

## Office of the President

### TO MEMBERS OF THE COMMITTEE ON FINANCE:

#### ACTION ITEM

*For Meeting of March 18, 2015*

### CONTINUATION OF LIFE-SAFETY FEE, BERKELEY CAMPUS

#### RECOMMENDATION

The President of the University, at the request of the Chancellor, recommends that the Committee on Finance recommend to the Regents that the life-safety portion of the Berkeley Campus Fee continue at its current level for five years, from summer 2015 through spring 2020, with the following specifications:

- A. All students enrolled at the Berkeley campus during the regular academic year be assessed a mandatory life-safety portion of the Berkeley Campus Fee of \$46 per student per term from fall 2015 through spring 2020.
- B. Students enrolled in summer sessions be assessed a mandatory life-safety portion of the Berkeley Campus Fee at \$23 per student from summer 2015 through summer 2019.

#### BACKGROUND

The life-safety portion of the Berkeley Campus Fee provides funding for needed seismic and other health and life-safety improvements in student services facilities which are ineligible, in whole or in part, for State-funded maintenance. The life-safety portion of the Fee is the Berkeley campus' primary fund source to address the safety needs of student services facilities. It is estimated that over the five years the Fee will generate about \$18 million, of which about \$6 million (one-third of the fee revenue) will be used for financial aid purposes and about \$12 million will be available for projects.

The Berkeley campus Student Center Fee was established in 1955 and was incorporated following a student referendum, along with other student fees in 1968, into a new fee named the Berkeley Campus Fee. In July 1992, to address life-safety needs, the Regents approved an increase in the Fee of \$31.50 per student per semester, effective from spring 1993 through spring 1996. Consistent with University policy, the approved increase did not require a student referendum. Since that time, the Regents have approved extensions of the life-safety portion of the Fee for each renewal cycle, most recently through spring 2015, to address additional health

and safety projects. Currently, the academic year mandatory campus-based fees total \$779.50 of which \$92 is for life-safety projects.<sup>1</sup>

Revenue from the life-safety portion of the Berkeley Campus Fee was originally allocated to fund projects identified by a committee comprised of students and staff. A portion of the funds was targeted for the campus SAFER program (Seismic Action Plan for Facilities Enhancement and Renewal) following the revised evaluation of the campus' seismic needs conducted in summer 1997. Since its inception, the fee has been collected by the campus and either expended or budgeted to fund seismic analyses and repairs, HVAC repairs, elevator replacements, fire alarms and sprinklers, demolition and hazard removal, and resurfacing. Following the September 11, 2001 terrorist attacks, the Regents also approved use of the Fee for some campus security projects.

During the past four years, the Berkeley campus Life Safety Committee, with both student and campus staff membership, has (1) monitored current approved life-safety fee projects, (2) compiled a list of proposed new projects, (3) and examined all projects for scope and priority in order to determine an appropriate amount and duration for an extension of the life-safety fee. The Committee will continue through the duration of the life-safety portion of the Berkeley Campus Fee to review project budgets and schedules, approve revised sequencing, and ensure that the uses of revenue from the life-safety fee conform to University and campus guidelines.

### *Use of Funds*

Consistent with Berkeley campus practice, it is planned that two-thirds of the per-term fee support life-safety projects and one-third be directed to student financial aid. *Extension of the fee will not result in an increase in total student fees.* It is estimated that over the five years the fee will generate about \$18 million, of which about \$6 million will be used for financial aid purposes and about \$12 million will be available for projects.

The revenue generated by the five-year extension, along with the projected carry-forward of approximately \$4.5 million, is expected to fund those projects listed in the Attachment (including a ten percent contingency). If the campus wishes to use available life-safety fee funds for new projects that are not listed in the Attachment or have not previously appeared in Regents' items, the campus will obtain approval from the Office of the President for the new project(s) in question.

Eligible facilities that would be the subject of seismic remediation planning will be student services facilities that are funded from student fees or occupied by student services or programs. The cost of the planning studies will be proportionally shared by all occupants of the facilities.

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<sup>1</sup> The term charge for the Life-Safety Fee is \$46 in fall, \$46 in spring, and \$23 in summer. Academic year mandatory campus-based fees "...of which \$92.00 is for life-safety" refers to the total fall and spring charges, as summer fees are not considered mandatory academic year fees.

*Relevant Authorities*

The President is seeking the Regents' approval to extend the life-safety portion of the Fee, because as matter of Presidential policy, the administration requests Regents' approval for compulsory campus-based student life-safety fees. The relevant policy is the University's *Presidential Policy on Compulsory Campus-Based Student Fees*<sup>2</sup> (*Policies Applying to Campus Activities, Organizations and Students*), dated March 22, 2007, which states:

**83.0 Exceptions to the Referenda Requirement**

83.10 A new compulsory campus-based student fee, or an increase to or renewal of an existing such fee, may be approved by the Regents subject to the President's and the Chancellor's recommendation, and does not require a student referendum, under any of the following circumstances:

83.12 When the Chancellor determines that a new fee or an increase to or renewal of an existing fee, is necessary for the health and safety of students, and when that fee or fee increase or renewal is specifically related to the maintenance of the safety of a building or other facility that is funded wholly or in significant part (as determined by the Chancellor with the concurrence of the Office of the President) by student fees. Safety issues are those that are potentially dangerous consistent with the standards set forth in the *University Policy on Seismic Safety* and the *University Policy on Management of Health, Safety, and the Environment*, as determined by the Chancellor with the concurrence of the Office of the President, such as those that relate to the risk of fire, the presence of asbestos, or the existence of seismic or other structural deficits.

***Key to Acronyms***

SAFER	Seismic Action Plan for Facilities Enhancement and Renewal
HVAC	Heating, Ventilation, and Air Conditioning

(Attachment)

<sup>2</sup> Available at <http://policy.ucop.edu/doc/2710528/PACAOS-80>.