
Guest: Megan McGinnis

Absent: Christopher Bianco, Ichi Kwon, Adam Leonard, Steve VanderStaay, Raquel Vigil

Kurt Willis called the meeting to order at 8:17am, followed by a welcome and introductions of the committee members and guest in attendance.

Kurt thanked the committee members for being here today and for their service. He encouraged the students to speak freely, ask questions and to share their thoughts and opinions during this process. Kurt feels being a part of this committee will be a learning experience on state laws and what the S&A Fee is and how the process works at the university.

Timeline for Winter & Spring Quarter:
Kurt gave a brief explanation of the committee’s timeline and the anticipated progression of accomplishments during spring quarter as we work through orientation meetings, elections and preparation meetings. Kurt explained briefly the role of the chairperson and encouraged all the students to consider this position on committee (election for this position to be held at February 15 meeting). As we move into the first week of spring quarter, the budget presentations will take place, budgets for summer through the next academic year (7/1/19-6/30/20), as well as Open Hearings followed by the Final Meeting presentation to the Board of Trustees. Kurt also added that the state legislature is currently in session and may go into special session; as the committee works through this process, we will have the needed support from the University Budget Office. Presentations from each of the constituent areas will take place the first two weeks of spring quarter, followed by budget discussions and open hearings, with the plan to wrap up the fifth or sixth week of spring quarter.

Based on the presented schedule, Rebecca McLean shared that she and Chris Bianco would be out of town the week of the 2/15 meeting and requested the possibility DRAC be scheduled to present their programs and services at the 2/22 meeting. Kurt thanked Rebecca for that information.

Eric asked if Kurt could speak to what he senses in regards to the preparation meetings; Kurt indicated, because he is new to this role, he would look to those who have followed this process in the past; Megan shared, based on last year’s process, that the committee maintained communication around what was happening with the legislature, discussed the various scenarios and possibilities, and what to be prepared for based on those scenarios.

Regarding the budget presentation templates provided last year, Kurt asked if they were sufficient or the committee felt like a different format might be helpful. The returning committee members agreed what they used last year was adequate.
Eric added that prioritization was also key to this process; understanding the limited funding the committee will be working with.

Steve Card agreed, stating that the legislative decisions will greatly affect this committee’s decisions and where priorities will come into play. Dialogue will also come into play; specifically with regard to information coming from the legislature. With tuition/S&A Fees being capped, we will look for some guidance from the Budget Office on these and some of the other challenges we will all have regarding minimum wage and what that will look like for 2019/20. With minimum wage going up (from $12 to $13.50 by January 2020), this is where we get into the prioritization, because there is no flexibility there. This kind of dialogue will help shape the budget presentations that we will be making.

Kurt mentioned, as we get closer to the approaching spring quarter, hopefully students will have a good idea of their class schedules so that Debbie can get rooms booked for the winter meetings. As meeting space can be limited, any flexibility committee members can provide is appreciated.

**Orientation Item: Open Public Meetings Act**

Kurt reviewed the Open Public Meetings Act handout and general rules pertaining to the act those committee members should be aware of in service on this committee.

The Open Public Meetings Act, originally passed in 1971, is an example of a “sunshine law.” “Sunshine laws” are those created with the purpose of ensuring that processes are open to the public with no secret decision making. The Public Records Act is another example of a “sunshine law.”

The Open Public Meetings Act applies to any governing board of an agency (e.g. Board of Trustees) and any organization or committee that makes decisions on behalf of that board. The S&A Fees Committee is considered applicable under this act per [RCW 28B.15.045](https://app.leg.wa.gov/RCW/default.aspx?cite=28B.15.045).

**GENERAL RULES**

1. **Open and Public:** Meetings must be open and public, except for certain exceptions outlined in the Act. Individuals may personally be fined $500 for not following guidelines.

2. **Decision Making:** Anytime the committee has a quorum making decisions or discussing a matter this constitutes a meeting which needs to be publicized and made available to the public. Emails could constitute a meeting if decisions such as approval of minutes or discussion is taking place and therefore must be avoided. Emails should be limited to one directional information sharing. Questions should be handled singly back to the chair, not as a group reply. This is best handled by having the Chair send communications out to each committee member rather than a group to avoid a committee member inadvertently or unknowingly hitting “reply all” and violating the act. Advisors providing information to the board is considered information sharing, not decision making. It is the ‘actions’ of the committee after the information is shared that is considered decision making.

3. **Executive Sessions:** Executive sessions are quite particularized under the statute. Consult with the Attorney General’s office to determine if something is considered a topic for executive session. In the case of executive session, the discussion is private and minutes are not kept, but the decision/vote is publicly documented for the record.

4. **Meeting Schedule:** The meeting schedule must be publicized with the Washington State Code Reviser’s office, and place and time have been provided to Jennifer Sloan for filing. All meeting dates, times, and locations must be posted for the year. Changes can be made as new schedules arise. Rob noted that a minimum of 20 days’ notice is required for notice of a change. Adjustments to the
originally published schedule must be made with as much notification as possible, working within the 20 days’ limitation.

