
HOUSE BILL 2006

State of Washington

57th Legislature

2001 Regular Session

By Representatives Gombosky, Dunn, Fromhold, Armstrong, Wood, Lantz, Pennington and McIntire

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.

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