ASWWU Legislative Affairs Council Meeting Documents

11/2/26

Document Number	Agenda Topic Title
1	11/2/26 LAC Consent Agenda Documents - 5/22/26 LAC Meeting Minutes – Draft - 10/26/26 LAC Meeting Minutes - Draft
2	Legislative Action Fund Review
3	Open Public Meetings Act (OPMA)
4	WWU and Legislative Budget Overview
5	WSA Fall GA Ban Higher Ed Proposal

ASWWU Legislative Affairs Council Meeting Minutes -DRAFT

10/26/26 | 4:30 PM | VU 567 or Teams Townhall

ASWWU LAC Members

Present:

Voting Members	
Triebs – Chair - ASVP Gov Aff	Keating - Vice Chair - CAP COLA
Emma Wiens – ASWWU Senator At Large	{Last Name} -CAP Local Opp & Action Coord
Sophia Allard – WWU Student – At Large Member	Ruffaro Guzha– WWU Student – At Large Member
Freya Saunders – WWU Student – At Large Member	Jonas Versaw – WWU Student – At Large Member
Aspen Wambolt – WWU Student – At Large Member	Aiden McKee – WWU Student – At Large Member
Kenyon Satterwhite – WWU Student – At Large Member	Mili Maithly – WWU Student – At Large Member
Non-Voting Members	
{Last Name} – CAP Legislative Assistant	Prasidha Krishnaswamy – Student Government Assistant
Adam Lorio - Advisor	

Absent: 0
Advisor: Lorio
Secretary: Krishnaswamy - SGA
Guest(s) in attendance: 1

Motions Summary – at a glance, actions taken this meeting.

Motion #	Title	Result

1. **Call to order**
   Triebs, Chair, called the meeting to order at 4:31 PM.

2. **Revisions to the agenda**
   None

3. **Consent Items – Routine business items that do not require discussion**
   None

4. **Public forum – Time for WWU & community members to address the ASWWU LAC**
   None

5. **Action items – Items that are expected to need a vote**
   None

6. **Discussion Items – Items for discussion, may proceed to action if desired/required**

   None

7. **Information items – Items that do not need a vote**
   a. **Introduction** (Triebs, Doc 1)
      i. Ashley Triebs – Chair
      ii. Stella Keating – Vice Chair + Coordinator of Legislative Affairs

   b. **What is LAC** (Triebs, Doc 1)
      i. Overview
         1. Encourage and Empower
            a. Advocate for WWU students to participate in politics, vote, amplify voices and connect with students
         2. Manage and Allocate Funding from LA fund
         3. Submit and Review Legislative Recommendations to WA Association Legislative Agenda
         4. Formulating Policy Positions for all matters with students in higher education
      ii. Parliament Procedure
         1. Meeting Flow:
            a. Call to Order (by chair)
            b. Roll Call
            c. Reading and approval of minutes
            d. Info Items
            e. Action Items
            f. Adjourn
      iii. OMPA
         1. Requires meetings to be open to the public
            a. Gavel to gavel
            b. RCW 42.30
      iv. Files/Teams Structure
         1. Main form of communication (notifications on)
      v. 25-26 Legislative Overview
         1. Basic Needs
            a. Washington Post Secondary Food Security Plot Program expired in July 2026

i. Asked for a renewal for more funding
ii. Food security increased 4x in the second year at WWU

2. Undocumented Student Protections
    a. SB 5906 & HB 2132 – Both dead
        i. Fiscal note was too high
3. Higher Ed Funding
    a. HB 2070 – Dead
        i. WWU has been one of the lowest funded schools on a per student basis
        ii. Bill would have put WWU on par with Central Washington University
    b. Roundtable funding formula for higher ed is discontinued
        i. Was a non-profit group of business leaders in WA
            1. Not focused on creating funding formulas for higher education anymore
4. College Affordability
    a. SB 5963 – Passed
        i. Automatically qualifies eligible students as income-eligible for the Washington College Grant
    b. SB 5828 – Dead
        i. Would have prioritized private institutions over public
5. Collective Bargaining
    a. HB 1560 – Passed
        i. Granted operation student employees at WWU the right to collectively bargain

vi. WSA
1. Washington Student Association (Non-profit)
    a. UW, WSU, WWU, CSU, Evergreen, TCC, Bellevue College
    b. Founded in 1972
    c. Pay Dues
        i. WWU has 8 votes = 8 delegates
2. Fall and Spring GA
    a. Fall (Nov 14-15 at UW Tacoma)
        i. Presenting proposals for legislative agenda
            1. Focusing on student funding/cuts to higher ed.
                a. Roundtable funding formula
            2. Stop cuts to higher education
        ii. More in depth on proposals next meeting

vii. Early ASWWU Priority Ideas
1. Stop cuts to higher education (number one priority)
    a. 11/02/26
        i. Legislative Priorities
        ii. LAF Overview
        iii. WSA Priorities

iv. Lobby Date

b. 11/10/26
    i. Finalize Prioritizes
c. 11/16/26
    i. Drafting ASWWU Agenda
d. 11/23/26
    i. Bill Tracking
e. 11/30/26
    i. First Draft of ASWWU Agenda

c. Discussion

i. Higher education funding
    1. Increase in 5-year grad rates due to not enough courses available
        a. Economic burden for students
        b. Comes from lack of funding to universities themselves
    2. Students seem to have decreased autonomy in courses and education pathway
    3. Cuts have a major impact on higher ed.
        a. A need to make legislatures aware of the impacts of the cuts on students

ii. Resources for first generation students is very limited
    1. Funding for these opportunities is scarce
    2. Decreasing diversity

iii. On campus housing
    1. Repairs are slowed
        a. Direct impact from budget cuts
    2. 80% of student body lives on campus
    3. WWU has poor on campus housing specifically
        a. Costs keep adding on

iv. National College Health Assessment Survey

8. Call to adjourn

Triebs, Chair, called the meeting to adjourn at 6:01 PM.

ASWWU Legislative Affairs Council Meeting Minutes Draft

[Date] | [Time] | [Room]

ASWWU Legislative Affairs Council Members

Present: Mia, Bailey, Aidan, Stella, Gee, Eliza, Freya, Aniyah, Sophia, Chris

Absent:

Advisor:

Secretary: Bren Anderson

Guest(s): Adam Lorio

Motions

LAC-26-X-X		

1. Call to Order

Sophia Maynard, Chair, called the meeting to order at 4:05 PM.

2. Revisions to the Agenda

No revisions requested

3. Consent Agenda

a. [Item Name]

i.

LAC-26-X-X	**Motion:** Approve 05.08.2026 meeting minutes	
Motion Made By: Keating		**Motion Seconded By: Diaz-Kelly**
Vote Count: 9 Aye, 0 Nay, 0 Abstain		**Action Result:**

4. Information Items – Items that do not need a vote

a. Reflections

i. Updated governing documents have been presented to governing bodies and approved
ii. Many people across groups have been impressed by consistency and effectiveness of this year's committee
iii. Legislative Impact Report
iv. Fall
    1. What went well
        a. Meeting consistency
        b. Work groups
        c. People
        d. Felt supported

i. Support from LAC leadership (COLA, chair, SGA)
ii. Questions
iii. Leadership style—checked in on membership opinions
iv. Strong communication
v. Office hours were helpful

2. What could go better
    a. LAC more involved in Lobby Day training
        i. Development of training materials, esp. agenda training
            1. LAC members help give training
        ii. Presence of LAC members/people who have already done Lobby Day as “agenda experts” or people who newbies can explicitly look towards
        iii. Potentially, Lobby Day 101 and 201 breakout groups, have 201 people help mentor
            1. NOT whole training
    b. Room & time
    c. Crash courses
        i. Robert’s Rules, legislature, what we are doing, timeline/roadmap of LAC meetings/Lobby Day (per quarter and also year long), revisiting these things, prioritization of Robert’s Rules (motioning, seconding, voting)
    d. Introduction of Adam and other AS government staff

v. Winter
1. What went well
    a. Aidan as COLA proxy
    b. New room
    c. Lobby Day
    d. Smooth meetings
2. What could go better
    a. Felt very long
    b. Extra clothes at Lobby Day
        i. Work with Career Closet for Lobby Day outfits day-of

vi. Spring
1. What went well
    a. Workload
    b. Less meetings
    c. Snacks at last meeting
2. What could go better
    a. Unclear meeting dates
    b. Little direction
    c. Maybe more information
    d. Meeting after 4:30 for free parking

5. Action Items

a. [Item Name]

i.

