

HOUSE BILL REPORT

SHB 2313

As Passed Legislature

Title: An act relating to the meeting procedures of the boards of trustees and boards of regents of institutions of higher education.

Brief Description: Concerning the meeting procedures of the boards of trustees and boards of regents of institutions of higher education.

Sponsors: House Committee on Higher Education (originally sponsored by Representatives Zeiger, Carlyle, Probst, Wilcox, Anderson, Haler, Fagan, Reykdal, Springer, Buys, Pollet, Wylie, Crouse, Jinkins, Moscoso and Overstreet).

Brief History:

Committee Activity:

Higher Education: 1/19/12, 1/26/12 [DPS].

Floor Activity:

Passed House: 2/8/12, 98-0.

Senate Amended.

Passed Senate: 2/28/12, 48-0.

Passed House: 3/5/12, 98-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Restates the requirement that governing boards of all institutions of higher education follow procedures for open public meetings.
- Requires governing boards of these institutions to provide time for public comment at meetings.
- Requires governing boards of four-year institutions of higher education to make public their proposals for tuition and fee increases 21 days before considering adoption, and also to allow opportunity for public comment.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Seaquist, Chair; Carlyle, Vice Chair; Haler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Asay, Buys,

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Crouse, Fagan, Hasegawa, Pollet, Probst, Reykdal, Sells, Springer, Warnick, Wylie and Zeiger.

Staff: Jill Reinmuth (786-7134).

Background:

The Open Public Meetings Act (Act) requires that all meetings of governing bodies of public agencies be open and public with certain limited exceptions. Public agencies include state educational institutions, such as universities, colleges, and community college districts. Governing bodies include multimember boards, such as boards of regents and boards of trustees. The Act outlines certain procedures for meetings at which action is taken by governing boards of public agencies. It does not require governing bodies to allow the public to speak at public meetings.

State law authorizes governing boards of four-year institutions of higher education to set full-time tuition fees for all students, beginning with the 2011-12 academic year through the 2014-15 academic year. Prior to reducing or increasing tuition, governing boards must consult with certain student associations regarding the impacts of potential tuition increases. Governing boards also must provide certain financial aid data.

Summary of Substitute Bill:

The requirement that governing boards of all institutions of higher education follow procedures for open public meetings in the Open Public Meetings Act is restated. Governing boards also must provide time for public comment at meetings.

Governing boards of four-year institutions of higher education are also required to make public their proposals for tuition and fee increases 21 days before considering adoption, and also to allow opportunity for public comment. This requirement applies from the 2011-12 academic year through the 2014-15 academic year. This requirement does not apply if the omnibus appropriations act has not passed the Legislature by May 15.

Appropriation: None.

Fiscal Note: Requested on January 26, 2012.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Last year, the Legislature gave local tuition-setting authority to boards of regents and trustees. With that authority, there is a greater need for meetings to be more transparent and accessible. This bill takes strong steps to require compliance with the Open Public Meetings Act (Act), as well as a period of public comment for students and the public. It is important to hear their concerns.

More transparency is needed. Newspapers frequently clash with the boards of regents at the University of Washington and Washington State University. These institutions have become enormous over the past 20 years, and dominate the regions in which they are located. The same is true for community and technical colleges. They are frequently the largest employers with the largest economic impact in their regions. They are not being held accountable to the Act.

(Opposed) None.

Persons Testifying: Representative Zeiger, prime sponsor; Representative Carlyle; Joseph Meyer, Washington Student Association; and Rowland Thompson, Allied Daily Newspaper.

Persons Signed In To Testify But Not Testifying: None.