



Postsecondary Student Governments

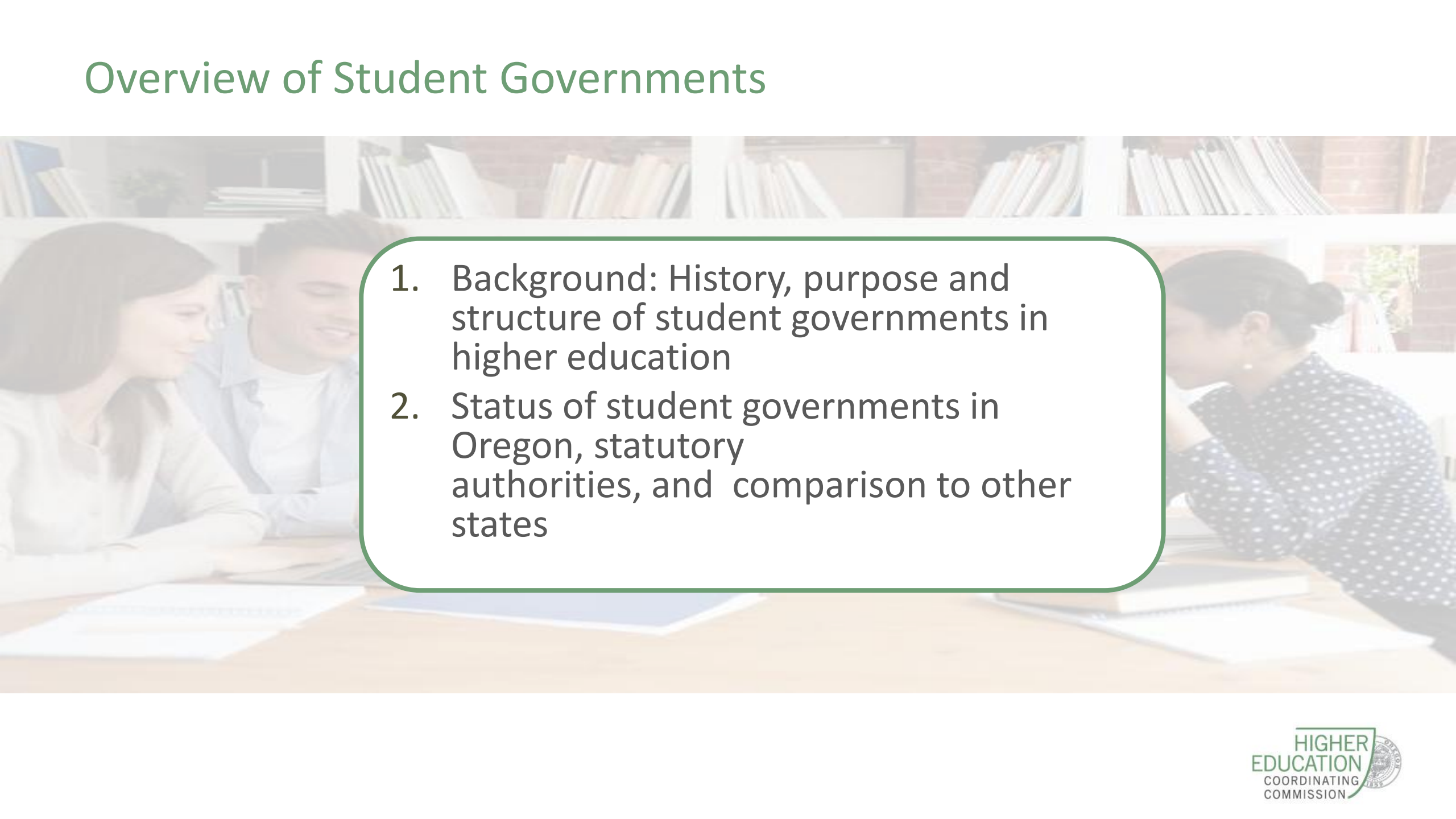
House Interim Committee on Education

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Overview of Student Governments

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- The background of the slide is a photograph of three students in a library or study area. On the left, a young woman with dark hair is looking down at papers on a table. Next to her, a young man is smiling and looking towards the right. On the right side of the image, another young woman is seen from the side, looking down at a book or paper. The background is filled with bookshelves containing many books.
1. Background: History, purpose and structure of student governments in higher education
 2. Status of student governments in Oregon, statutory authorities, and comparison to other states

A Brief History of Postsecondary Student Governments



Student governments have been in existence since the 19th century in the United States (13th century in Europe).



In the 1960s and '70s, students increasingly won decision-making authority within institutions alongside campus protests for civil rights. This included seats on institution governing boards.



In 2004, the American Student Government Association was founded, eventually growing to represent student governments in all 50 states and several countries, plus host 10 leadership conferences per year.



Today, approximately half of U.S. states have enshrined some student government responsibilities and authorities (where applicable) into state statute, including Oregon.