LAC-26-X-X	**Motion:**
Motion Made By:	**Motion Seconded By:**
Vote Count: X Aye, X Nay, X Abstain	**Action Result:**

b. [Item Name]

i.

LAC-26-X-X	**Motion:**
Motion Made By:	**Motion Seconded By:**
Vote Count: X Aye, X Nay, X Abstain	**Action Result:**

6. Call to Adjourn

Sophia Maynard, Chair, called the meeting to adjourn at: 4:54 PM.

SUPPORTING INFORMATION

LEGISLATIVE ACTION FEE REPORT

December, 2026

Increase Proposed: Starting Fall 2027, increase to $1.25/per quarter charged to all ASWWU voting membership on any WWU Campus (Passed as ASWWU-SP26-REF2, Spring 2026 ASWWU General Election)

PURPOSE OF FEE: The Legislative Action Fee (LAF) is a mandatory fee of $1 per quarter charged to all ASWWU voting members on any WWU campus. It was originally approved by ASWWU Referendum Vote and by the Board of Trustees in June 2014.

Fee revenues fund student representation, lobbying and advocacy efforts at the campus, local, state and federal levels. This includes funding ASWWU annual membership in the Washington Student Association (WSA).

FEE GOVERNANCE: Allocation of fee revenue beyond the required payment of annual dues to WSA and supporting Western's designated Student Lobbyist (Civic Action Program Coordinator of Legislative Affairs) participation in the WSA Legislative Liaison program is managed by the Legislative Affairs Council (LAC). LAC is chartered by the ASWWU Executive Board to make remaining fee allocation decisions on behalf of the ASWWU Executive Board.

PRIOR YEAR ACTIVITIES:

In FY26 the LAF funded:

Designated Student Lobbyist participation in WSA Legislative Liaison Program, including coordinating inclusion of topics relevant to WWU students in WSA Lobby Agenda and WWU Legislative Agenda for 25-26 WA State Legislative Session.

Planning and Logistics of Western Lobby Day. 45 Western students travelled to Olympia to lobby state legislators on behalf of the ASWWU 2025-2026 Legislative Agenda.

Full delegations of Western students were able to participate in WSA Fall and Spring General Assembly meetings. This is Western's opportunity to influence WSA ongoing priorities for representing higher education students across the state.

REVENUE AND EXPENDITURE TRENDS: Three-year history of fee revenues and expenditures, including fund balance.

	FY24	FY25	FY26	% Change
Revenues	$44,371.42	$45,110.09	$43,845.37	-1.19

Expenditures	$34,675.73	$38,026.73	45,180.65	+30.29
Fund Balance	$83,716.14	$90,799.50	$89,464.22	+6.87

Current Fund Balance trend is due to fund balance built during reduction of in-person activities during COVID and subsequent re-alignment of activities during the last 3 years.

Fund balance has helped buffer/reduce the need and scope of fee increases in upcoming years with the implementation of increased WSA Membership fees being charged to ASWWU.

PROPOSED RATE CHANGE: Based on the passage of ASWWU-SP26-REF2 in the Spring 2026 ASWWU General Election, approved by ASWWU Voters (61.3% Yes votes, 38.7% No votes, 1,181 total votes for referendum), starting Fall 2027 the Legislative Action Fee shall be increased to $1.25/quarter for every Western Student taking 2 or more credits. LAF will end after Summer 2030 without a renewal vote by students in Spring 2029.

This increase will support ongoing Legislative Action efforts of ASWWU on behalf of Western students and address increased WSA membership dues for ASWWU.

Finance Reporting - Changes to Fund Balance - Changes to Fund Balance (Data as of 19-Oct-2026 11:25:20 PM)

Chart = 1 - Western Washington University | Fiscal Period = Jun-2026 (Year End) | Fund = 41007 - Legislative Action Fund

IAT	Internal Acct Type	AT	Acct Type	Fund	Fund Title	Acct	Acct Title	This Year FY26 (July 25-Jun 26)	Last Year-FY25	Two Years Ago-FY24
40	Fund Balance	40	Fund Balance	41007	Legislative Action Fund	X101	Beginning Fund Balance	90,799.50	83,716.14	74,020.45
50	Revenue	50	Tuition and Fees	41007	Legislative Action Fund	G172	Legislative Action Fund Fee	43,845.37	41,864.37	0.00
50	Revenue	52	Private Grants/Revenue	41007	Legislative Action Fund	G275	Contribution to Assoc Students	0.00	3,245.72	44,371.42
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E111	Supplies & Materials Exp	-180.67	0.00	-131.46
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E171	Printing Expense	-143.48	-213.62	-48.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E172	Print & Copy Center Expense	0.00	0.00	-225.06
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E192	Dues & Memberships Exp	-15,796.11	-13,922.50	-15,000.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E194	Profession Lic/Permits/Fees	-44.99	0.00	0.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E231	Vehicle Fuel	-213.18	0.00	0.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E232	Parking Expense	-54.50	-23.00	-60.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E240	Other Goods & Services Exp	-142.57	0.00	0.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E243	Receptions/Meetings Exp	-7,757.82	0.00	0.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E244	Promotional Items/T-shirts	-4.00	-6.00	0.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E247	Laundry	-113.44	0.00	0.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E248	Contractual Food Service	-1,945.94	0.00	-2,350.57
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E263	Food (Not covered by attendee fee)	-280.40	-6,464.07	-3,698.28
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E276	Expenditure Trfr - Labor	-46.00	-44.00	-130.00
70	Expense	E	Goods and Services Expense	41007	Legislative Action Fund	E281	Conference/Event Expense	-92.00	-451.00	-145.00
70	Expense	G	Travel Expense	41007	Legislative Action Fund	E351	In-State Lodging/Subsistence	-13,280.26	-13,184.60	-1,546.47
70	Expense	G	Travel Expense	41007	Legislative Action Fund	E353	Private Auto	-452.40	-148.65	0.00
70	Expense	G	Travel Expense	41007	Legislative Action Fund	E354	Other Travel Expenses	0.00	-8.32	0.00
70	Expense	G	Travel Expense	41007	Legislative Action Fund	E358	Non-Employee Travel	0.00	0.00	-5,507.11
70	Expense	G	Travel Expense	41007	Legislative Action Fund	E378	Motor Pool Services Exp	-242.90	-731.60	-209.30
70	Expense	G	Travel Expense	41007	Legislative Action Fund	E381	Ground Transportation	-4,354.39	-2,808.94	-5,469.37
70	Expense	N	Grants, Benefits, and Client Exp	41007	Legislative Action Fund	E603	Grants - Summer Stipend	0.00	0.00	150.00
70	Expense	N	Grants, Benefits, and Client Exp	41007	Legislative Action Fund	E662	Award, Prize, Incentive Expense	0.00	0.00	-274.75
70	Expense	W	Bad Debt	41007	Legislative Action Fund	E821	Bad Debt Expense	-35.60	-20.43	-30.36
80	Transfer	81	Transfers - Non-Mandatory	41007	Legislative Action Fund	K213	Student Engagement Transfer Out	0.00	0.00	0.00
								89,464.22	**90,799.50**	**83,716.14**

Open Public Meetings Act
RCW 42.30

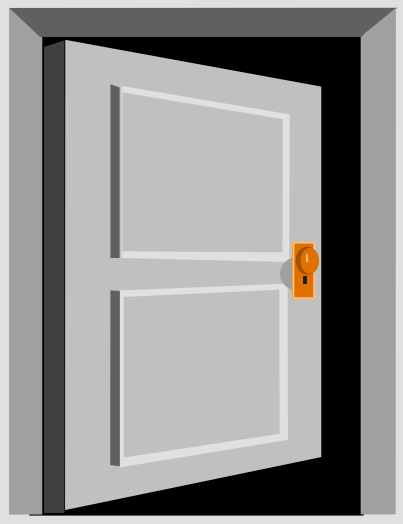


Prepared by Washington State Attorney General's Office

Last revised: July 2017 , Reviewed Fall 2026

Washington's Open Public Meetings Act (OPMA)

- Passed in 1971
- Requires meetings to be open to the public, gavel to gavel
- RCW 42.30



Purpose

- “The people do not yield their sovereignty to the agencies which serve them.”
- “The people, in delegating authority, do not give public servants the right to decide what is good for the people to know and what is not good for them to know.”
- “The people insist on remaining informed so they may retain control over the instruments they have created.”

