

SERVICES AND ACTIVITIES FEE FINANCIAL GUIDELINES

Student Government of Olympic College



Revised October 2015

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**SERVICES AND ACTIVITIES FEE FINANCIAL GUIDELINES
THE STUDENT GOVERNMENT OF OLYMPIC COLLEGE**

OLYMPIC COLLEGE
BREMERTON, SHELTON, POULSBO,
WASHINGTON

INTRODUCTION

There are hereby created special accounts to be called Student Services and Activities-Accounts, into which shall be placed Services and Activities Fees and revenues received by Olympic College in connection with the ordinary and usual student programs.

The Revised Code of Washington (RCW) 28B.15.041 provides that the term “service and activities fees” as used in this chapter is defined to mean fees, other than tuition fees, charged to all students registering at the state’s community colleges, regional universities, The Evergreen State College and state universities. Services and activities fees shall be used as otherwise provided by law or by rule or regulation of the board of trustees or regents of each of the states community colleges, the Evergreen State College, the regional universities or the state universities for the express purpose of funding student activities and programs of their particular institution. Student activity fees, student use fees, student building use fees, special student fees, or other similar fees charged to all students, or to all students, as the case may be, registering at the state’s colleges or universities and pledged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300 as now or hereafter amended, shall be included within and deemed to be services and activities fees.”

The Student Services and Activities Accounts shall be used exclusively to account for the resources and functions associated with the various student programs and activities provided by the college. Separate accounts shall be kept for each student program and activity.

All service and activity funds collected and expended in conjunction with the student programs and activities are subject to the applicable policies, regulations and procedures of the Board of Trustees, the Washington State Board for Community and Technical Colleges, Chapter RCW 4388, and the SGOC Constitution and By-Laws.

These Financial Guidelines have been approved by the College President, and endorsed by the Board of Trustees for the governance of public funds allotted by the Board of Trustees to the Student Government of Olympic College. The Vice President of Student Success and Achievement is responsible to the President of Olympic College for the administration of these Financial Guidelines.

ARTICLE I- PURPOSE

The purpose of these Financial Guidelines is to carry out the provisions indicated in the introduction. It is provided as a means of facilitating an appropriate sharing of responsibilities and decision-making opportunities among the officially recognized student government organization and college administrators who are accountable for effective administration of student programs and activities.

ARTICLE II- DEFINITIONS

Associate Dean for Student Leadership and Success:

The person whose responsibilities include the SGOC Budget Committee Advisor and knowledge of all Services and Activities fee accounts.

Board:

Olympic College Board of Trustees

Budget Analyst:

Person whose responsibilities include the management and knowledge of all college accounts and assistance with college budget development.

College:

Olympic College

Fiscal year:

Time period from July 1 through June 30.

Legal Advisor:

Assistant Attorney General appointed to serve Community College District 3.

Services and Activities Fees (S&A):

“Services and activities fees” are defined, in part as: “fees, other than tuition fees, charged to all students registering at the state’s community colleges, regional universities, The Evergreen State College, and state universities. Services and activities fees shall be used... for the express purpose of funding student activities and programs of their particular institution.” S&A Fees are collected quarterly as part of student tuition payment. The State Board for Community and Technical Colleges sets an annual maximum Service and Activities fee.

SGOC:

Student Government of Olympic College.

Comprised of the SGOC President, Executive Vice-President, Vice-President of Finances, Vice-President of Student Life, Vice-President of Public Relations and Communications, Vice-President of Diversity and Equity Vice-President of Shelton, and the Vice-President of Poulsbo. SGOC monitors expenditures of S&A funds.

SGOC Clubs:

A student organization with the purpose of providing students with extracurricular activities that is recognized annually by the SGOC. Clubs consist of volunteer student members and advisors.

SGOC Programs:

An SGOC Program at Olympic College is an organization that receives a yearly budget comprised of S&A Fees from the SGOC Budget Committee.

Student Activities:

In its ordinary and usual meaning, “student activities” refers to any college co-curricular or extracurricular activity participated in by students in the furtherance of their education, yet separate from classroom instruction. At Olympic College, student activities are funded with S&A Fees through SGOC Clubs and Programs. The State Board for Community and Technical Colleges has the authority to determine what constitutes bona fide student activities.

Orgsync:

The online organizational social media platform for student life at OC.

Reserve Account:

Account containing the remaining unencumbered cash balance of the student activities fees.

