

AR 5430 FORMATION OF STUDENT CLUBS

(Replaces AR 4445)

- A. Student clubs may be formed in accordance with procedures established by the Associated Students and Inter-Club Council, consistent with this administrative regulation.
- B. A club may be formed for any lawful purpose including academic, social, political, or religious purpose. The College does not direct the purposes of student clubs.
- C. A full-time Santa Monica College faculty member or full-time manager shall serve as the primary advisor, and a part-time faculty or classified staff member (with supervisor's approval) may serve as co-advisors. A primary advisor may only serve as the primary advisor in up to **two clubs per semester**. The roles and responsibilities of advisors are defined and enumerated in the Club Registration Packet available in the Office of Student Life. **A.S. agreed (survey to determine impact or help with possible solution)**
- D. A minimum of six currently enrolled associated student members may form a club. Three of the six members must be club officers. Club officers must meet the minimum eligibility requirements for student club officers set forth in AR ~~4420~~ 5425. Club officers are responsible for the actions and activities of the club.
- E. A completed "Club Registration" packet must be submitted to the Office of Student Life by the posted deadlines. The Club Registration packet is available in the Office of Student Life or on the Associated Students website.
- F. A club constitution is required. A constitution template including basic guidelines is included in the Club Registration packet.
- G. Upon approval of the Inter-Club Council, the club shall maintain active membership and comply with the Inter-Club Council Constitution, Associated Students Constitution, and Santa Monica College regulations and policies.
- H. Continuation of the club is subject to the procedures set forth in the Inter-Club Council Constitution.
- I. Neither a club nor its officers shall indicate or imply that it is acting on behalf of or representing the College.
- J. The name, initials, insignia, seal or address of the College or any of its offices or units shall not be used by clubs and their members except for official or authorized College purposes.
- K. Associated student organizations and approved student clubs may only use the name of the College or abbreviation thereof as part of their own name for the purposes of geographical designation. Example: "Chess Club at SMC" is acceptable; "SMC ChessClub" is not acceptable.
- L. With the approval of the Associate Dean of Student Life, student clubs may use the name "Santa Monica College," "Corsairs," the campus seal, or any other SMC logo or

trademark to identify their organizations on their own materials such as stationery, posters, signs, and banners dealing with sanctioned on-campus activities of the organization.

- M. [Dues or donations may not be required as a condition of membership to any club. Any implication that a donation or due is required is prohibited. Inform Honor Societies and see if Mitch can still collect membership amt or must students pay directly to National Org](#)

Education Codes 76060, 76060.5, 76062, 76063, 76065, 76067

Reviewed and/or Updated: 12/11/01, 4/16/13, 5/27/20

AR 4445 Forming a Club Requirements

- ~~1. A full-time Santa Monica College faculty member or full-time manager shall serve as the primary advisor, and a minimum of six currently enrolled AS members shall form the club. An advisor may serve in up to three clubs per semester.~~
- ~~2. A completed "Club Registration" packet must be submitted to the Student Life Office.~~
- ~~3. A club constitution is required. A constitution template including basic guidelines is included in the "Club Registration" packet, which is available on the Associated Students website.~~
- ~~4. Upon approval of the Inter-Club Council, the club shall maintain active membership and comply with the Inter-Club Council Constitution, A.S. Constitution, and Santa Monica College regulations and policies.~~

~~Reviewed and/or Updated: 12/11/01, 4/16/13~~

[Also see BP/AR 3410 Nondiscrimination, BP/AR 5400 Associated Students Organization, BP 5430 Student Clubs and Organizations, and BP/AR 5510 Off-Campus Student Organizations.](#)

Reference:

Education Code Sections 76060-76067, [76030-76038](#)

NOTE: This administrative regulation is unique to SMC. The language in **black ink** is from current SMC AR 4430 Use of Open Space on Campus by Student Organizations approved on December 11, 2001; AR 4431 Student Dances approved on December 11, 2001; AR 4432 Posting and Distribution of Publicity approved on March 8, 2005; AR 4445 Forming a Club approved on December 11, 2001 and revised on April 16, 2013; and AR 4446 Club Events approved on December 11, 2001. The language in **blue ink** is included for consideration. The language in **yellow highlighting** is included to draw the reviewers' attention and will be removed upon final approval.