~ RCW 42.30.010



Purpose (Cont.)

- Public commissions, boards, councils, etc. listed in OPMA are agencies of this state that exist to aid in the conduct of the people's business.
- Their actions are to be taken openly and deliberations conducted openly.

~ *RCW 42.30.010*



- Act is to be "liberally construed."

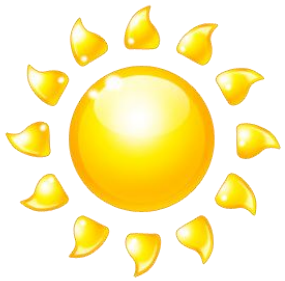
~ *RCW 42.30.910*

- The purpose of the OPMA is to allow the public to view the "decision making process."

~ *Washington State Supreme Court*



Open Government Laws Like the OPMA are Often Called "Transparency Laws" or "Sunshine Laws"



This is because they "shine light" on government. U.S. Supreme Court Justice Louis Brandeis once famously said, "*Sunlight is the best disinfectant."*



Transparency builds public confidence in government.

OPMA Applies To:

Multi-member public state and local agencies, such as boards and commissions, as follows:

- Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature.
- Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of Washington.
- Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies.
- Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

~ RCW 42.30.020

These are the "public agencies" subject to the OPMA.

OPMA Does Not Apply To:



- These entities:
  - ❑ Courts
  - ❑ Legislature
  - ❑ Agencies not defined as “public agency” in OPMA, such as agencies governed by a single individual
  - ❑ Private organizations

- These activities:
  - ❑ Licensing/permitting for businesses, occupations or professions or their disciplinary proceedings (or proceedings to receive a license for a sports activity, or to operate a mechanical device or motor vehicle)
  - ❑ Quasi-judicial matters
  - ❑ Matters governed by the Washington Administrative Procedure Act, RCW 34.05
  - ❑ Collective bargaining

~ RCW 42.30.020(1), RCW 42.30.140

Governing Body

- All meetings of the ***governing body*** of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in RCW 42.30.

~ *RCW 42.30.030*



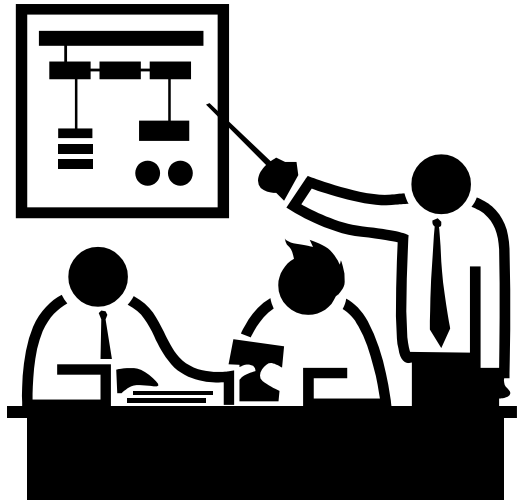
What is a Governing Body?

- The **multimember board or other policy or rule-making body**

OR

- Any **committee** of such public agency *when:*
  - the committee acts on behalf of the governing body,
  - conducts hearings, or
  - takes testimony or public comment

~ RCW 42.30.020



What is a Meeting?

- "**Meeting**" means meetings at which the public agency takes "**action**" ~ *RCW 42.30.020*
  - **"Action"** means the **transaction of the official business of the public agency** and includes but is not limited to:
    - Public testimony
    - All deliberations
    - Discussions
    - Considerations
    - Reviews
    - Evaluations
    - Final actions

    The requirements of the OPMA are triggered whether or not "final" action is taken. See upcoming slide on "final action."

- A "meeting" of a governing body occurs when a majority of its members (quorum) gathers with the collective intent of transacting the governing body's business.

  ~ Citizens Alliance for Property Rights Legal Fund v. San Juan County

“Meeting” (Cont.)

- Physical presence not required – a meeting can occur by phone or email. 
- An exchange of e-mail could constitute a meeting if, for example, a quorum of the members participate in the e-mail exchange & discuss agency business. Simply receiving information without comment is not a meeting.

  ~ *Wood v. Battle Ground School District; Citizens Alliance for Property Rights Legal Fund v. San Juan County*
- Does not need to be titled “meeting” – OPMA also applies to “retreats,” “workshops,” “study sessions,” etc.
- No meeting occurs if the governing body lacks a quorum.

Final Action

- "**Final action**" is a collective positive or negative decision, or an actual vote, by a majority of the governing body, or by the "committee thereof"
- Must be taken in public, even if deliberations were in closed session.
- Secret ballots are not allowed.

~ RCW 42.30.060, RCW 42.30.020



Travel and Gathering

- A majority of the members of a governing body may travel together or gather for purposes other than a regular meeting or a special meeting, so long as no action is taken.
- Discussion or consideration of official business would be action, triggering the requirements of the OPMA.

~ RCW 42.30.070



"Regular" Meetings



- **"Regular meetings"** are recurring meetings held in accordance with a periodic schedule by ordinance, resolution, bylaws or other rule.
- A state public agency must:
  - Yearly, file with Code Reviser a schedule of regular meetings, including time and place
  - Publish changes to regular meeting schedule in state register at least 20 days prior to rescheduled date

~ RCW 42.30.070; RCW 42.30.075; RCW 42.30.077

"Regular" Meetings (Cont.)

- Agenda notice requirements apply to regular meetings.
- RCW 42.30.077 requires governing bodies to make the agenda of each regular meeting of the governing body available online no later than 24 hours in advance of the published start time of the meeting.



- This law does not:
  - *Apply to agencies that do not have websites.*
  - *Apply to agencies that employ fewer than 10 full-time employees.*
  - Restrict agencies from later modifying an agenda.
  - Invalidate otherwise legal actions taken at a regular meeting where agenda was not posted 24 hours in advance.
  - Satisfy public notice requirements established under other laws.
  - Provide a basis to award attorneys fees or seek court order under OPMA if agenda is not posted in accordance with this law.

"Special" Meetings



- A **"special meeting"** is a meeting that is not a regular meeting (not a regularly scheduled meeting).
- Called by presiding officer or majority of the members
- Notice - timing: 24 hours before the special meeting, written notice must be:

  - Given to each **member** of the governing body (unless waived)
  - Given to each **local newspaper of general circulation, radio, and TV station** which has a notice request on file
  - Posted on the **agency's website** [with certain exceptions in RCW 42.30.080(2)(b), for example, if the agency does not have a website)]
  - Prominently **displayed at the main entrance** of the agency's principal location and the meeting site (if not that same location)

~ RCW 42.30.080

"Special" Meetings (Cont.)

- Notice - contents: The special meeting notice must specify:
  - Time
  - Place
  - Business to be transacted (agenda)
    - Final disposition shall not be taken on any other matter at such meeting

~ RCW 42.30.080







Emergency Special Meetings

- Notice is not required when special meeting called to deal with an emergency
  - Emergency involves injury or damage to persons or property or the likelihood of such injury or damage
  - Where time requirements of notice make notice impractical and increase likelihood of such injury or damage

~ RCW 42.30.080(4)



Public Attendance

- A public agency can't place conditions on public to attend meeting subject to OPMA:
  - For proceedings governed by OPMA, cannot require people to register their names or other information, complete a questionnaire, or otherwise fulfill any condition precedent to attendance

  ~ RCW 42.30.040
- Reasonable rules of conduct can be set
- Cameras and tape recorders are permitted unless disruptive

  ~ AGO 1998 No. 15
- No "public comment" period required by OPMA

Interruptions and Disruptions

- The OPMA provides a procedure for dealing with situations where a meeting is being interrupted so the orderly conduct of the meeting is unfeasible, and order cannot be restored by removal of the disruptive persons.