RCW:

Revised Codes of Washington (State of)

State Board:

State Board for Community & Technical Colleges (SBCTC) of Washington State.

ARTICLE III- FUND MANAGEMENT

Section 1: Objectives

The Student Government of Olympic College manages and expends Services and Activity Fees to promote by legal means the general welfare and morale of the students as a whole. The activities supported by these expenditures provide a meaningful variety of educational, cultural, recreational and social learning experiences. Services and Activities Fee expenditures which are devoted to the expression of political or economic philosophies shall allow for the presentation of a broad spectrum of ideas.

Section 2: Use of Funds

Funds in Services and Activities Fee accounts are to be used as provided by law, rule or regulation of the Board of Trustees for the express purpose of funding student programs and student clubs of the college.

In accordance with these Financial Guidelines, Services and Activities Fee dollars may be used for, but should not be limited to:

- A. Social events, seminars, workshops, retreats, and conferences; student government organizations; professional consulting events; clubs and societies; musical dramatic, and artistic presentations of an extracurricular nature; student publications and other mass media activities; tutorial services; child care centers; intramural and intercollegiate sports.
- B. Equipment, supplies, and materials required for the operation of student programs and activities. Funds may purchase gift certificates and other goods to give away as prizes at events, as long as the gifts are distributed to attendees via a random drawing/selection of awardees.
- C. Travel and per diem for students and professional staff members participating in student programs and activities. This does not include family members of students or staff members, non-OC students and non-participating faculty and staff.

- D. Dues for institutional membership in student government recognized organizations are allowed provided that the legality of such expenditures is first established by the Vice President for Student Services and Achievement in consultation with the legal advisor of the college.
- E. Salaries for OC students in positions that are engaged in student activities and programs – as opposed to normal maintenance and operation functions of the college.
- F. With the express approval of the State Board, Olympic College Board of Trustees and when required, with approval of the appropriate legislative body, Services and Activities Fee revenue may be used to acquire real property and fund capital projects and may be used as matching funds for such purposes.
- G. Use of S&A fees for lobbying by student government is now expressly authorized by statute. “S&A fees may be used for lobbying by a student government or its equivalent and may also be used to support a statewide or national student organization or its equivalent that may engage in lobbying.” (RCW 28B.15.610)
- H. Pursuant to RCW 28B.10.825, the Board of Trustees of the College may allocate funds to an institutional loan fund for needy students.

Section 3: Limitations

- A. Those in charge of a student program or activity may spend their allocated funds at their own discretion, provided the expenditure is not contrary to state law and/or Article III Section 2 of these Financial Guidelines.
- B. Salaries of professional employees in teaching, administrative or clerical positions not directly related to the student programs’ operations.
- C. Services and Activities Fees shall not be used to fund programs, personnel, facilities, equipment and maintenance covered within the State Board Allocation.
- D. The college may consider requests for Service and Activities funding by recognized student groups with a religious orientation. It is possible for religiously oriented groups to receive funds on the same basis they are made available to other clubs.
- E. Campaign contributions. Under no circumstances may public funds be used as a gift or campaign contribution to any elected official or officer or employee of a public agency.
- F. International travel. The Student Government may review requests for such travel and approve it on a case-by-case basis.

Section 4: Recording and Reporting Responsibility:

It shall be the responsibility of the Business Services Office to maintain proper recording of financial transactions of the Service and Activities funds and to provide periodic reports as requested to the Associate Dean for Student Leadership and Success, program managers, and advisors.

Section 5: Deposits and Expenditures:

Funds collected or revenues produced by or through Olympic College student programs, activities or fee collection, shall be deposited with the Olympic College Cashier’s Office. The official records of funds for the SGOC with its funded programs and clubs are maintained by Business Services. Business Services handles Accounts in accordance to the processes and procedures established by the Washington Office of Financial Management (OFM.)

ARTICLE IV- PROGRAMS & CLUBS

Section 1: Becoming an S&A Fee funded Program

Any organization wishing to apply for program status must request such status from the SGOC Budget Committee. This is usually done in January at the advent of the yearly SGOC Budgeting process, and requires a Budget Request for the potential program. The SGOC Budget Committee recommends recognition of new programs to the Vice President of Student Services and Achievement, and is ultimately presented for approval to the Board of Trustees.

