**Western Washington University**

**Services and Activities Fee Committee
Meeting Minutes**

**Friday, February 5, 2021; 9:30-10:30am**

**Teams Virtual**

**Present:** Kurt Willis, Debbie Curry (recorder), Eric Alexander, Abdul-Malik Ford, Noemi Bueno, Steve Card, Emma Duff, Adam Leonard, Danil Sonjaya, Travis Cram, Rebecca McLean, Ichi Kwon, Evan Shuster, Kevin Harris

**Absent:** Caitlin Summers, Raquel Vigil

**Guest:** Megan McGinnis, Michael Sledge

Kurt Willis called the meeting to order at 9:32 am, followed by a welcome and introductions of the committee members and guests in attendance.

**Agenda Items: 1**) Introductions, **2**) Review of Agenda, **3**) Orientation: **a.** Open Public Meetings Act,

**b.** What is the S&A Fee, **c.** S&A Fee Committee: Procedural Guidelines, **d.** Relevant RCW’s (Revised Code of Washington), **e.** Board of Trustees’ Guidelines **4**) Review Timeline for Winter/Spring Quarters, **5**) Using Teams and SharePoint for this Committee’s Work, and **6**) Review List of Other Possible Agenda Topics

Kurt stated that he would be sharing a considerable amount of information at today’s meeting to help provide context and background to the role of this committee and the rules and regulations in place to help guide us. He also encouraged the students to speak freely, ask questions and to share their thoughts and opinions during this process. 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.

**ORIENTATION ITEM: Open Public Meetings Act**

Kurt reviewed the Open Public Meetings Act and the general rules pertaining to the actions that committee members should be aware of. He also requested the committee to be cautious with holding meetings outside of this committee; no in-person, phone, or email meetings or conversations should be held – discussions regarding the S&A Fee and this process must be discussed within committee only.

*The following is additional information was not specifically mentioned by Kurt in the meeting, but may be helpful information to those new to the committee or for reference for others:*

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](http://apps.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.

1. **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.
2. **Meeting Schedule:** The meeting schedule must be publicized with the Washington State Code Revisor’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.
3. **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.
4. **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.
5. **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.
6. **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.
7. **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.
8. **Change in Meeting Location:** A sign should be posted on the door with the new location.
9. **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.
10. **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.
11. **Proxies:** Proxies are not permitted. However, committee members may appear by phone or Skype.
12. **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.
13. **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.
14. **Voting:** All votes are conducted and noted on the record. No secret ballots are permitted.
15. **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.
16. **Unfilled Appointments:** Acknowledgement of unfilled positions should be mentioned in the minutes along with those not present.

**ORIENTATION ITEM: What is the S&A (Services and Activities) Fee**

Kurt provided an example from a Banner screen of the various dollar amounts students could pay towards the S&A Fee as well as other fees on campus.

The tasks of students on this committee are 1) to determine if they will recommend to increase, decrease, or leave the fee the same, and 2) to determine what allocations will be made to the four constituent groups. These allocations could remain the same or they could be different. This committee’s recommendations will eventually be presented to the Board of Trustees for their approval and subsequent implementation. It is hoped this process will be completed by mid-May.

*The following is additional information was not specifically mentioned by Kurt in the meeting, but may be helpful information to those new to the committee or for reference for others:*

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.

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](https://budgetoffice.wwu.edu/descriptions-and-definitions).

**ORIENTATION ITEM: RCW’s (Revised Code of Washington)**

The RCW’s represent laws enacted by the state legislature; these are fees, fines and laws that drive the function of the university, and Kurt 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%).

**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.

**ORIENTATION ITEM: WWU Board of Trustees Guidelines for the S&A Fee Committee**

Kurt stated that these guidelines articulate from the Board of Trustees the importance of adhering to the RCWs, guides on the disclosure of the information as well as the information required. Transparency of meetings, including public hearings, must be openly advertised with adequate public notice given to allow others to participate in these meetings.

This committee will provide their proposal/recommendations to Dr. Melynda Huskey, Vice President for Enrollment & Student Services, which will eventually be submitted to the Board of Trustees for their approval. Should the VP not support the initial proposal, there is a dispute process that will be followed in the development of the eventual final proposal. In the end, constituent representatives will need to be aware of and responsible for the distribution and use of the distribution of funds.

Eric commented that this year has been unprecedented with COVID and the changes that needed to be made quarterly, rather than the one-and-done decisions of the past. This last year cannot be used as a comparison to how things typically work. As we prepare our budgets, Eric suggested the committee openly discuss common understandings and assumptions, adding that we all need to understand the conditions we are expected to budget around: How many students do we plan for? What is the level of the program or what are the travel needs? Conversations to ensure we are on the same page before approaching the bigger questions will be extremely beneficial in this process.

**Review Timeline for Winter & Spring Quarters:**

Kurt reviewed the draft version of the meeting schedule noting the March 12, 2021 meeting may not be necessary but has been scheduled if it is and that this schedule does have some flexibility. He asked the committee to review the schedule and advise if more time is needed.

**Using Teams and SharePoint for this Committee’s Work:**

Debbie gave a quick tutorial on the location of the S&A Fee Committee 2021 Teams group and respective file storage. All committee members had previously been given access, but should anyone not have access or need help, Debbie offered her services.

Today’s meeting adjourned at 10:30 am.

Next meeting:

Friday, February 12, 2021, 9:30-1030am; Teams Virtual