- Meeting room can be cleared and meeting can continue, or meeting can be moved to another location, but final disposition can occur only on matters appearing on the agenda. More details set out in the OPMA.

~ RCW 42.30.050



Executive Session

- Part of a regular or special meeting that is closed to the public
- Limited to specific purposes set out in the OPMA
- Purpose of the executive session and the time it will end must be announced by the presiding officer before it begins; time may be extended by further announcement

~ RCW 42.30.110



Executive Sessions

Specified purposes set out in OPMA. Includes, for example:



- National security
- Real estate
  - Site selection or acquisition of real estate
    - Lease or purchase
    - Public knowledge would likely increase price
  - Sale or lease
    - Public knowledge would likely decrease price
    - Final action selling or leasing public property must be take at open meeting
- Publicly bid contracts
  - Review negotiations on performance
  - Public knowledge would like increase costs
- Evaluate qualifications of applicant for public employment
- Meet with legal counsel regarding enforcement actions, litigation or potential litigation
- Other purposes listed in RCW 42.30.110

~ RCW 42.30.110

Executive Session to Discuss Agency Enforcement Actions, Litigation or Potential Litigation

- This executive session is not permitted just because legal counsel is present
- This executive session must address:
  - Agency enforcement action
  - Agency litigation or
  - Potential litigation

~ RCW 42.30.110



Executive Session to Discuss Agency Enforcement Actions, Litigation, or Potential Litigation: Three Requirements

- Legal counsel representing the agency is present
- Purpose is to discuss agency enforcement action, litigation or potential litigation to which the agency, governing body, or a member acting in official capacity is, or is likely to become, a party
- Public knowledge regarding discussion likely to result in an adverse legal or financial consequence to the agency

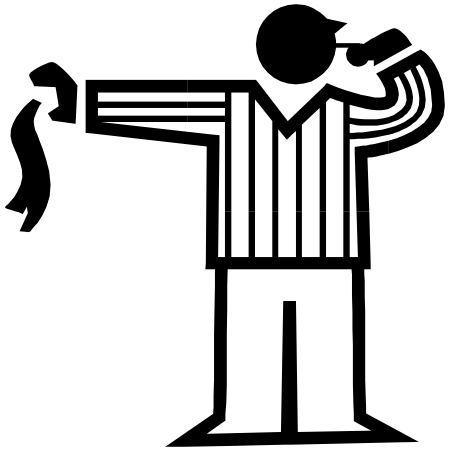
~ RCW 42.30.110



Penalties for Violating the OPMA

- A court can impose a $500 civil penalty against each member (personal liability) who knowingly attends a meeting in violation of OPMA; and $1000 for a subsequent knowing violation.
- Court will award costs and attorney fees to a successful party seeking the remedy
- Action taken at meeting can be declared null and void

~ RCW 42.30.120; RCW 42.30.130; RCW 42.30.060



Minutes – RCW 42.30.___*

- Minutes of public meetings must be promptly recorded and open to public inspection
- Minutes of an executive session are not required
- No format specified in law

* *Formerly at RCW 42.32.030; To be recodified in 2017 in a new section in RCW 42.30 (OPMA) per Chap. 25, Laws of 2017, 3rd Sp. Sess.*



Risk Management Tips

- Establish a culture of compliance with the OPMA.
- Receive training on the OPMA.
- Review available resources; institute best practices.
- Keep updated on current developments in OPMA; correctly apply law.
  - *Remember: the OPMA can change through amendments, or develop through case law.*
  - *Remember: other laws can govern an agency's meeting procedures.*
- Consult with agency's legal counsel.



OPMA Training

- The “Open Government Trainings Act” requires OPMA training for every member of a governing body within 90 days of taking their oath or assuming their duties. RCW 42.30.205.
- Refresher training occurs no later than every 4 years.
- Training can be taken online, in person, or by other means.





- Training resources, videos, and more information about the Act (a “Q & A”) are available on the Attorney General’s Office Open Government Training Web Page: http://www.atg.wa.gov/OpenGovernmentTraining.aspx

OPMA Assistance

- The Washington State Attorney General's Office may provide information, technical assistance, and training on the OPMA. Contact Assistant Attorney General for Open Government.

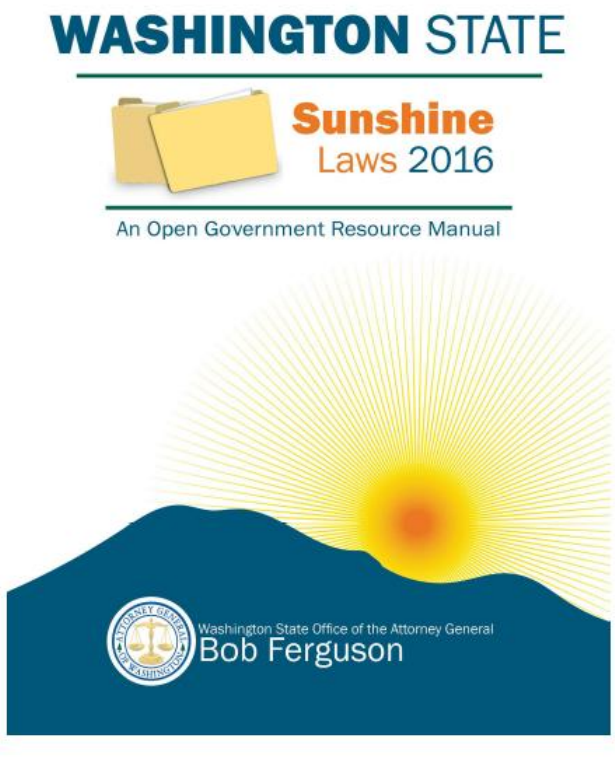
- The Attorney General's Office may issue formal opinions about the OPMA for qualified requesters.

- The Attorney General's Office has helpful materials about the OPMA and on other open government topics and resources, on its website at http://www.atg.wa.gov/Open-Government.
  - One example is the *Open Government Resource Manual (see next slide).*