5. **Special Meeting:** The Chair can call a special meeting or it can be called by the majority of committee members. All committee members must have notice in writing 24 hours in advance and the special meeting must also be publicized with local newspaper, TV or radio stations in the community. The topic(s) of the meeting must be stated and only those items may be addressed in the meeting.

6. **Emergency Meetings:** Emergency meetings may be held in the instance of major events (e.g. facilities are shut down due to weather). The Chair should contact the Attorney General’s office if needed to facilitate an Emergency Meeting.

7. **Meeting Cancellation:** Rob recommends decisions about the cancellation of future meetings be made at the close of a meeting so that the decision is made public and in the record. If topics need to be changed, those topics should be moved to a meeting date 20 days later and publicized.

8. **Orientation Sessions:** Anytime a quorum of members is present, and ANY business of the committee is being discussed, it must be noticed and minutes must be generated. This should not unduly burden meetings that are training sessions. The chair should gavel the meeting, announce for the record that the members will now engage in training, and then conduct the training. At the conclusion of training, the chair should ask if there is any further business of the committee, announce the next scheduled meeting date/time/location and gavel the meeting closed.

9. **Budget Presentations:** If asked to act on budget information being presented, the information presented needs to be part of the record and therefore is considered a public meeting.

10. **Change in Meeting Location:** A sign should be posted on the door with the new location.

11. **Attendees:** Any member of the public can attend these meetings. The committee can set reasonable rules about how the meeting is conducted and guests conduct themselves, but cannot place conditions on people attending. Sign-in sheets may be provided, however guests cannot be required to sign in.

12. **Disruptions:** If a person becomes disruptive, the chair may ask them to leave, they may be removed by police, or the committee can relocate to another location and prohibit the individual from entering. The chair may also adjourn the meeting and set another date for the meeting.

13. **Proxies:** Proxies are not permitted. However, committee members may appear by phone or Skype.

14. **Actions Taken:** Minutes must be kept and made available to the public with a record of actions taken during the meeting. Documents must be kept as part of historical record. Minutes will be posted to the S&A fee committee website. Meeting Agenda’s must be published 24 hours prior to a meeting taking place.

15. **Approval of the Minutes:** Typically, meeting minutes are approved at the opening of each meeting. It has been recommended for the final meeting of the year, minutes are generated and approved within the meeting.

16. **Voting:** All votes are conducted and noted on the record. No secret ballots are permitted.

17. **Rules Violations:** A committee member found in violation of the rules may be fined $500/rules violation. This fee is paid directly by the individual and actions are deemed null and void.

18. **Unfilled Appointments:** Acknowledgement of unfilled positions should be mentioned in the minutes along with those not present.

Millka Solomon inquired if it was possible for these rules to be changed; specifically 1) recording names of individuals when voting and 2) permitting voting by proxy. Kurt indicated he wasn’t sure if changes were allowed or what the process would be to make that request, but agreed to look into the possibility.
It was stated that a quorum for this committee is four (4) voting members (with seven (7) total voting members on the committee). Eric also reminded the students that discussion regarding the S&A Fee meetings and subject matter should remain within the confines of the meeting committee. This does not mean students cannot meet at other times or places to discuss other matters.

**Orientation Item: What is the S&A (Services and Activities) Fee**

The quarterly S&A Fee helps support many services, programs, and activities across Western that benefit the entire campus community. Technically, the S&A Fee is governed by the laws of Washington State. Per RCW 28B.15.041, Services and Activities Fees are defined as “fees, other than tuition fees, charged to all students registering at the … state colleges and universities’ and that the “Services and Activities fees shall be used … for the express purpose of funding student activities and programs.” Also by state law, 3.5% of all Fee revenue must be allocated towards student loan programs.

Kurt asked if anyone could share what the S&A Fee paid this quarter was. Steve shared with the committee that the current S&A Fee each full-time student paid this quarter was $216.60, which multiplied by each full-time student registered this quarter totaled $6.5 million for this year. The S&A Fee committee will determine how most of that money will be distributed and allocated.

Often the phrase “tuition and fees” is used to refer to the charges that all students pay to attend a college or university. In Washington’s public institutions, “tuition and fees” are composed of specific types: Operating fees, building fees, services and activities fees, and technology fees.

Tuition and “mandatory” fees at Western encompass those defined in statute (operating fee, building fee, service and activity fee, technology fee) as well as other mandatory fees (health service fee, housing and dining building fee) charged to all students enrolled for six (6) or more credit hours per quarter.

More detailed descriptions and definitions can be found [here](#).

**Orientation Item: RCW’s (Revised Code of Washington)**

Kurt shared that the RCW’s represent laws enacted by the state legislature; these are fees, fines and laws that drive the function of the school/university, and he walked through the various RCW’s which apply specifically to the S&A Fees (28B.15.041 through 28B.15.610) highlighting specific language the committee may find helpful in understanding the intent of the law.

