
SENATE BILL 6668

State of Washington

66th Legislature

2020 Regular Session

By Senators Stanford, Nguyen, Hunt, and Saldaña

Read first time 02/03/20. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to services and activities fee transparency; and
2 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 2012 c 104 s 2 are each amended to
5 read as follows:

6 The legislature recognizes that institutional governing boards
7 have 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
20 higher education shall adopt guidelines governing the establishment
21 and funding of programs supported by services and activities fees.

1 Such guidelines shall stipulate procedures for budgeting and
2 expending services and activities fee revenue. Any such guidelines
3 shall be consistent with the following provisions:

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

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

14 (3) Responsibility for proposing to the administration and the
15 governing board program priorities and budget levels for that portion
16 of program budgets that derive from services and activities fees
17 shall reside with a services and activities fee committee, on which
18 students shall hold at least a majority of the voting memberships,
19 such student members shall represent diverse student interests, and
20 shall be recommended by the student government association or its
21 equivalent. The services and activities fee committee may propose and
22 adopt limitations on the maximum percent of total services and
23 activities fee revenue that may be waived through fee waivers.
24 Limitations on fee waivers do not apply to mandatory fee waivers
25 granted under RCW 28B.15.380, 28B.15.395, 28B.15.520, or 28B.15.621.
26 The chairperson of the services and activities fee committee shall be
27 selected by the members of that committee. The governing board shall
28 insure that the services and activities fee committee provides an
29 opportunity for all viewpoints to be heard at a public meeting during
30 its consideration of the funding of student programs and activities.

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

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

1 proposed budget recommendations. This response, with supporting
2 documentation, shall be submitted to the services and activities fee
3 committee in a timely manner to allow adequate consideration.

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

10 (b) If said dispute is not resolved within fourteen days, a
11 dispute resolution committee shall be convened by the chair of the
12 services and activities fee committee within fourteen days.

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

24 (8) The governing board may take action on those portions of the
25 services and activities fee budget not in dispute in accordance with
26 the customary budget approval timeline established by the board. The
27 governing board shall consider the results, if any, of the dispute
28 resolution committee and shall take action.

29 (9) Services and activities fees and revenues generated by
30 programs and activities funded by such fees shall be deposited and
31 expended through the office of the chief fiscal officer of the
32 institution.

33 (10) Services and activities fees and revenues generated by
34 programs and activities funded by such fees shall be subject to the
35 applicable policies, regulations, and procedures of the institution
36 and the budget and accounting act, chapter 43.88 RCW.

37 (11) All information pertaining to services and activities fees
38 budgets shall be made available to interested parties. Annually, by
39 September 30th, the services and activities fees committee at each
40 institution of higher education, in coordination with the

1 administration of the institution of higher education, shall post
2 services and activities fees expenditure information for the prior
3 academic year on the college or university web site so that the
4 information is clearly visible and easily accessible to students and
5 the public. At a minimum, the services and activities fees budget
6 information must include all the major categories of expenditure and
7 the amounts expended in each category. In addition, the publicly
8 posted services and activities fees budget information must include
9 the number of fee waivers and total dollar value of mandatory
10 services and activities fee waivers that were granted under RCW
11 28B.15.380, 28B.15.395, 28B.15.520, or 28B.15.621, and the dollar
12 value of nonmandatory services and activities fee waivers granted
13 through college or university fee waivers.

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

26 (13) Any services and activities fees collected which exceed
27 initially budgeted amounts are subject to subsections (1) through
28 (10) and (12) of this section.

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