~ RCW 42.30.210

AGO Open Government Resource Manual – Available on AGO Website*

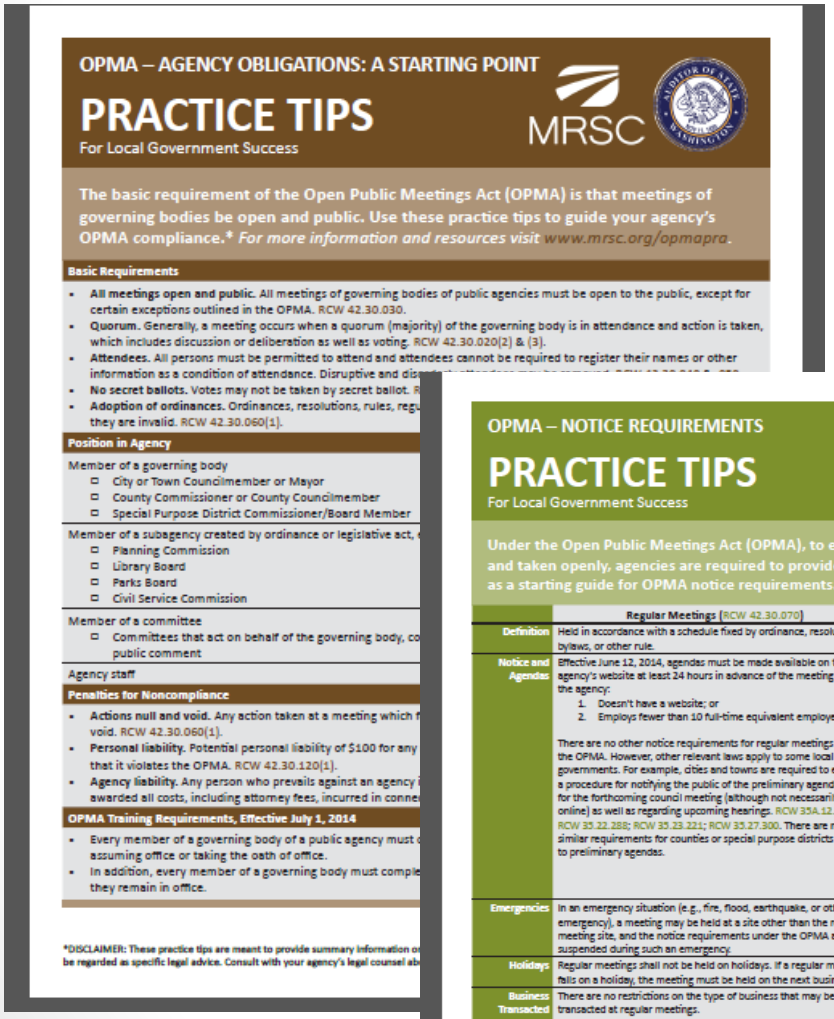
Updated October 31, 2016**



* http://www.atg.wa.gov/open-government-resource-manual

**Does not yet include statutory changes resulting from 2017 sessions.

Municipal Research & Services Center – Another Resource



OPMA – AGENCY OBLIGATIONS: A STARTING POINT

PRACTICE TIPS

For Local Government Success

MRSC

The basic requirement of the Open Public Meetings Act (OPMA) is that meetings of governing bodies be open and public. Use these practice tips to guide your agency's OPMA compliance.* *For more information and resources visit www.mrsc.org/opmapra.*

Basic Requirements

- **All meetings open and public.** All meetings of governing bodies of public agencies must be open to the public, except for certain exceptions outlined in the OPMA. RCW 42.30.030.
- **Quorum.** Generally, a meeting occurs when a quorum (majority) of the governing body is in attendance and action is taken, which includes discussion or deliberation as well as voting. RCW 42.30.020(2) & (3).
- **Attendees.** All persons must be permitted to attend and attendees cannot be required to register their names or other information as a condition of attendance. Disruptive and dis
- **No secret ballots.** Votes may not be taken by secret ballot.
- **Adoption of ordinances.** Ordinances, resolutions, rules, regu they are invalid. RCW 42.30.060(1).

Position in Agency

Member of a governing body
- ☐ City or Town Councilmember or Mayor
- ☐ County Commissioner or County Councilmember
- ☐ Special Purpose District Commissioner/Board Member

Member of a subagency created by ordinance or legislative act,
- ☐ Planning Commission
- ☐ Library Board
- ☐ Parks Board
- ☐ Civil Service Commission

Member of a committee
- ☐ Committees that act on behalf of the governing body, co public comment

Agency staff

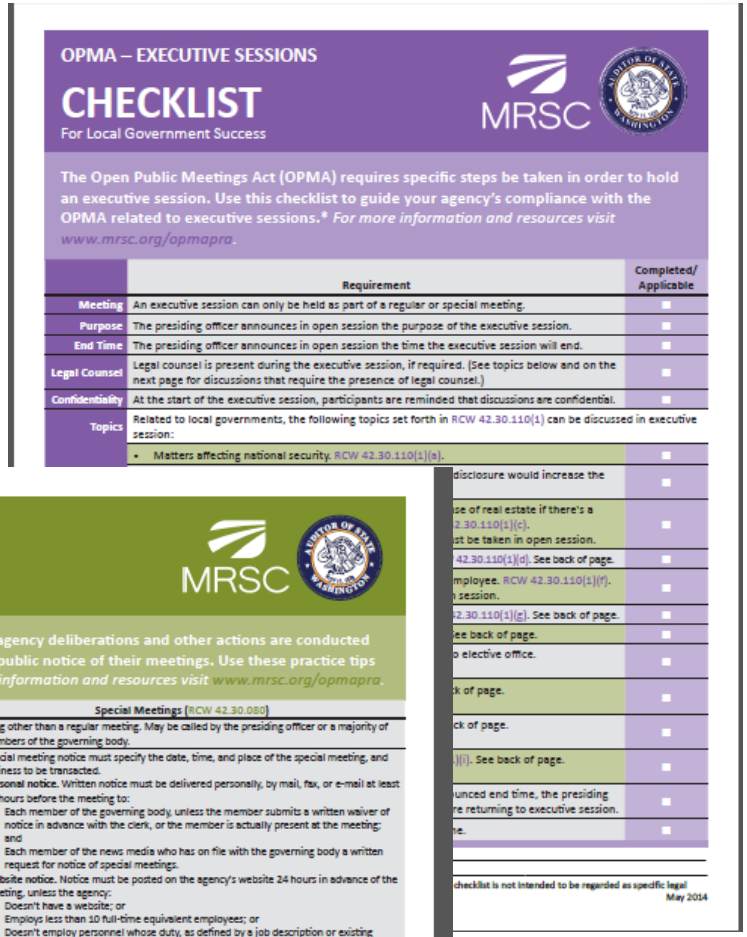
Penalties for Noncompliance

- **Actions null and void.** Any action taken at a meeting which f void. RCW 42.30.060(1).
- **Personal liability.** Potential personal liability of $100 for any that it violates the OPMA. RCW 42.30.120(1).
- **Agency liability.** Any person who prevails against an agency awarded all costs, including attorney fees, incurred in conne

OPMA Training Requirements, Effective July 1, 2014

- Every member of a governing body of a public agency must assuming office or taking the oath of office.
- In addition, every member of a governing body must comple they remain in office.

*DISCLAIMER: These practice tips are meant to provide summary information o be regarded as specific legal advice. Consult with your agency's legal counsel ab



OPMA – EXECUTIVE SESSIONS

CHECKLIST

For Local Government Success

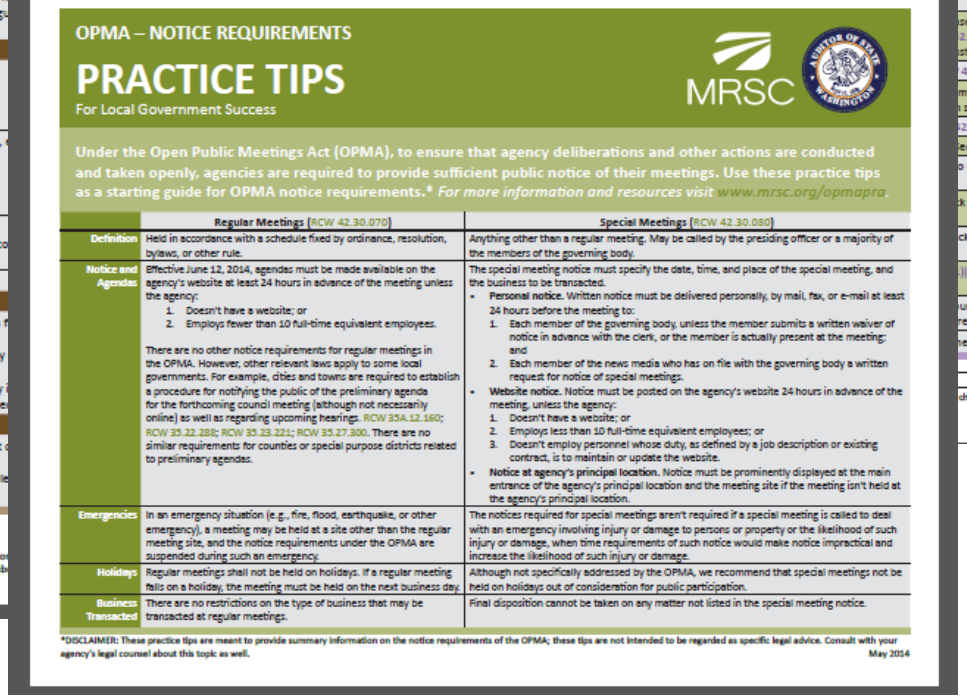
MRSC

The Open Public Meetings Act (OPMA) requires specific steps be taken in order to hold an executive session. Use this checklist to guide your agency's compliance with the OPMA related to executive sessions.* *For more information and resources visit www.mrsc.org/opmapra.*