Section 2: Becoming an SGOC Club

Clubs must be chartered annually by the SGOC in order to be officially recognized as a Club of OC. Clubs charter through Orgsync, by clicking the green “Create a New Organization” button on the organizations page. The information required for club chartering will be submitted through the “Create a New Organization” process in Orgsync. The SGOC VP of Student Life reviews and either approves, defers back for edits, or disapproves all club charter requests. After applying through Orgsync, a potential club officer or advisor must attend a SGOC Executive Council Meeting to present their club, and obtain approval from the SGOC Executive Council in order to become an SGOC Club of Olympic College.

Section 3: Fundraising Guidelines

SGOC sponsored clubs and programs must complete and submit a Fundraising Request form at least 3 weeks prior to the start of the fundraiser. Clubs will turn in their form to the SGOC VP of Student Life, and programs to the Associate Dean of Student Leadership and Success. The organization must have an SGOC approved system to track and document revenue collection. Approval of the Fundraising Request Form by the following people is required for the event to take place:

- A. The organization membership,
- B. The Associate Dean for Student Leadership and Success or designee
- C. The Director of Business Services or designee.

All generated revenue from a fundraising event must be deposited with the Olympic College Cashiers Office within 24 business hours of receipt of revenue. If a fundraising event ends after business hours, the organization must either deposit funds in the lockbox at the Cashiers Office or secure funds in a safe located on campus and deposit funds with the Cashiers Office the following business day.

ARTICLE V- BUDGET PROCESSES

Section 1: Budget Request Process

Programs or clubs may become an S&A Fee funded organization by:

- A. Submitting a budget request through the Orgsync Budget Management System prior to February due date prescribed by the SGOC VP of Finances.
- B. Attending a scheduled budget interview with SGOC Budget Committee, and subsequent appeal meetings if necessary.
- C. Approval by the SGOC Budget Committee.
- D. Approval of the recommended college S&A budget by the Board of Trustees.

Section 2: Revenue Estimates

During the first ten business days of March, or as soon as possible thereafter, in consultation with the Director of Business Services, the Vice President for Student Services and Achievement or designee will estimate the amount of income from Services and Activities Fees available for allocation for the succeeding year.

Section 3: Exceeding Budget Allocation

Services and Activities fee funded programs should sufficiently plan and follow their budget as to not exceed their annual program allocation. If programs anticipate exceeding their annual allocation, they must notify the SGOC Vice President of Finances and/or the Associate Dean of Student Leadership respectively. It is required for the Director/Advisor of the program to schedule a meeting with the SGOC Budget Committee as soon as they anticipate exceeding their budget. The Director/Advisor should be prepared to answer these questions at the meeting:

- A. How and why this negative balance occurred?
- B. What response has your program made or will make to prevent the reoccurrence of a negative balance?
- C. Why should the SGOC Budget Committee consider recommending an addendum to the budget from the Vice President of Student Services and Achievement?

Section 4: Closing Account Procedures

At the end of the fiscal year, no program can close with a deficit balance. Any remaining account balance of a program receiving a specific percentage of S&A Fees will roll over into program's account for the next year. Programs granted an annual budget by the SGOC, including sponsored clubs, will have any remaining balances close into the reserve account at the end of the fiscal year. If a club has fundraised money in their account at the end of the fiscal year it is the responsibility of a Club Officer to notify the SGOC VP of Finances of the fundraised amount. (It is our current practice to roll over all fundraising monies for any program.) The VP of Finances, Associate Dean of Student Leadership and Business Services will meet before year end closing to identify which programs will close to reserve account.

Section 5: Amendments to Established Budgets

The SGOC Budget Committee may initiate amendments to the established yearly budget allocation. Budget amendments are accomplished by:

- The Director or Advisor of the requesting program developing a rationale for amendment requests, and
- The Director or Advisor proposing a detailed budget amendment to the SGOC Budget Committee, and
- The Budget Committee gaining amendment approval by the VPSSA, and
- Approval by the College President. Prior to approval, the College President shall review the proposed amendment with the VPSSA to determine whether the amendment is of sufficient impact to require Board action. This decision will rest with the VPSSA, who will present the amendment at the next Board of Trustees meeting if deemed necessary.

Section 6: General Fund Account Reserve

The VPSSA may recommend a reserve be established that comprises 5% of the year's budget earmarked for reserve. The reserve will be retained in the Reserve Account.

