



Legislative Action Fund (LAF) Restructure

Proposed Motion: Approve the Legislative Action Fund Fee Restructure Referendum proposed language.

Sponsor: Kaylee Galloway, VP for Governmental Affairs

Persons of Contact: Kaylee Galloway

Date: February 19, 2014

Background and Context:

History:

Starting in 2002, Western Washington University had an opt-in fee system to fund membership with the Washington Student Association (WSA), formerly referred to as the Washington Student Lobby (WSL), where all monies donated through this fund were obligated to go directly to the WSA. During the 2009 AS elections, Western students voted in favor of the following language: “Shall the students of Western Washington University propose that the ‘Administration shift the recipient of the Washington Student Lobby (WSL) donation monies from the WSL to a Legislative Action Fund maintained by the Associated Students for the purpose of more directly representing Western students?’”

Total 1635 responses

- Yes: 87.0% (1423 Votes)
- No: 12.97% (212 Votes)

The Legislative Action Fund was brought to the June 12, 2009 Board of Trustees meeting. The motion was: “Moved, that the Board of Trustees of Western Washington University, upon request of the Associated Students Board of Directors, authorize the establishment of a student donation process to the Legislative Action Fund via the fee system. The purpose of this fund is to more directly represent WWU students in legislative manners through the decisions of the ASWWU. The establishment of this fund system will replace the current Washington Student Lobby (WSL) donation access to the fee system.” Motion passed unanimously.

Please review the AS Board meeting minutes from January 24, 2014 for conversation earlier this year on the Legislative Action Fund (LAF) restructure.

Legality:

RCW 28B.15.610 states: “The provisions of this chapter shall not apply to or affect any student fee or charge which the students voluntarily maintain upon themselves for student purposes only. Students are authorized to create or increase voluntary student fees for each academic year when passed by a majority vote of the student government or its equivalent, or referendum presented to the student body or such other process that has been adopted under this section. Notwithstanding RCW 42.17A.635 (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.”

Board of Trustees Student Fees Policy states:

The Mechanism for Allowing Access to Fee Collection System is Explained

Section 5. The mechanism for allowing access to the fee collection system shall be a one-half sheet flyer received at registration which will list and describe groups students may voluntarily contribute to. Students may indicate willingness to contribute to off campus groups by the positive check-off system. Students shall be informed that allowing access to the fee collection system does not imply endorsement by the university.

Washington Student Lobby is Exempt from Provisions of Section 5

Section 9. In recognition of its present, longstanding contractual arrangement, the Washington Student Lobby may continue its present method of collecting fees and is exempt only from the provisions of Section 5 with respect to the requirement that the fee collection mechanism be based upon positive, voluntary expressions of student willingness to contribute.

Summary of Proposal:

Referendum Question:

Shall the students of Western Washington University, using the power granted to them by state law, change the Legislative Action Fund to an opt-out fee structure in order to increase student representation and advocacy efforts at the campus, local, state, and federal level?

Referendum Statement:

What is opt-out? Every quarter, students will contribute \$1 to enhancing student representation with the option to have that amount refunded. Student fees benefit students in many ways. The Legislative Action Fund is dedicated to increasing on and off campus student representation at all levels of government. Opting out will be made available in Web4U and will be an easy process.

What are the benefits of opt-out? Changing the Legislative Action Fund would increase and stabilize the total annual funds dedicated to increasing student representation. We see that there is a direct, positive correlation between increased student advocacy and success in student led issues such as freezing tuition, securing funding for higher education, and increasing access to financial aid. Contributing to the Legislative Action Fund is an affordable investment that could ultimately save students thousands of dollars and enhance their overall academic experience.

Fiscal History, Options, Context, and Investment Opportunities:

Fiscal History: In the last four fiscal years, students have contributed anywhere between \$14,678 and \$22,698 to the Legislative Action Fund (this translates to an average of 15%-20% of students choosing to donate). Tracking the trends show that revenue is unpredictable. This makes preparing precise budgets a challenge when there is a large difference between the high and low donation amounts and only an estimated contribution can be used in the calculations. Furthermore, it is difficult to draft a budget that maximizes effectiveness and opportunities when revenue is inconsistent.

Fiscal Opt-Out Options: Exact revenue cannot be calculated at this time because several assumptions are made in the estimates below. If implemented, revenue can be tracked and predicted over time.

1. Option 1: Set the opt-out fee at \$2 per quarter. With 14,950 students attending Western for an average of three quarters a year plus around 3,000 attending summer quarter, annual revenue would be around \$96,000.

2. Option 2: Set the opt-out fee at \$1 per quarter. With 14,950 students attending Western for an average of three quarters a year plus around 3,000 attending summer quarter, annual revenue would be around \$48,000.

Although an opt-out fee structure has not been institutionalized at Western, I have identified a potential process for students to opt-out using their Web4U that would be quick and easy. I have been in contact with the Student Business Office Manager and there is a feasible, existing (but still developing) outlet. Currently, there is a “WWU Opt-in Preferences” in Web4U that allows students to voluntarily receive Western Today and registration waitlist text messages. The SBO Manager said there was some effort from folks in trying to consolidate all opt-in options including opting in to electronic tax forms. The Manager said that it will be possible to add opt-out options to that page, or one similar to it, that would be as easy as students checking a box saying they do not want to contribute. By having the option to opt-out, the Legislative Action Fund maintains its voluntary nature. Furthermore, there is precedent at Central Washington University for having an opt-out fee structure, where students contribute \$1 per quarter.