	Requirement	Completed/ Applicable
Meeting	An executive session can only be held as part of a regular or special meeting.	☐
Purpose	The presiding officer announces in open session the purpose of the executive session.	☐
End Time	The presiding officer announces in open session the time the executive session will end.	☐
Legal Counsel	Legal counsel is present during the executive session, if required. (See topics below and on the next page for discussions that require the presence of legal counsel.)	☐
Confidentiality	At the start of the executive session, participants are reminded that discussions are confidential.	☐
Topics	Related to local governments, the following topics set forth in RCW 42.30.110(1) can be discussed in executive session:	
	• Matters affecting national security. RCW 42.30.110(1)(a).	☐
	disclosure would increase the	☐
	se of real estate if there's a 2.30.110(1)(c). st be taken in open session.	☐
	42.30.110(1)(d). See back of page.	☐
	mployee. RCW 42.30.110(1)(f). session.	☐
	2.30.110(1)(g). See back of page.	☐
	ee back of page.	☐
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	ck of page.	☐
	)(i). See back of page.	☐
	unced end time, the presiding re returning to executive session.	☐
	he.	☐

checklist is not intended to be regarded as specific legal

May 2014



OPMA – NOTICE REQUIREMENTS

PRACTICE TIPS

For Local Government Success

MRSC

Under the Open Public Meetings Act (OPMA), to ensure that agency deliberations and other actions are conducted and taken openly, agencies are required to provide sufficient public notice of their meetings. Use these practice tips as a starting guide for OPMA notice requirements.* *For more information and resources visit www.mrsc.org/opmapra.*

	Regular Meetings (RCW 42.30.070)	Special Meetings (RCW 42.30.080)
Definition	Held in accordance with a schedule fixed by ordinance, resolution, bylaws, or other rule.	Anything other than a regular meeting. May be called by the presiding officer or a majority of the members of the governing body.
Notice and Agendas	Effective June 12, 2014, agendas must be made available on the agency's website at least 24 hours in advance of the meeting unless the agency: 1. Doesn't have a website; or 2. Employs fewer than 10 full-time equivalent employees. There are no other notice requirements for regular meetings in the OPMA. However, other relevant laws apply to some local governments. For example, cities and towns are required to establish a procedure for notifying the public of the preliminary agenda for the forthcoming council meeting (although not necessarily online) as well as regarding upcoming hearings. RCW 35A.12.160; RCW 35.22.288; RCW 35.23.221; RCW 35.27.300. There are no similar requirements for counties or special purpose districts related to preliminary agendas.	The special meeting notice must specify the date, time, and place of the special meeting, and the business to be transacted. • **Personal notice.** Written notice must be delivered personally, by mail, fax, or e-mail at least 24 hours before the meeting to: 1. Each member of the governing body, unless the member submits a written waiver of notice in advance with the clerk, or the member is actually present at the meeting; and 2. Each member of the news media who has on file with the governing body a written request for notice of special meetings. • **Website notice.** Notice must be posted on the agency's website 24 hours in advance of the meeting, unless the agency: 1. Doesn't have a website; or 2. Employs less than 10 full-time equivalent employees; or 3. Doesn't employ personnel whose duty, as defined by a job description or existing contract, is to maintain or update the website. • **Notice at agency's principal location.** Notice must be prominently displayed at the main entrance of the agency's principal location and the meeting site if the meeting isn't held at the agency's principal location.
Emergencies	In an emergency situation (e.g., fire, flood, earthquake, or other emergency), a meeting may be held at a site other than the regular meeting site, and the notice requirements under the OPMA are suspended during such an emergency.	The notices required for special meetings aren't required if a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.
Holidays	Regular meetings shall not be held on holidays. If a regular meeting falls on a holiday, the meeting must be held on the next business day.	Although not specifically addressed by the OPMA, we recommend that special meetings not be held on holidays out of consideration for public participation.
Business Transacted	There are no restrictions on the type of business that may be transacted at regular meetings.	Final disposition cannot be taken on any matter not listed in the special meeting notice.

*DISCLAIMER: These practice tips are meant to provide summary information on the notice requirements of the OPMA; these tips are not intended to be regarded as specific legal advice. Consult with your agency's legal counsel about this topic as well.

May 2014


THANK YOU

Context

- $16B deficit going into the 2025-27 biennium
- $400M reduction in higher education, $8M budget reduction to WWU
- $4B projected deficit over the four-year outlook heading into the 2026 session
- Governor Ferguson budget proposal had a 1.5% across the board reduction, ~$2M

Western Washington University is the lowest-funded public higher education institution on a per student basis.

State funding per actual state-funded FTE

	FY 2014	FY 2024
TESC	5,266	20,407
WSU	7,130	14,260
EWU	3,935	13,789
UW	6,187	12,305
SBCTC	4,437	11,411
CWU	4,357	11,332
WWU	**3,912**	**9,856**



- Difference in funding between WWU & CWU: $1,476 per student (**$20.3M/biennium**).
- Difference in funding between WWU & Community & Technical Colleges: $1,206 per student (**$20.1M/biennium**).

Source: Legislative Evaluation and Accountability Program (LEAP) Committee's "Higher Education Historical Data Report," Updated 2025 December.

Undergraduate Enrollment

	AY 2014	AY 2024
UW	39,529	43,629
WSU	24,912	23,268
WWU	**15,045**	**14,633**
CWU	11,651	8,955
EWU	11,286	7,142
TESC	4,629	2,276

Retention

	AY 2023
UW	93%
WSU	79%
WWU	**79%**
CWU	67%
EWU	64%
TESC	64%

Graduation

6-year graduation rate* (2017-2023)	
UW	76%
WWU	**65%**
WSU	57%
CWU	48%
EWU	44%
TESC	44%

Source: Education Research & Data Center Public Four-Year Dashboard.

**Students enrolling directly from high school*

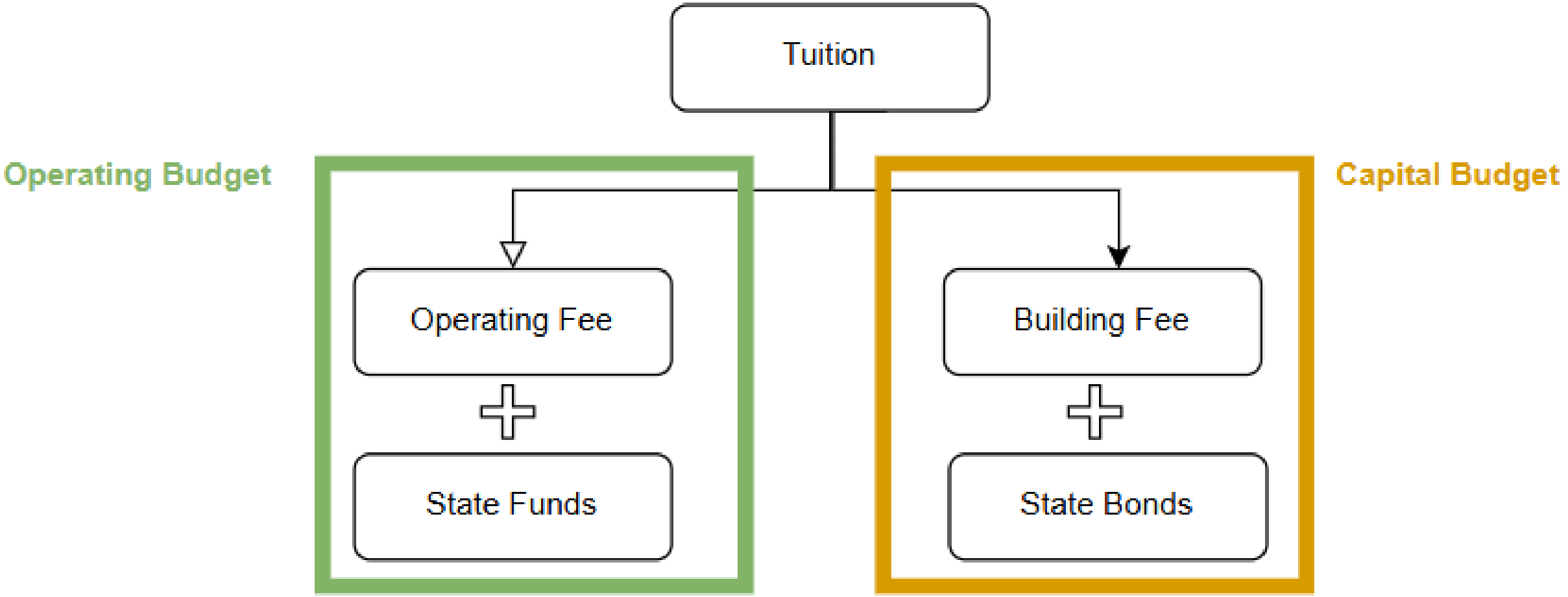
WWU

2026 Legislative Session

- Short session, 60 days
- 3,400 bills introduced in this biennium, very few higher education policy bills passed
- Heavy focus on policy related to federal action
- Millionaires Tax