Section 7: SGOC Budget Committee Processes

The SGOC Budget Committee is a recommending body only. The responsibilities of proposing program priorities, evaluating existing programs, proposing budget levels, and adjusting budget requests to the yearly allocation shall reside with the SGOC Budget Committee. The SGOC Budget Committee shall allow all college viewpoints to be heard during its deliberations, notify advisors of their right to appeal, and subsequently hear appeals. The SGOC Budget Committee shall submit their budget recommendations to the VPSSA. Once the VPSSA grants approval the VPSSA and the SGOC Vice President of Finances shall present the budget for review to the College President and the Board of Trustees.

Section 8: SGOC Budget Committee Calendar

To facilitate the handling of budget requests in preparation of the budget, the SGOC Vice President of Finances is strongly encouraged to use this calendar in planning the S&A budgeting process:

- Third week of January: Send out Budget Request Packet, SGOC Budget Committee Orientation
- Second week of February: Requests due to SGOC Vice President of Finances
- Third week of February: SGOC Vice President of Finances releases requests to the Budget Committee
- Last week of February: Hearings-to be scheduled the entire week
- First two business days of March: Committee Deliberations
- First week of March: Notify Programs of Committee Decisions
- Second week of March: Hold Appeal hearings and deliberations
- First week of April: Present Budget Committee Recommendations to the Vice President of Student Services
- Third week of April: Submit Recommendation to Executive Assistant to the President
- Third Tuesday of April: Board of Trustees- Present Budget Committee recommendations at Board of Trustees meeting as an Information Item.
- Third Tuesday of May: Board of Trustees- Present Budget Committee recommendations at Board of Trustees meeting as an Action Item.
- Wednesday after May BOT Meeting: Submit Board Approved budget to Business Services for input into the college financial system as well as notify student programs who received support for the upcoming year.

ARTICLE VI- EXPENDITURE PROCEDURES

Section 1: Expenditure Procedures

The procedures set forth in these Financial Guidelines shall be followed in the expenditure of funds from all Services and Activities Fee accounts. These procedures are designed to account for funds and to authorize expenditures within the accounts. Expenditures shall be made from a budget only when in a manner consistent with Article III, Section 2.

Procurement Card. Incidental expenditures may be made using a credit card (p-card). Approval for using the p-card must be obtained from advisor or Associate Dean of Student Leadership. The Procurement Card Custodian, the SGOC Office Assistant, will issue the card for the approved purchase.

Handling of Funds. The advisor or athletic director is responsible for proper disbursement of funds for athletic or program events. Unexpended travel funds are to be remitted to the Cashier's Office on the first business day immediately upon return of the group or team.

Travel. Funds may be used for travel expenses only when a completed Mileage Travel Expense Voucher Form A20 or Travel Authorization Form A40 has been submitted in advance by the appropriate Advisor or Associate Dean of Student Leadership or the VPSSA, and approval has been granted. Travel forms are processed by Accounting Services.

ARTICLE VII- CONTRACTS

Section 1: Student Services Contracts

Performer/Speaker/Misc. Services contracts are used by the SGOC and its funded clubs and programs for any service under \$5,000.00. Services include, but are not limited to, speakers, DJ's, bands, and performers. Contact Purchasing Services for contracts over \$5,000.00.

Section 2: Approval Responsibility

All contracts must be approved by the Associate Dean of Student Leadership & Success and forwarded to Purchasing Services for final approval. Any written contracts pertaining to chartered student programs and clubs, made without following this approval process are invalid.

Responsibility for payment of invalid contracts rests with the director or advisor and members of the contracting group and may not be paid from S&A Fee funds.

ARTICLE VIII- CODE LIMITATIONS

Any articles, sections and parts of these Financial Guidelines shall be decreed inoperable and void if the article, section, or part is contrary to the state statutes or district rules and regulations. Inoperable and voided articles, sections, or parts must be changed to bring these Financial Guidelines into compliance with state statutes or district rules and regulations.

ARTICLE IX- AMENDMENT PROCEDURES

Proposed amendments to the Financial Guidelines may be submitted for consideration to the SGOC Budget Committee. Amendments approved by the Committee, with support from the VPSSA shall be returned to the Associate Dean of Student Leadership and Success for insertion into the Financial Guidelines.