Approved: December 11, 2001 (for AR 4430, AR 4431, AR 4445, and AR 4446) and March 8, 2005 (for AR 4432)

Revised: April 16, 2013 (for AR 4445);

(Replaces SMC AR 4445)

76060.

The governing board of a community college district may authorize the students of a college to association shall encourage students to participate in the governance of the college and may c activities, as may be approved by the appropriate college officials. The association may be gra premises and properties without charge, subject to any regulations that may be established by college district.

The governing board of the community college district may authorize the students of a college to organize more than one student body association when the governing board finds that day students and evening students each need an association or geographic circumstances make the organization of only one student body association impractical or inconvenient.

A community college district may assume responsibility for activities formerly conducted by a student body association if the student body association is dissolved. A student body association employee who was employed to perform the activity assumed by the district pursuant to this section shall become a member of the classified service of the district in accordance with Section 88020.

76060.5.

(a) If a student body association has been established at a community college as authorized by Section 76060, a student representation fee of two dollars (\$2) shall be collected by the officials of the community college, together with all other fees, at the time of registration or before registration and shall be deposited in a separate fiduciary fund established per the California Community Colleges Budget and Accounting Manual for student representation fees. The money collected pursuant to this section shall be expended to provide support for governmental affairs representatives of local or statewide student body organizations who may be stating their positions and viewpoints before city, county, and district governments, and before offices and agencies of state government.

(b) (1) One dollar (\$1) of every two-dollar (\$2) fee collected shall be expended to establish and support the operations of a statewide community college student organization, recognized by the Board of Governors of the California Community Colleges, with effective student representation and participation in state-level community college shared governance and with governmental affairs representatives to advocate before the Legislature and other state and local governmental entities.

(2) The underlying goals of a statewide community college student organization shall include, but are not limited to, all of the following:

(A) Establishing a sustainable foundation for statewide community college student representation and advocacy.

(B) Promoting institutional and organizational memory.

(C) Ensuring and maintaining responsible community college student organizational oversight and decisionmaking.

(D) Strengthening regional approaches for community college student representation and coordination.

(E) Promoting and enhancing student opportunities for engagement in community college student issues and affairs.

(F) Providing for open and public transparency and accountability.

(G) Supporting student participation and engagement in statewide higher education policy and advocacy activities.

(c) Fees collected pursuant to subdivision (b) shall be annually distributed to the Board of Governors before February 1. The Board of Governors shall have custody of the moneys

and shall, each year by April 15, distribute the moneys to the recognized statewide community college student organization if the recognized statewide community college student organization satisfies all of the following:

(1) Is established as a legal entity registered with the Secretary of State.

(2) Demonstrates compliance with all applicable state and federal laws and reporting requirements.

(3) Exercises prudent fiscal management by establishing generally accepted accounting controls and procedures.

(4) (A) Commencing after the first year it receives funding pursuant to this subdivision, completes an annual independent financial audit, the results of which shall be annually provided to the Board of Governors for review.

(B) (i) Except as provided in clause (ii) and after the first year funding is received, it shall be a condition for funding pursuant to this subdivision that the results of the annual audit identify no significant audit findings.

(ii) In no event shall funds be withheld from the statewide community college student organization unless the statewide community college student organization fails to address and correct any identified exceptions, concerns, errors, or deficiencies contained in the annual audit after being given a reasonable opportunity to do so.

(5) Meets the obligations and addresses the goals described in subdivision (b).

(d) Meetings of the recognized statewide community college student organization shall be open to the public and shall comply with the requirements of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(e) (1) The chief fiscal officer of the community college shall have custody of the money collected pursuant to this section, except as provided in subdivision (c), and the money shall be disbursed for the purposes described in subdivision (a) upon the order of the governing body of the student body association.

(2) The community college district shall annually prepare a summary of all revenue collected from the student representation fee and the expenditures of the proceeds of the student representation fee. The summary shall include the amount distributed to the Board of Governors of the California Community Colleges each year. The summary shall be presented at the community college district board meeting each year and posted to the community college district internet website.