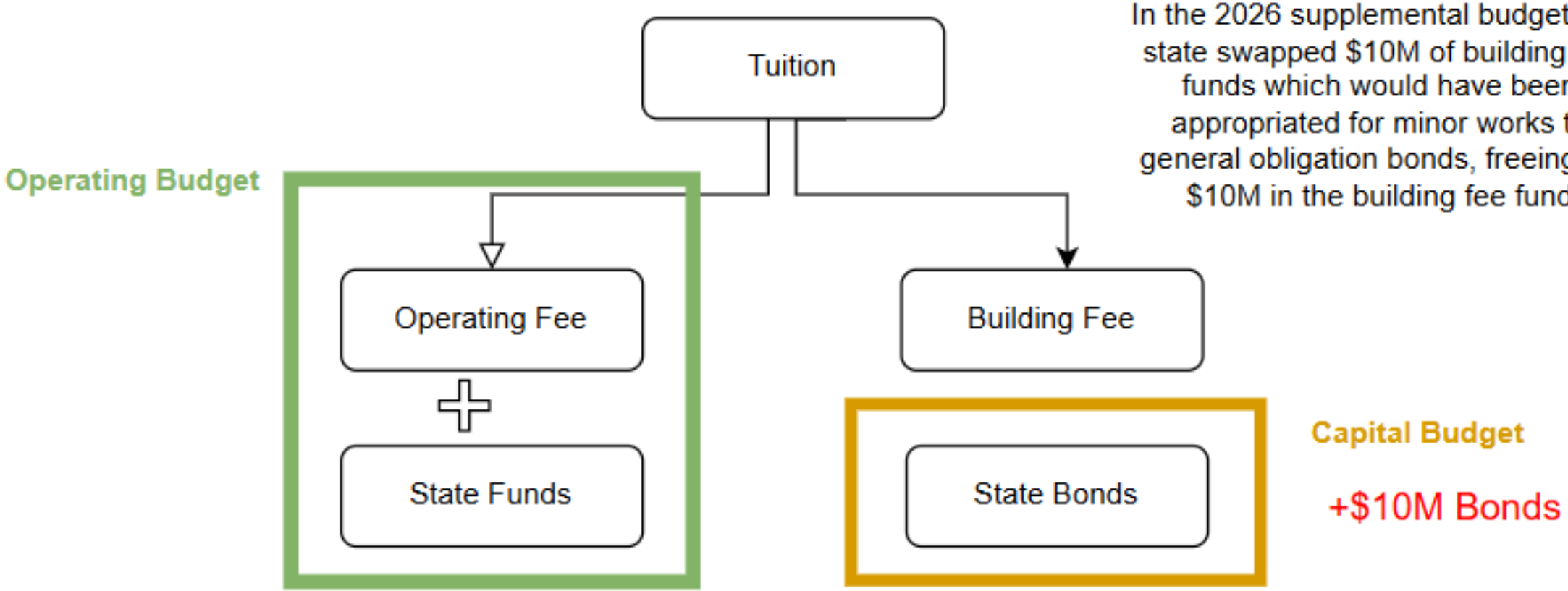
<u>Budget proposals</u>

- House and Senate each utilized a one-time bond swap between capital and operating budgets to keep higher education institutions (mostly) whole



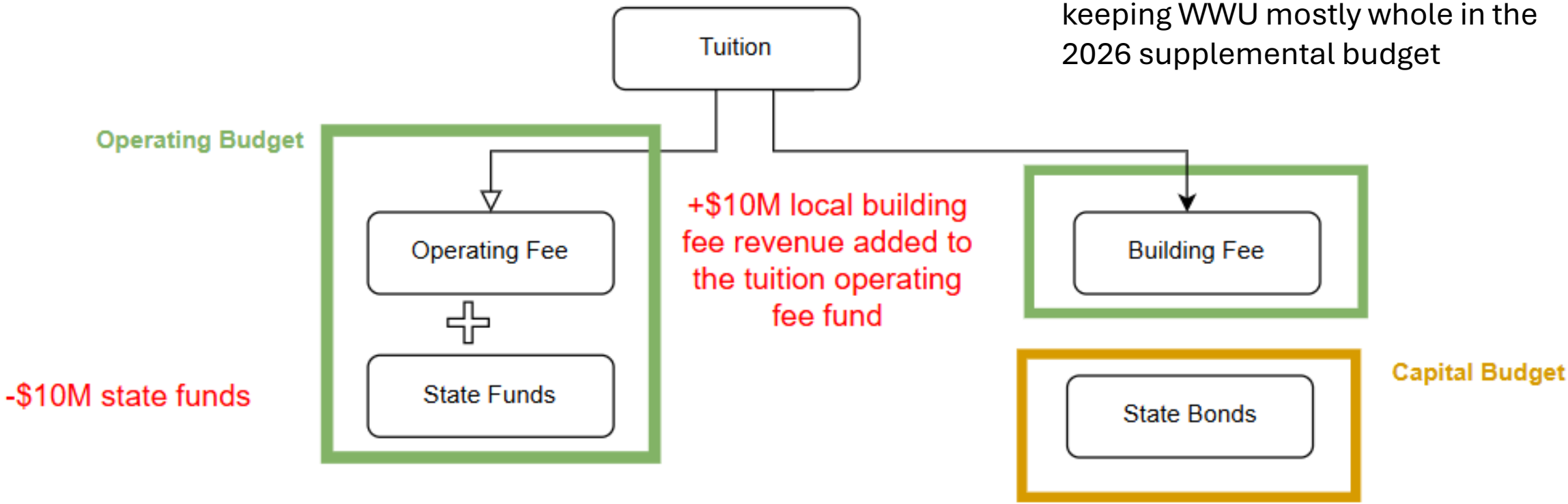
Typically, the WWU operating budget consists of tuition dollars and state funds.

Typically, the WWU capital budget consists of the tuition building fee (local funds) and state general obligation bonds.



In the 2026 supplemental budget, the state swapped $10M of building fee funds which would have been appropriated for minor works to general obligation bonds, freeing up $10M in the building fee fund

The building fee dollars were moved to the operating fee account, replacing $10M in state funding, keeping WWU mostly whole in the 2026 supplemental budget



Results

Policy

- SB 5963 – Passport to Careers
- HB 1570 – Operational Student Employee Bargaining

Operating Budget

- $175K Administrative Reduction
  - Low water mark: Governor's budget proposed $2M cut
  - High water mark: $135K reduction proposed in Senate budget

Capital Budget

+$2.15M in Minor Works Preservation

+$500,000 for Preventative Facility Maintenance

Advocacy is important!

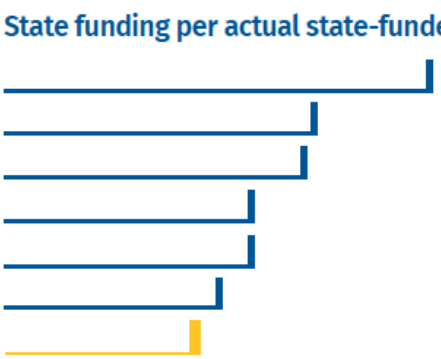
- Interim meetings
- Western Advocates
- PSO Impact Statements ♥

- Faculty, students, labor – our collective voices can make a difference!