Appendix A

Guidelines for Permissible Use of Services and Activity Fees

These Guidelines are the most recent update to a document that has long circulated among student services administrators, known as the “Killian Outline.” As far as we can tell, it was first compiled by a college administrator named John Killian in 1980 and has been periodically updated through the efforts of the Council for Unions and Student Programs (CUSP) with the assistance of the Education Division of the Attorney General’s Office. The basic legal principles governing the appropriate use of S & A fees have changed little since 1980. However, practical applications of these principles have changed as student programs have become more sophisticated and broader in scope. We have attempted to capture the most recent issues that have generated some legal analysis, and in one case, a significant statutory change.¹

- I. Basic Principles governing the Use of S&A Fees. For any purported use of S & A fees, we must ask whether it is for a student activity within the scope of the authority of the S & A fee statute and whether the use might violate any constitutional principles.
- *Statutory Authority.* S & A fees are for the purpose of supporting student activities and programs.² Students must propose budgetary recommendations to the college or university administration and governing board. The boards of trustees of the state’s colleges and universities have the express and exclusive authority to determine what constitutes bona fide student activities.³ In its ordinary and usual meaning, “student activities” refers to any college co-curricular or extracurricular activity participated in by students in the furtherance of their education.⁴
 - *Constitutional Prohibition on Gifts.* The state constitution prohibits the gifting of public money or property.⁵ The State Supreme Court has defined a gift as “a transfer of property without consideration and with a donative intent.”⁶
 - *Student authority:* Students have no statutory control over S&A fees; that authority resides with the board of trustees. Pursuant to statute, students propose expenditures through the S&A budget process, serve as the majority of the S&A budget committee, and make recommendations to the board of trustees. Students are expected to have a “strong voice” in recommending budgets for S&A fees.⁷

¹ Updated by Dr. Mari Krueger, Pierce College and Dave Stolier, Sr. Assistant Attorney General. (February 8, 2010)

² RCW 28B.15.041. “Services and activities fees” are defined as: “fees, other than tuition fees, charged to all students registering at the state’s community colleges, regional universities, The Evergreen State College, and state universities. Services and activities fees shall be used as otherwise provided by law or by rule or regulation of the board of trustees or regents of each of the state’s community colleges, The Evergreen State College, the regional universities, or the state universities for the express purpose of funding student activities and programs of their particular institution.”

³ RCW 28B.15.045. “The boards of trustees and the boards of regents of the respective institutions of higher education shall adopt guidelines governing the establishment and funding of programs supported by services and activities fees.”

⁴ House Journal, 42nd Leg., 1st Ex. Sess., at 1537 (Wash. 1971). In response to a question concerning the meaning and scope of “student activities and programs,” Representative King said: “[i]t would include such things as their athletic programs (if they want to), their intercollegiate debate, their school dances -- all the things that students do as a part of their activity programs. In addition to that, I would believe that this amendment would cover the things necessary for the activities.” *Id.*

⁵ Const. art. VIII, § 5.

⁶ Tacoma v. Taxpayers, 108 Wn.2d 679, 702, 743 P.2d 793 (1987).

⁷ RCW 28B.15.045.

II. Examples of Impermissible Uses of S&A Fees.

The following are examples of S&A fee expenditures that have been judged impermissible because they involve “gifting” or because they are not “student activities”:

- Free meals and/or lodging for anyone without consideration and with a donative intent.
- Gifts of appreciation or concern for anyone (farewell gifts, flowers for bereavement, etc.) unless in return for participation or as an award for which one has competed and won.
- Food or refreshments purchased by a student group without the board’s approval.⁸
- Tips or gratuities for services rendered by anyone unless authorized by OFM.
- Meals, lodging, coffee hours, receptions, or teas for a guest entertainer, lecturer, etc., unless required by the contract made for their services.
- Salaries of professional employees in teaching, administrative or clerical positions not directly related to the student programs’ operations.
- Complimentary tickets or admissions as a gift or for public relations purposes.⁹
- Career Day – An event at which high school students (typically juniors or seniors) are invited to spend a day on campus with their high school counselors to learn about the educational offerings of the college as those offering relate to various careers, and which involves service of refreshments to the high school students and their counselors.¹⁰
- Orientation for prospective students under the same theory as above.
- Programs, personnel, facilities, equipment and maintenance that are considered basic services provided by the college or supported by existing contracts.

