
HOUSE BILL 2352

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Reykdal, Fitzgibbon, Zeiger, Kenney, Maxwell, Haler, Green, Jinkins, Sells, Moscoso, Ormsby, Pollet, Billig, Anderson, Probst, Lytton, Wylie, Ladenburg, Kelley, Angel, and Hunt

Read first time 01/12/12. Referred to Committee on Higher Education.

1 AN ACT Relating to institutions of higher education services and
2 activities fees; amending RCW 28B.15.045; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes that students
5 play an important role in recommending how services and activities fees
6 should be expended, as the majority of members of the services and
7 activities fees committee at each institution of higher education. It
8 is the intent of the legislature to increase transparency, so that
9 expenditures of revenue from services and activities fees are clearly
10 visible and accessible to the students who pay those fees; and to
11 clarify that students can recommend expenditures of services and
12 activities fees revenue on programs and activities they need to
13 maintain the quality of their education experience and complete their
14 programs of study.

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

17 The legislature recognizes that institutional governing boards have
18 a responsibility to manage and protect institutions of higher

1 education. This responsibility includes ensuring certain lawful
2 agreements for which revenues from services and activities fees have
3 been pledged. Such lawful agreements include, but are not limited to,
4 bond covenant agreements and other contractual obligations.
5 Institutional governing boards are also expected to protect the
6 stability of programs that benefit students.

7 The legislature also recognizes that services and activities fees
8 are paid by students for the express purpose of funding student
9 services and programs. It is the intent of the legislature that
10 governing boards ensure that students have a strong voice in
11 recommending budgets for services and activities fees. The boards of
12 trustees and the boards of regents of the respective institutions of
13 higher education shall adopt guidelines governing the establishment and
14 funding of programs supported by services and activities fees. Such
15 guidelines shall stipulate procedures for budgeting and expending
16 services and activities fee revenue. Any such guidelines shall be
17 consistent with the following provisions:

18 (1) Student representatives from the services and activities fee
19 committee and representatives of the college or university
20 administration shall have an opportunity to address the board before
21 board decisions on services and activities fee budgets and dispute
22 resolution actions are made.

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

28 (3) Responsibility for proposing to the administration and the
29 governing board program priorities and budget levels for that portion
30 of program budgets that derive from services and activities fees shall
31 reside with a services and activities fee committee, on which students
32 shall hold at least a majority of the voting memberships, such student
33 members shall represent diverse student interests, and shall be
34 recommended by the student government association or its equivalent.
35 The chairperson of the services and activities fee committee shall be
36 selected by the members of that committee. The governing board shall
37 insure that the services and activities fee committee provides an

1 opportunity for all viewpoints to be heard at a public meeting during
2 its consideration of the funding of student programs and activities.

3 (4) The services and activities fee committee shall evaluate
4 existing and proposed programs and submit budget recommendations for
5 the expenditure of those services and activities fees with supporting
6 documents simultaneously to the college or university governing board
7 and administration. The committee may not be limited in the program or
8 instructional activities they consider and recommend to the governing
9 board that preserves educational program quality and the ability of
10 students to complete their programs of study.

11 (5) The college or university administration shall review the
12 services and activities fee committee budget recommendations and
13 publish a written response to the services and activities fee
14 committee. This response shall outline potential areas of difference
15 between the committee recommendations and the administration's proposed
16 budget recommendations. This response, with supporting documentation,
17 shall be submitted to the services and activities fee committee in a
18 timely manner to allow adequate consideration.

19 (6)(a) In the event of a dispute or disputes involving the services
20 and activities fee committee recommendations, the college or university
21 administration shall meet with the services and activities fee
22 committee in a good faith effort to resolve such dispute or disputes
23 prior to submittal of final recommendations to the governing board.

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

27 (7) The dispute resolution committee shall be selected as follows:
28 The college or university administration shall appoint two nonvoting
29 advisory members; the governing board shall appoint three voting
30 members; and the services and activities fee committee chair shall
31 appoint three student members of the services and activities fee
32 committee who will have a vote, and one student representing the
33 services and activities fee committee who will chair the dispute
34 resolution committee and be nonvoting. The committee shall meet in
35 good faith, and settle by vote any and all disputes. In the event of
36 a tie vote, the chair of the dispute resolution committee shall vote to
37 settle the dispute.

1 (8) The governing board may take action on those portions of the
2 services and activities fee budget not in dispute in accordance with
3 the customary budget approval timeline established by the board. The
4 governing board shall consider the results, if any, of the dispute
5 resolution committee and shall take action.

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

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

13 (11) All information pertaining to services and activities fees
14 budgets shall be made available to interested parties. Annually, by
15 September 30th, each institution of higher education, in coordination
16 with the services and activities fees committee, shall post services
17 and activities fees expenditure information for the prior academic year
18 on their web site so that the information is clearly visible and easily
19 accessible to students and the public. At a minimum, the services and
20 activities fees budget information must include all the major
21 categories of expenditure and the amounts expended in each category.

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

34 (13) Any service and activities fees collected which exceed
35 initially budgeted amounts are subject to subsections (1) through (10)
36 and (12) of this section.

37 (14) Nothing in this section authorizes the use of services and

1 activities fees for general salary increases or faculty salary
2 increments.

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