Bangs, C. (2018). A union for all: Collective associations outside the workplace; Appendix A.1: Survey of state student association laws at higher education institutions. *Georgetown Journal on Law and Poverty*, 26(1), 91-120. [A Union for All: Collective Associations Outside the Workplace](https://doi-org.slo.idm.oclc.org/10.1080/03075079.2019.1593351). Broadhurst, C.J. (2019). Formal Leaders and Social Change: A Historical Case Study of Student Body Presidents as Activists. *New Directions for Student Leadership*, 161, 25-35. <https://doi-org.slo.idm.oclc.org/10.1002/ys.20318>. Lozano, J. (2020). Bridging the Divide: Exploring the Connections between Student Governments and Higher Education Governing Boards. *Studies in Higher Education*, 45(9), 1878-1891. <https://doi-org.slo.idm.oclc.org/10.1080/03075079.2019.1593351>. Oxendine Jr., W.H. (2014, April 20). ASGA Celebrates 10th Anniversary [webpage]. [ASGA Celebrates 10th Anniversary | Media Manager | Press Clippings & Releases | ASGA](https://www.asga.org/press-releases/asga-celebrates-10th-anniversary).

Modern Purposes and Missions of Student Government

Purposes and missions vary by institution, but a few common roles include:

- Representing student body's interests and concerns to institution leadership.
- Serving on committees comprised of students, faculty, administrators, and staff, and in some cases, the institution's board of trustees.
- Determining and disbursing fees for student activities and services, including clubs, campus offices, events, campus safety resources, and more.
- Sponsoring events and programs on campus.
- Chartering and regulating student organizations.
- Lobbying on local and state education-related issues.

Modern Structure of Student Government



Most student governments are modeled after the U.S. federal government structure, with two or three branches of government: executive (president, vice-president, and cabinet); legislative branch (ex: Senate), and sometimes a judicial branch.



Student governments have bylaws and constitutions.



Some institutions employ student government officials (either hourly or a stipend) and others are volunteers. According to the 2020 Student Government Salary Survey from the American Student Government Association, **77% of elected student government leaders receive salaries, tuition waivers, stipends, scholarships, or other forms of compensation.**



Often chartered by the Board of Trustees, but in some cases (including Oregon), are also recognized by the state legislature.



Many student government presidents serve as voting or non-voting members of the Board of Trustees, and student government members participate on various faculty and staff committees.

Structure of University Student Governments in Oregon

All Oregon universities have student governments under the “Associated Students of...” model: ASOSU, ASUO, ASWOU, ASSOU, ASOIT, ASEOU, ASPSU

- Follow the three branches of government model with bylaws and a constitution
- At UO and OSU, student government members are paid employees of the universities. At the technical and regional universities and PSU, some members are paid stipends, while other positions on student government are volunteer.
- Student governments are housed under various departments with faculty advisors in various roles, depending on the university; this is not standardized.
- All student governments in Oregon are charged with setting and distributing mandatory incidental fees.

Incidental Fees are Broadly Defined in Statute

ORS 352.105:

“The University Board of Trustees may only refuse a request from the student government to increase or modify fees if the fee is not reasonably related to:

- The education of university students;
- The instruction of university students;
- Services for university students; or
- The recreation of university students.”



Photo by Allison Shelley/Complete College Photo Library

ORS 352.105 Enshrines Some Authorities and Protections

ORS 352.105(2) requires student governments to inform university leadership of changes to the incidental fee + names reasons that university leadership may deny use or modification of the proposed mandatory incidental fee

- Reasons for denial include:
 - Conflict with existing law;
 - Conflicts with a pre-existing contractual commitment;
 - An increase of more than 5% over the prior year;
 - The fee is not reasonably related to education, instruction, services, or recreation of university students.
- HB 3012 (2021) narrowed the scope of a university's allowable reasons to deny use of the incidental fee, further solidifying student governments' autonomy over the fee.

ORS 352.105(4) describes how disagreements over incidental fees are managed

- University boards must promptly provide written notice to the student government.
- The decision of the board may be appealed to the HECC within seven days of receipt of the written notice.
- The HECC must render its decision within 14 days of its receipt of the board's response.

Oregon Provides Relatively Strong Protections for Student Governments, Compared to Other States

A study out of Georgetown ranked Oregon among 12 states and Puerto Rico that assign “**significant rights and power to student associations**” in higher education through state statutes.

- Fellow west coast states with strong statutory rights and protections include **California** and **Washington**.
- The Associated Students of the University of California (ASUC) at UC Berkeley is one of the nation's most autonomous student governments. It is a 501(c)(3) nonprofit with its own budget, legal defense, and expenditures.

Examples of states with weaker statutory authority:

Statutory authority limited to advisory, nominating, recreational and civic engagement roles

- **Alabama:** Student government presidents serve as non-voting members of various Board of Trustee committees.
- **Alaska:** Student government associations are eligible by law to run boxing and wrestling matches. Student governments host an election to select a student for potential nomination to the Alaska Commission on Postsecondary Education.
- **Arkansas:** Student government associations have a statutory role in assisting college students in registering to vote.
- **Indiana:** State law outlines a process at five universities by which student government representatives nominate students to serve on a committee that nominates students for the university’s board of trustees.
- **Georgia, Michigan, South Dakota:** No statutory mention of student governments.