

---

SENATE BILL 5987

---

State of Washington

57th Legislature

2001 Regular Session

By Senators McAuliffe and Sheahan

Read first time 02/12/2001. Referred to Committee on Higher Education.

1 AN ACT Relating to authorizing the imposition or expenditure of  
2 student fees by a two-thirds vote; and amending RCW 28B.15.045.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.15.045 and 1994 c 41 s 1 are each amended to read  
5 as follows:

6 The legislature recognizes that institutional governing boards have  
7 a responsibility to manage and protect institutions of higher  
8 education. This responsibility includes ensuring certain lawful  
9 agreements for which revenues from services and activities fees have  
10 been pledged. Such lawful agreements include, but are not limited to,  
11 bond covenant agreements and other contractual obligations.  
12 Institutional governing boards are also expected to protect the  
13 stability of programs that benefit students.

14 The legislature also recognizes that services and activities fees  
15 are paid by students for the express purpose of funding student  
16 services and programs. It is the intent of the legislature that  
17 governing boards ensure that students have a strong voice in  
18 recommending budgets for services and activities fees. The boards of  
19 trustees and the boards of regents of the respective institutions of

1 higher education shall adopt guidelines governing the establishment and  
2 funding of programs supported by services and activities fees. Such  
3 guidelines shall stipulate procedures for budgeting and expending  
4 services and activities fee revenue. Any such guidelines shall be  
5 consistent with the following provisions:

6 (1) Student representatives from the services and activities fee  
7 committee and representatives of the college or university  
8 administration shall have an opportunity to address the board before  
9 board decisions on services and activities fee budgets and dispute  
10 resolution actions are made;

11 (2) Members of the governing boards shall adhere to the principle  
12 that services and activities fee committee desires be given priority  
13 consideration on funding items that do not fall into the categories of  
14 preexisting contractual obligations, bond covenant agreements, or  
15 stability for programs affecting students;

16 (3) Responsibility for proposing to the administration and the  
17 governing board program priorities and budget levels for that portion  
18 of program budgets that derive from services and activities fees shall  
19 reside with a services and activities fee committee, on which students  
20 shall hold at least a majority of the voting memberships, such student  
21 members shall represent diverse student interests, and shall be  
22 recommended by the student government association or its equivalent.  
23 The chairperson of the services and activities fee committee shall be  
24 selected by the members of that committee. The governing board shall  
25 insure that the services and activities fee committee provides an  
26 opportunity for all viewpoints to be heard at a public meeting during  
27 its consideration of the funding of student programs and  
28 activities((~~-~~))i

29 (4) The services and activities fee committee shall evaluate  
30 existing and proposed programs and submit budget recommendations for  
31 the expenditure of those services and activities fees with supporting  
32 documents simultaneously to the college or university governing board  
33 and administration((~~-~~))i

34 (5) The college or university administration shall review the  
35 services and activities fee committee budget recommendations and  
36 publish a written response to the services and activities fee  
37 committee. This response shall outline potential areas of difference  
38 between the committee recommendations and the administration's proposed  
39 budget recommendations. This response, with supporting documentation,

1 shall be submitted to the services and activities fee committee in a  
2 timely manner to allow adequate consideration((~~-~~));

3 (6)(a) In the event of a dispute or disputes involving the services  
4 and activities fee committee recommendations, the college or university  
5 administration shall meet with the services and activities fee  
6 committee in a good faith effort to resolve such dispute or disputes  
7 prior to submittal of final recommendations or decisions to the  
8 governing board((~~-~~));

9 (b) Except under (c) of this subsection, if ((~~said~~)) the dispute is  
10 not resolved within fourteen days, a dispute resolution committee shall  
11 be convened by the chair of the services and activities fee committee  
12 within fourteen days((~~-~~)); and

13 (c) If the dispute is before the committee because of an action  
14 under subsection (14) of this section, the decision of the committee is  
15 final. The fourteen-day requirement under (b) of this subsection is  
16 stayed by any intervening summer session and commences on the first day  
17 of the fall session;

18 (7) The dispute resolution committee shall be selected as follows:  
19 The college or university administration shall appoint two nonvoting  
20 advisory members; the governing board shall appoint three voting  
21 members; and the services and activities fee committee chair shall  
22 appoint three student members of the services and activities fee  
23 committee who will have a vote, and one student representing the  
24 services and activities fee committee who will chair the dispute  
25 resolution committee and be nonvoting. The committee shall meet in  
26 good faith, and settle by vote any and all disputes. In the event of  
27 a tie vote, the chair of the dispute resolution committee shall vote to  
28 settle the dispute((~~-~~));

29 (8) The governing board may take action on those portions of the  
30 services and activities fee budget not in dispute in accordance with  
31 the customary budget approval timeline established by the board. The  
32 governing board shall consider the results, if any, of the dispute  
33 resolution committee and shall take action((~~-~~));

34 (9) Services and activities fees and revenues generated by programs  
35 and activities funded by such fees shall be deposited and expended  
36 through the office of the chief fiscal officer of the institution((~~-~~));

37 (10) Services and activities fees and revenues generated by  
38 programs and activities funded by such fees shall be subject to the

1 applicable policies, regulations, and procedures of the institution and  
2 the budget and accounting act, chapter 43.88 RCW((-))i

3 (11) All information pertaining to services and activities fees  
4 budgets shall be made available to interested parties((-))i

5 (12) With the exception of any funds needed for bond covenant  
6 obligations, once the budget for expending service and activities fees  
7 is approved by the governing board, funds shall not be shifted from  
8 funds budgeted for associated students or departmentally related  
9 categories or the reserve fund until the administration provides  
10 written justification to the services and activities fee committee and  
11 the governing board, and the governing board and the services and  
12 activities fee committee give their express approval. In the event of  
13 a fund transfer dispute among the services and activities fee  
14 committee, the administration, or the governing board, (~~said~~) the  
15 dispute shall be resolved pursuant to subsections (6)(b), (7), and (8)  
16 of this section((-))i

17 (13) Any service and activities fees collected which exceed  
18 initially budgeted amounts are subject to subsections (1) through (10)  
19 and (12) of this section; and

20 (14) Any action that imposes mandatory, but refundable fees, or  
21 authorizes expenditures of services and activities fees must be  
22 reviewed by the board of regents or trustees within ninety days, if the  
23 action is approved by a vote of two-thirds of the students voting and  
24 notice of the vote on the action is made at least ninety days prior to  
25 the vote. If the board of regents or trustees does not approve the  
26 action or fails to complete a review within ninety days, the action is  
27 in dispute and subject to resolution by the dispute resolution  
28 committee under subsection (6)(c) of this section.

--- END ---