and performances. Welcome Weeks funds start-of-school student programming.

Elizabeth City State University

Elizabeth City State University collects \$445 per year in student activity fees from each full-time student. Sixty-five percent (or approximately \$289) of the student activity fee is used for salaries, benefits, facilities maintenance, and stipends for student workers. No data were available at the time of publication about the ECSU student government's distribution of fees to student groups.

Student activity fee funds not allocated to student government are used for various student activities and administrative offices, according to the controller's office. ECSU uses 25 percent

of the collected student fees for student programming and initiatives: marching band, pep band/squad, orchestra, wind and jazz ensembles, gospel choir, university choir, American Education Week, Black History Month, a candle-lighting ceremony for freshmen, cheerleading, The Compass student newspaper, educational travel for students, homecoming events, an honors banquet, the Pan Hellenic Council, the Mr. and Ms. ECSU pageant, Student Leadership Academy, University Players, the Arts Festival, the yearbook, Women's History Month and the Student Government Association.

In addition to the programs and initiatives, ECSU uses student activity fees to support the salaries of the staff of the Division of Student Affairs and maintain the facilities that support Student Life. Student Life, which is a department in the division of Student Affairs, is considered "auxiliary" and is not supported by state funds. ECSU also keeps 10 percent of the student activity fee for emergencies and reserves.

Observations

Among the universities surveyed, student fees are frequently used by organizations that are not controlled by students. Given the heated controversy surrounding the supposedly political nature of student fees, it was surprising that student-disbursed funds represent a very small part of the student activity fee.

Despite the conventional wisdom—perhaps supported inadvertently by Justice Kennedy's majority opinion in *Southworth*—that student fees fund student organizations, very little money from the student activity fee budget goes to student speech of any kind. Most of the money funds campus amenities run by the university administration.

Divisions of Student Affairs, recreational and intramural sports, student unions, and many other administrative offices are all university-run organizations that use the student activity fee to fund their operation, leaving very little for student governments to distribute to student organizations. At some schools, less than 10 percent of student fees go to students.

Most of the money that student governments do receive is used to fund academic, pre-professional, social and cultural organizations; that is, non-political organizations. Of the money that funds political groups, more supports liberal groups than conservative groups at every school for which we have data except North Carolina State University. These findings show that there is little bias in direct allocation of student fees to student organizations. Where discrepancies exist between funding of liberal and conservative groups, they seem justified because they reflect the interests of the student body.

UNC-Chapel Hill operates differently, however; the student government association disburses a considerable amount of money to political student groups on both sides of the aisle.

Conclusion

In the Supreme Court's *Southworth* decision, Justice Anthony Kennedy claimed that student fees facilitate the open exchange of ideas among students. "The speech the University seeks to encourage in the program before us is distinguished not by discernible limits but by its vast, unexplored bounds," he wrote. "To insist upon asking what speech is germane would be contrary to the very goal the University seeks to pursue. It is not for the Court to say what is or is not germane to the ideas to be pursued in an institution of higher learning."

The UNC schools for which we have data conform to this standard; the student government associations at all five responding schools seem to disburse funds thoughtfully and fairly.

But we uncovered a bigger problem. The university administrations and the UNC Board of Governors decide on the allocation of a much larger portion of the student activity fee than do students. Contrary to the general impression, students are almost entirely excluded from the process.



ABOUT THE AUTHOR

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