
HOUSE BILL 3053

State of Washington 59th Legislature 2006 Regular Session

By Representatives Schindler, Sump, Kristiansen, Cox, McDonald, Crouse, Kretz, Serben, Buck and Roach

Read first time 01/18/2006. Referred to Committee on Higher Education & Workforce Education.

1 AN ACT Relating to the use of services and activities fees; and
2 amending RCW 28B.15.041 and 28B.15.045.

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

4 **Sec. 1.** RCW 28B.15.041 and 1985 c 390 s 14 are each amended to
5 read as follows:

6 (1)(a) The term "services and activities fees" as used in this
7 chapter is defined to mean fees, other than tuition fees, charged to
8 all students registering at the state's community colleges, regional
9 universities, The Evergreen State College, and state universities.

10 (b) Services and activities fees shall be used as otherwise
11 provided by law or by rule (~~(or regulation)~~) of the board of trustees
12 or regents of each of the state's community colleges, The Evergreen
13 State College, the regional universities, or the state universities for
14 the express purpose of funding student activities and programs of their
15 particular institution.

16 (c) Student activity fees, student use fees, student building use
17 fees, special student fees, or other similar fees charged to all full
18 time students, or to all students, as the case may be, registering at
19 the state's colleges or universities and pledged for the payment of

1 bonds heretofore or hereafter issued for, or other indebtedness
2 incurred to pay, all or part of the cost of acquiring, constructing or
3 installing any lands, buildings, or facilities of the nature described
4 in RCW 28B.10.300 as now or hereafter amended, shall be included within
5 and deemed to be services and activities fees.

6 (2) Only the portion of the services and activities fees that is
7 used for the purposes in subsection (1)(c) of this section is
8 mandatory.

9 (3) Services and activities fees used for purposes other than those
10 in subsection (1)(c) of this section are voluntary. The proportionate
11 amount of the services and activities fees assessed for each voluntary
12 purpose shall be itemized on each student's billing statement. The
13 statement shall provide a method for students to designate those
14 purposes and their respective fees that the student wishes to include
15 in his or her services and activities fees.

16 **Sec. 2.** RCW 28B.15.045 and 1994 c 41 s 1 are each amended to read
17 as follows:

18 The legislature recognizes that institutional governing boards have
19 a responsibility to manage and protect institutions of higher
20 education. This responsibility includes ensuring certain lawful
21 agreements for which revenues from services and activities fees have
22 been pledged. Such lawful agreements include, but are not limited to,
23 bond covenant agreements and other contractual obligations.
24 Institutional governing boards are also expected to protect the
25 stability of programs that benefit students.

26 The legislature also recognizes that services and activities fees
27 are paid by students for the express purpose of funding student
28 services and programs. It is the intent of the legislature that
29 governing boards ensure that students have a strong voice in
30 recommending budgets for services and activities fees. The boards of
31 trustees and the boards of regents of the respective institutions of
32 higher education shall adopt guidelines governing the establishment and
33 funding of programs supported by services and activities fees. Such
34 guidelines shall stipulate procedures for budgeting and expending
35 services and activities fee revenue. Any such guidelines shall be
36 consistent with the following provisions:

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

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

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

23 (4) The services and activities fee committee shall evaluate
24 existing and proposed programs and submit budget recommendations for
25 the expenditure of those services and activities fees with supporting
26 documents simultaneously to the college or university governing board
27 and administration.

28 (5) The college or university administration shall review the
29 services and activities fee committee budget recommendations and
30 publish a written response to the services and activities fee
31 committee. This response shall outline potential areas of difference
32 between the committee recommendations and the administration's proposed
33 budget recommendations. This response, with supporting documentation,
34 shall be submitted to the services and activities fee committee in a
35 timely manner to allow adequate consideration.

36 (6)(a) In the event of a dispute or disputes involving the services
37 and activities fee committee recommendations, the college or university

1 administration shall meet with the services and activities fee
2 committee in a good faith effort to resolve such dispute or disputes
3 prior to submittal of final recommendations to the governing board.

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

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

18 (8) The governing board may take action on those portions of the
19 services and activities fee budget not in dispute in accordance with
20 the customary budget approval timeline established by the board. The
21 governing board shall consider the results, if any, of the dispute
22 resolution committee and shall take action.

23 (9) Services and activities fees and revenues generated by programs
24 and activities funded by such fees shall be deposited and expended
25 through the office of the chief fiscal officer of the institution.

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

30 ~~(11) ((All information pertaining to services and activities fees
31 budgets shall be made available to interested parties.~~

32 ~~(12))~~) With the exception of any funds needed for bond covenant
33 obligations, once the budget for expending service and activities fees
34 is approved by the governing board, funds shall not be shifted from
35 funds budgeted for associated students or departmentally related
36 categories or the reserve fund until the administration provides
37 written justification to the services and activities fee committee and
38 the governing board, and the governing board and the services and

1 activities fee committee give their express approval. In the event of
2 a fund transfer dispute among the services and activities fee
3 committee, the administration, or the governing board, said dispute
4 shall be resolved pursuant to subsections (6)(b), (7), and (8) of this
5 section.

6 ~~((+13+))~~ (12) Any service and activities fees collected which
7 exceed initially budgeted amounts are subject to subsections (1)
8 through ~~((+10) and (+12+))~~ (11) of this section.

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