**RCW 28B.15.041**: The Services and Activities Fees are not meant to be used to pay a wage in an academic program, not to support a specific department, or pay for utilities on campus. The purpose is specifically for student programs and activities not directly tied to or supportive of an academic program. This decision is not to be taken lightly, and there are strict expectations around the use of these fees so that students can trust these monies are being used in the proper manner.

**RCW 28B.15.044**: The committee will propose budgetary recommendations for the university to consider; this is what we will engage in this coming spring quarter. The governing board of the university is expecting to see a recommendation from you regarding how these funds will be allocated.

**RCW 28B.15.045**: Legislature recognizes the students (the ones paying the $6.5M in fees) have the strong voice in recommending budgets (not the advisors). The committee evaluates existing and proposed programs; each constituent will walk us through their respective areas explaining what they do, why they do it, and why
they need the resources to continue doing what they do or something similar going forward. The administration will assist working through disputes among the committee should they arise.

**RCW 28B.15.069**: As of 2018, the state placed a cap of 4% on Tuition and S&A Fees, which are not tethered together. S&A Fees are mandatory just like tuition. Where tuition may go up 1%, this committee will recommend to the Board what percentage S&A Fees will or should increase (anywhere between 1 and 4%).

Steve added there are two bills on the floor in the legislature right now; both recommending a 2.1% cap on tuition, and another is also recommending a 4% cap on the S&A Fees.

**RCW 28B.15.610**: Pertains to the voluntary student fees imposed under this section and services and activities fees may be used for lobbying by a student government, and may also be used to support a statewide or national student organization that may engage in lobbying.

Steve also added with regards to the voluntary fees; the recreation center fee, the building fee, and the multicultural center fee are also brought to the table so students have the full detail of any and all possible fee increases to help better prepare them for what next year’s fees may look like in terms of total increased cost for attendance the next school year. There were increases last year, but Steve did not know if there would be increases this year.

**Orientation Item: S&A Fee Committee: Procedural Guidelines**
Kurt walked the committee through the procedural guidelines, highlighting particular responsibilities of special importance to the committee:

- Committee Charge: Proposing S&A Fee level and distribution of S&A Fee revenue to student activities and programs
- Committee Reportage: Reports to Board of Trustees through University President, Sabah Randhawa, and Vice President for Enrollment and Student Services, Dr. Melynda Huskey
- Committee Composition:  
  Voting members, seven (7): Faculty representative from non-S&A Fee funded department and six (6) students from various constituent areas  
  Non-Voting members: Chair (or faculty/staff member) of DRAC; Director of Student Activities or designee; Director of Campus Rec or designee; Director of Athletics or designee; VPESS designee who serves as Administrative Coordinator  
- Administrative Coordinator: Kurt Willis is serving as the Vice President’s designee; responsibilities include:  
  - Call the first meeting of the year.  
  - Serve as temporary chairperson.  
  - Organize committee member training/orientation.  
  - Serve as advisor to the chairperson.  
  - Communicate with university offices including office of VPESS and University Budget Office to obtain information necessary to conduct committee business.
- Rules of Operation and Responsibilities of Membership: Operates under Roberts Rules of Order; responsibility of developing and maintaining communication within the committee; active participation expected and encouraged of all members; and willingness to engage in constructive dialogue on any issue(s).
- Quorum: Four (4) voting members make a quorum.
• Meetings: will be held weekly however schedule may change based on needs of committee; any changes to meeting schedule will be posted on the Enrollment & Student Services website.
• Dissemination of Information: Meeting minutes will be posted on the Enrollment & Student Services website (found here).
• Board of Trustees Presentation: Dr. Huskey, along with a representative of this committee, will present the recommendations of the committee to the Board of Trustees at their June meeting.

In addition to these notes, Eric added that some of the processes vary on how the committee will go through them, with the exception of two key areas; 1) the committee must stay true to the timeline allowed, and 2) the committee must be flexible with requirements or requests.

**Orientation Item: Guidelines for the Service and Activities Fee Committee**
These guidelines, created in 2014, have been revised over time and created to assist in the development of positive outcomes. These guidelines support the code, state laws and process recommendations (Ref: RCW 28b.15.045).

Kurt briefly discussed the Guidelines document and highlighted the following:

- The committee will be reviewing:
  - The current year’s budget allotment
  - The beginning and estimated end of the current year fund balances
  - The current reserve fund levels
  - The proposed budget allotment for the following year

- The committee shall submit its budget proposal in a timely manner in the spring term with enough time to allow for public hearings, administrative response, and recommendations to the Board of Trustees at their June meeting.

  Kurt added that it is possible one or more of these areas could come back to the committee to readdress a matter.

Today’s meeting adjourned at 9:19am.

Next meeting: Friday, February 8, 2019, 8:15-9:30am, VU462B: Additional Orientation: RCW’s & Committee Guidelines