III. Examples of Permissible Uses of S&A Fees.

The following have been determined to be appropriate uses of S&A fees, *provided that* they are approved as bona fide student activities by the board of trustees and meet any other requirements noted:

- Traditional and time-honored activities such as student government, clubs, student governmental or programming organizations’ activities or events, health and wellness programs, retreats, conferences, musical, dramatic, artistic, debate, and forensic presentations of an extra-curricular nature, student publications and other mass media initiatives,
- S&A fees may be used for the expenses associated with these activities, including meals and lodging during group travel. These costs may be paid as a return for participation.
- Trophies, certificates or engraved plaques, sweaters, warm-up jackets, chenille letters, rain clothes, monogrammed dress jackets or attire, etc. Such items may be provided to students who have served or are serving as members of athletic teams, student leadership teams, cheer leaders, outstanding scholars, outstanding participants in drama, debate, student government, and others who have earned them, *provided that* they are a result of participation, are personal in nature, and are of nominal value.

⁸ AS officers and employees of the college in “travel status” or engaged in an official “working” meeting or activity approved by the board constitute an exception to this rule. Thus, funds may be used for “working” official student officer sessions or retreats which are an approved student activity. However, the cost of meals cannot be paid for employees (nonstudents) for such a meeting unless the employee is in travel status as defined by the OFM regulations.

⁹ The exception to this rule is that free admission may be granted to a news media person who is attending the function in his news reporting capacity, or to persons performing their assigned duties, since the granting of admission in these instances is in return for participation (and therefore supported by consideration).

¹⁰ Because this event actually involves non-students, it is *not* properly a student activity and therefore should not be funded by S and A fees. The institution most certainly has the authority to provide the orientation, but refreshments such as food and drink may *not* be funded from public funds. It likely constitutes impermissible promotional hosting. See *State ex rel. O’Connell v. Port of Seattle*, 65 Wn2d 801 (1965).

- Support for college employees in student programs operations. ¹¹ S&A fees may be used only to the extent that the employees are engaged in student activities and programs--as opposed to normal maintenance and operation functions of the college.
- Premiums for liability and casualty insurance coverage for the college for actions taken by students serving in official capacities or participating in such activities and programs.
- Meals for reception or award ceremony attendees who are part of the program.
- Meals and refreshments (coffee, cookies, etc.) at approved student programs as incidental thereof. Examples include: graduation ceremonies, vocational certificate awards programs, scholarship convocations or receptions, student activity or club meetings¹², student awards, student work sessions, new student orientations, honor society initiations, scholarship donors receptions, etc.
- Costs associated with child care centers for the children of students.
- Dues for institutional memberships in officially recognized student leadership, governmental or programming organizations.
- Special tutorial or co-curriculum programs provided it is not to sustain a critical operation of the college
- A legal aid program which provides services to individual students¹³, *provided that* the program is not used to institute legal action against the college or university.
- Furniture and equipment for informal or non-instructional student spaces as approved by the associated student association or student governmental organization.
- Partial subsidization of a student food bank operation, *provided that* that the food bank benefits only students.
- Scholarships. RCW 28B.10.825 expressly provides for a limited amount of S&A fees to be used for an institutional student loan fund for needy students. RCW 28B.10.703 and 704 specify particular non-S&A sources for scholarships for athletic and curriculum-related activities. Thus, there must be some alternative source of statutory authority for any additional use of S&A fees for scholarships. We believe that there may be certain circumstances where a scholarship could be funded with S&A monies. Sufficient statutory authority may reside in the broad-based delegation to the board to allocate S&A money for appropriate student activities, provided that the program is properly brought forward through the S&A student committee and board of trustees processes. Second, in order to satisfy the requirement that S&A fees go to students rather than prospective students, a recipient would have to be enrolled in the institution before he or she receives any money. Third, the surest way to avoid gift of public funds problems would be to ensure that *either* the scholarship is based in whole or in part on need *or* the award is supported by some sort of consideration, such as employment, participation or contribution to an athletic or extracurricular performance program.

IV. Use of S&A fees on student political clubs and activities.

- Recognition and Allocation. S&A fees may be used to fund officially recognized student political clubs or organizations. ¹⁴ Allocation of funds to student political groups must be neutral with respect to the viewpoint of the groups. ¹⁵

¹¹ Note: Stipends and other supplemental payments to college or university employees are *not* appropriate where there is already a contractual agreement.

¹² Food and beverages may be provided at an "open house" hosted by a student club aimed at promoting awareness of that club's activities on campus, *provided that* the club provides the college students who attend that open house with written or oral information about the club's function and mission.

