

# SENATE BILL REPORT

## SB 5987

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As of February 21, 2001

**Title:** An act relating to authorizing the imposition or expenditure of student fees by a two-thirds vote.

**Brief Description:** Authorizing the imposition or expenditure of student fees by a two-thirds vote.

**Sponsors:** Senators McAuliffe and Sheahan.

**Brief History:**

**Committee Activity:** Higher Education: 2/22/01.

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### SENATE COMMITTEE ON HIGHER EDUCATION

**Staff:** Jean Six (786-7423)

**Background:** Services and activities fees are statutorily defined (RCW 28B.15.041) to mean fees charged to all students and used to fund activities and programs of a particular institution. These fees are also dedicated to repaying bonds and other indebtedness for facilities such as dormitories, dining halls, parking facilities, etc. The institutional governing boards have the responsibility to ensure that agreements, such as bond covenant agreements and contractual obligations, paid for from student fees are met. Governing boards are responsible for final decisions on the expenditure of services and activities fees.

In 1990, legislation was enacted which strengthened the role of students in recommending and negotiating the budget for services and activities fees at the respective institutions. This legislation gave the Services and Activities Fee (SAF) Committee, which has a mandated student majority, the ability to propose program priorities and budget levels directly to the governing board, rather than through the college administration. The governing board is directed to give priority consideration to student desires in budget areas that do not impact the stability of programs affecting students, pre-existing contractual obligations, or bond covenants.

In addition, a dispute resolution committee and process was established. The administration reviews the budget recommendations and publishes a written response to the committee. If there is disagreement between the administration and committee, an attempt is made to resolve the differences. If the dispute cannot be resolved within 14 days, the dispute resolution committee is convened. If there is no dispute, the recommendations go forward to the governing boards.

The dispute resolution committee is made up of two nonvoting advisory members selected by the administration, three voting members appointed by the governing board, three voting members from the SAF committee, and one student from the SAF committee who shall be

nonvoting (except in the case of a tie vote) but who shall chair the dispute resolution committee. The committee shall ultimately settle by a vote any and all disputes.

In 1994, legislation was enacted that requires that the governing board and the SAF Committee must give express approval to any shifting of SAF moneys once the budget for those moneys has been established.

**Summary of Bill:** Any action that imposes mandatory, but refundable fees, or authorizes expenditures of services and activities fees must be reviewed by the governing boards within 90 days if the action is approved by a vote of two-thirds of the student body. If the governing board fails to act or complete a review within 90 days, the action is in dispute and subject to resolution by the dispute resolution committee. Also, if the board does not approve the action, it is referred to the dispute resolution committee. Rules of the dispute resolution committee are binding.

The 14-day requirement for the dispute resolution process in cases of an intervening summer session is amended, in which case the 14-day requirement commences on the first day of the fall session.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.