Western Washington University – Per Student Funding Memo

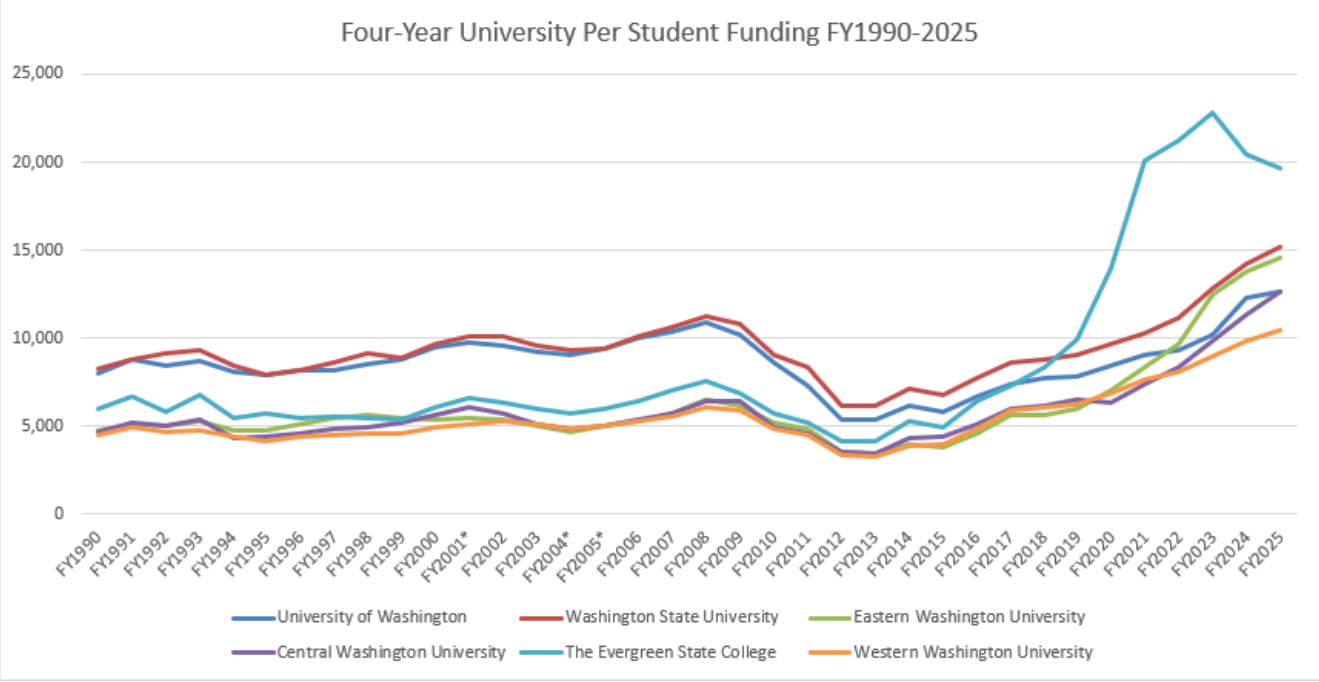
Problem statement: Western Washington University (WWU) receives the lowest funding on a per student basis among all public universities and the community and technical college system. LEAP data shows a concerning trend, WWU had the lowest funding on a per student basis for 26 of the last 36 fiscal years. This historical disparity has worsened in recent years due to unequal enrollment trends and outsized budget cuts to WWU.

	FY 2025
TESC	$19,643
WSU	$15,156
EWU	$14,706
CWU	$12,630
UW	$12,628
SBCTC	$11,316
WWU	**$10,419**



$26.8M to bring WWU to parity on a per student basis with the second lowest funded university.

Background: Western Washington University serves nearly 15,000 students, about 85% of which are Washington residents. WWU experienced the fastest enrollment rebound since COVID among universities that experienced enrollment dips. WWU also has some of the best retention and graduation rates among public institutions of higher education, second only to the University of Washington. WWU also graduates more STEM and high-demand degrees into the workforce each year than other regional comprehensive universities in Washington. Despite producing the results Washington needs in higher education, WWU remains as the lowest funded university on a per student basis.



Western Washington University – Per Student Funding Memo

Higher education is funded in a base plus, or incremental approach. The legislature takes the previous biennium budget for WWU, adds 51% of the necessary funding for compensation increases, (sometimes includes new funding for programmatic enhancements), and rolls the budget forward.

Incremental budgeting has allowed this per student funding disparity to persist for decades. To increase awareness around the per student funding disparity, this issue has headlined Western's legislative agenda a few times, including just after the Great Recession and again in the 2025-27 biennium.

Despite flagging the per student funding issue for the Governor's office and the legislature, the disparity worsened in the 2025-27 biennium. The percentage of state support for compensation increases at Western dropped from 70% to 51%, the largest drop, by percentage, among public universities.

For many years, the regional comprehensive universities were funded similarly on a per student basis. For example, in FY2005, the difference between lowest funded school (WWU) and second lowest (EWU) was $13 per student. Adjusting WWU to the EWU funding rate would have taken an investment of $152,269.

When the issue was brought to the legislature via a decision package for 2025, the disparity between the lowest funded school (WWU) and the next lowest funded (CWU) was $XXX per student, needing an investment of $21,400,000 to bring WWU to parity. However, in FY25, the difference between the lowest funded school (WWU) and the second lowest funded university (UW) grew to $2,209 per student. The investment needed to bring WWU on par with the second lowest funded university is now **$26,762,035.**

As enrollment stays strong at WWU, even uniform budget reductions across universities will worsen the per student funding disparity for Western. Corrective action is needed.

<u>Solutions:</u>

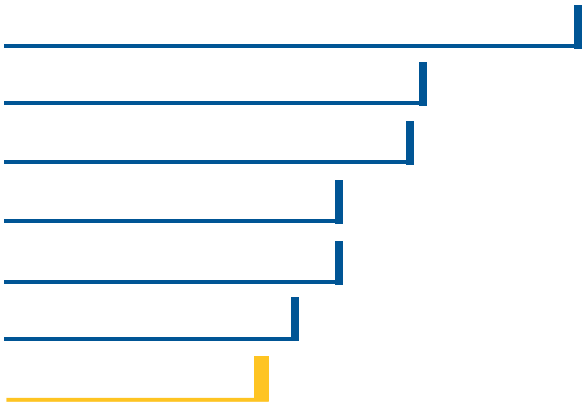
- Adjust WWU base funding to bring parity among WWU and other regionals.
- Consider differential cuts to higher education institutions to avoid worsening this disparity.
- Implement a higher education funding formula which considers outcomes and could help correct historical disparities such as per student funding.



WESTERN WASHINGTON UNIVERSITY

	FY 2025
TESC	$19,643
WSU	$15,156
EWU	$14,706
CWU	$12,630
UW	$12,628
SBCTC	$11,316
WWU	**$10,419**

State funding per actual state-funded FTE



OUR FUNDING DISPARITY INCREASES

WWU

The disparity is getting worse when comparing WWU with the next lowest funded state university...

FY23

Difference per student **$898**

Annual investment needed to close the gap: **$10.7M**

FY24

Difference per student **$1,476**

Annual investment needed to close the gap: **$17.6M**

FY25

Difference per student **$2,209**

Annual investment needed to close the gap: **$26.7M**

Issue: For the last 30 years Western Washington University has been the lowest funded regional university in Washington State. With a tighter budget, the university has had to make cuts that over time has significantly impacted on-campus student resources. The legislature is not the only entity that's abandoning higher education funding. The Washington State Roundtable's task force charged with developing a funding formula for higher education halted discussions in Summer of 2026. If the Legislature continues to cut higher education the way it has, completing an education could become near impossible.

WWU is not the only school to suffer from the cuts made by the legislature. In the 2025 biennium there was an across the board cut of $400 million, about 7%. My ask for the other D/COLA's here is to compile our resources to have a combined understanding of what our universities have had to cut. What classes are no longer offered? What student resources have been cut? What faculty positions are no longer being filled or eliminated completely due to a lack of funding?

Solution: Our public universities are already struggling to tread water and keep their student resources available. As more is cut the higher the financial burden will be for students, less students will even be interested in enrolling, graduation rates will decrease, and higher education will become inaccessible. My solution is for WSA to show a united front to implore the legislature to stop cutting higher education.