(3) The community college district may retain a portion of the fees collected and deposited pursuant to this section that is equal to the actual cost of administering these fees up to, but not more than, 7 percent.

(f) A student may refuse to pay the student representation fee established under this section. The community college shall provide the student a means to refuse to pay the student representation fee on the same form that is used for collection of fees, which, as determined by the community college, shall be as nearly as practical in the same form as a model form prescribed by regulations of the Board of Governors of the California Community Colleges.

(g) Any costs incurred by the Office of the Chancellor of the California Community Colleges to implement subdivisions (b) and (c) shall be reimbursed by the statewide community college student organization.

(h) If no statewide community college student organization that qualifies for funding in accordance with this section is recognized by the Board of Governors, the funds collected pursuant to this section shall be held by the Office of the Chancellor of the California Community Colleges until a qualifying statewide community college student organization is recognized, or shall be returned to the source of funds.

76061.

A student who is elected to serve as an officer in the student government of a community college shall meet both of the following requirements:

- (a) The student shall be enrolled in the community college at the time of election, and throughout his or her term, with a minimum of five semester units, or its equivalent.
- (b) The student shall meet and maintain the minimum standards of scholarship prescribed for community college students by the community college district.

76062.

The governing board of a community college district may authorize any organization composed entirely of students attending the colleges of the district to maintain any activities, including fundraising activities, as may be approved by the governing board.

76063.

The funds of any student body organization established in the public schools of any community college district shall, subject to approval of the governing board of the district, be deposited or invested in one or more of the following ways:

- (a) Deposits in trust accounts of the centralized State Treasury system pursuant to Sections 16305 to 16305.7, inclusive, of the Government Code or in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
- (b) Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan associations, if the associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
- (c) Purchase of any of the securities authorized for investment by Section 16430 of the Government Code or investment by the Treasurer in those securities.
- (d) Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.
- (e) Investment certificates or withdrawable shares in federal or state credit unions, if the credit unions are doing business in this state and have their accounts insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.

The funds shall be expended subject to procedures that may be established by the student body organization subject to the approval of each of the following three persons, which shall be obtained each time before any of the funds may be expended: an employee or official of the community college district designated by the governing board, the certificated employee who is the designated adviser of the particular student body organization, and a representative of the particular student body organization.

76064.

In addition to deposit or investment pursuant to Section 76063, the funds of a student body organization may be loaned or invested in any of the following ways:

- (a) Loans, with or without interest, to any student body organization established in another community college of the district for a period not to exceed three years.

(b) Invest money in permanent improvements to any community college district property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadia and playing fields, where those facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body. The investment shall be made on condition that the principal amount of the investment plus a reasonable amount of interest thereon shall be returned to the student body organization as provided herein. Any community college district approving the investment shall establish a fund in accordance with the California Community Colleges Budget and Accounting Manual in which moneys derived from the rental of community college district property to student body organizations shall be deposited. Moneys collected by the governing board for automobile parking facilities as authorized by Section 76360 shall be deposited in the fund designated by the California Community Colleges Budget and Accounting Manual if the parking facilities were provided for by investment of student body funds under this section. Moneys shall be returned to the student body organization as contemplated by this section exclusively from the special fund and only to the extent that there are moneys in the special fund. Whenever there are no outstanding obligations against the special fund, all moneys therein may be transferred to the general fund of the school district by action of the local governing board. Two or more student body organizations of the same community college district may join together in making the investments in the same manner as is authorized herein for a single student body. Nothing herein shall be construed so as to limit the discretion of the local governing board in charging rental for use of community college district property by student body organizations as provided in Section 76060.

76065.

The governing board of any community college district shall provide for the supervision of all funds raised by any student body or student organization using the name of the college. The cost of supervision may constitute a proper charge against the funds of the district. The governing board of a community college district may also provide for a continuing audit of student body funds with community college district personnel.

76067.

Any student political organization that is affiliated with the official youth division of any political party that is on the ballot of the State of California may hold meetings on a community college campus, and may distribute bulletins and circulars concerning its meetings, provided that there is no endorsement of that organization by the school authorities and no interference with the regular educational program of the district.