¹³ Note: The associated student body must use the services of the Attorney General's Office.

¹⁴ See Board of Regents of the University of Wisconsin System v. Southworth, 528 U.S. 217, 233, 120 S.Ct. 1356 (2000) ("The University may determine that its mission is well served if students have the means to engage in dynamic discussions of philosophical, religious, scientific, social, and political subjects in their extracurricular campus life outside the lecture hall. If the University reaches

this conclusion, it is entitled to impose a mandatory fee to sustain an open dialogue to these ends.").

- Use of Funds. S&A fees may be used to support political speakers, travel expenses and other relevant club activities as deemed reasonable by the institution.
- Lobbying.¹⁶ Use of S&A fees for lobbying by student government is now expressly authorized by statute. This is a significant change in the law. In the 2009 legislative session, RCW 28B.15.610, pertaining to voluntary student fees, was amended to provide in pertinent part, “. . . Notwithstanding RCW 42.17.190 (2) and (3), voluntary student fees imposed under this section and *services and activities fees may be used for lobbying by a student government association* or its equivalent and may also be used to support a statewide or national student organization or its equivalent that may engage in lobbying.” (emphasis added).
- Use of S&A fees for lobbying activities by students other than by or through the student government association, is still governed by the constraints on public agencies and reporting requirements in RCW 42.17.190.¹⁷
- Campaign contributions. Under no circumstances may public funds be used as a gift or campaign contribution to any elected official or officer or employee of a public agency.¹⁸ Nor may any public employee authorize the use of any facilities of a public agency (employees, stationary, postage, machines, etc.) to be used for the purpose of assisting a campaign for election or for the promotion or opposition to any ballot proposition. RCW 42.17.130; RCW 42.52.180 (state Ethics Act).

V. Fundraised projects

- In the case of fundraising projects that have used S&A funds as “seed money”, all revenues are then commingled with state funds and are under college and state spending restrictions of public funds.
- Funds raised without the use of state property or money are private funds and may be used without restriction. Any such funds raised, in order to retain their private character, must not be commingled with other public funds.
- In the case of fundraising projects that have not used S&A funds as “seed money”, all revenues should be held in a separate college “trust” account. Coordination with Business Services is required to ensure separation of private and state funds.
- Privately raised funds may retain their private character even if state facilities are used where (a) fair market value is paid for rental of state facilities; or (b) fundraising activities occur in public areas consistent with the institution’s facilities use policy for all users.

¹⁵ RCW 28B.15.044; Good v. Associated Students of the University of Washington, 86 Wn.2d 94, 542 P.2d 762 (1975); Board of Regents of the University of Wisconsin System v. Southworth, 528 U.S. 217, 229-230, 120 S.Ct. 1356 (2000).

¹⁶ “*Lobbying*” means to attempt to influence the passage or defeat of any state legislation. “*Legislation*” means matters pending or proposed in either house or matters that may be the subject of action. “*Attempt to influence*” includes legislative staff as well as legislators.

¹⁷ Orchestrated grassroots lobbying or other indirect forms of lobbying, i.e., mailing campaigns; mobilizing non-state employees to action; rallying public support; organizing rallies in Olympia; and creating citizen action groups, are not permitted with public funds.

¹⁸ For example, S&A funds may *not* be used for flyers or advertisements endorsing a political candidate, such as “Vote for so-and-so for U.S. Senate.” Similarly, S&A funds may *not* be used for yard signs endorsing a political candidate. However, S&A funds *may* be used for a student newspaper even if it includes endorsements and express opinions on political candidates via editorials. This is permissible due to the historical and traditional role of newspapers.

History

<i>Recommended by</i>	<i>Bryan Davis, SGOC Vice President of Finance and Operations</i>
<i>Submitted to SGOC Executive Council</i>	<i>Fall Quarter, 2010</i>
<i>Approved by SGOC Executive Council</i>	<i>December, 2010</i>
<i>Submitted to Vice President of Student Services</i>	<i>Fall Quarter, 2010</i>
<i>Submitted to President for review</i>	<i>Winter Quarter, 2011</i>
<i>Approved by the President</i>	<i>January, 2011</i>
<i>Submitted to Board of Trustees</i>	<i>January 25, 2011</i>
<i>Approved by the Board of Trustees</i>	<i>Not Required – Information Item only</i>
<i>Revised</i>	<i>October, 2015</i>