Alternative Fiscal Options: If the referendum does not pass, an alternative would be to increase the mandatory Student and Activities (S&A) fee to cover an increase in investment for student representation. These funds would be allocated to the VP for Governmental Affairs and/or the Representation and Engagement Programs operational budgets. Increasing this fee would need to go through the normal processes, and ultimately receiving a fee increase and dedicating that to student representation is not guaranteed. The downside to combining the funds necessary to expand student representation with the S&A fee is that funds would be allocated to student representation at an opportunity cost and would ultimately take away from other efforts. This is because of the zero-sum nature of the S&A fee. This alternative is also problematic because it doesn't give students the option to opt-out or get a refund on the portion being dedicated to legislative advocacy and increasing student representation.

The Problem: There is a lack of adequate funding to expand and enhance the events and activities aimed at increasing student representation under the AS VP for Governmental Affairs branch including the Representation and Engagement Programs office and Western Votes. Over time, we have seen increased involvement in student advocacy, which directly strengthens students' electoral power and legislative successes. However, in order to continue to expand and enhance our student representation efforts, we must invest additional funds. The question is, where should these funds come from?

Short-Term Solution: The aforementioned problem has been prevalent this year, and I anticipate it to be an issue in years to come given WWU's trend of increased student involvement and civic engagement. The alternative approach, increasing S&A fees, is a short term solution in that it only guarantees a fix to the lack of funding for one year at a time because S&A fee allocations are considered annually. This means that securing funds will be a year to year battle and will never be guaranteed. Furthermore, there are benefits to keeping the accounts separate such that the LAF has the potential to be more visible to and usable by students-at-large than the operational budget would be. Additionally, there are benefits to keeping this account separate for WSA membership dues.

Long-Term Solution: Changing the fee structure of the Legislative Action Fund is a long term solution to the aforementioned problem. Opt-out will secure predictable and increased revenue into the account for several years to come, which will help fund the expansion of all future student lobbying and organizing advocacy efforts.

Potential Investment Opportunities with Fiscal Estimates: These ideas are in no way binding, just suggestions of ways in which the increased funding could be used.

- Increased federal influence:
 - o Direct membership with USSA (\$.50 per student ≈ \$7,500): benefits include, but are not limited to, conference discounts, direct say in issue setting, access to USSA staff and trainings, and assistance in all campus organizing efforts,
 - o Sending larger delegations to USSA conferences (LegCon and Congress) (~\$ 1,000 per person): increased involvement in USSA this year has resulted in many additional benefits
 - More WWU students will have the opportunity to run and win caucus and regional spaces to provide them with the opportunity to serve as a USSA Board member. Additional funds will be needed to cover the cost of their travel,
 - o Sending the AS Legislative Liaison to Washington DC for the AS Federal Lobby Trip, which has been done in previous years, and is no longer funded in the operational budget (~\$1,000).
- Personnel opportunities:
 - o Fund 4 quarter AS Civic Engagement Coordinator (~\$7,500)
 - o Provide stipend to Western Votes President (~\$1,500-\$2,500)
 - o Hire temporary staff to help plan Viking Lobby Day (~\$500)
 - o Fund additional Vote Staff (~\$2,000-\$4,000)
- Sustain membership dues increase for WSA (~\$1,500-\$3,000):
 - o In order to expand capacity as an organization and increase effectiveness of statewide student representation and advocacy, WSA will need to raise membership dues. This is likely needing to happen within the next few years. Additional funds are necessary to support that increase.
- Increase funding available to students:
 - o A pilot was established this year that allotted \$2,000 to be made available to an individual student or to student groups on campus that wanted to invest in an event or activity aimed at increasing student representation. This process was modelled after the Activities Council. Funds could be advertised like the Green Energy Fee and could sustain a variety of student led projects,
 - o In order to ensure accountability and effective student representation, funds will be granted through the Legislative Affairs Council, but the content of the representational activities should be passed through the AS Board of Directors,
 - o There will be LAC policies and application processes developed.
- Additional Lobbying Efforts (~\$1,200-\$1,500 per bus):
 - o There are many student groups on campus who would benefit from having access to funding to help increase and improve their lobby efforts. Some existing lobby events include: Environmental lobby day, Human Services lobby day, and Latin@ lobby day.
 - o Groups may also want to invest in smaller, topic specific, lobby trips or trips to testify,
 - o More funding translates to bigger, better, and more frequent lobby trips.
- Additional Educational Opportunities:
 - o Invest in a USSA Grass Roots Organizing Weekend training hosted by Western Votes and made available to all students,
 - o Bring legislators or speakers to campus.
 - o Collaborate with clubs or academic colleges/departments for various events on campus.

These are just some investment opportunities and examples that are aimed at expanding and enhancing student representation. All of these opportunities require additional funding currently not available.

FXXLAF (Operational) vs. FXLACF iOot-Int:

If the FXLACF were to be restructured, I think it would be appropriate to evaluate its relationship with the VP for Governmental Affairs' operational budget. Depending upon the amount of revenue deposited into the FXLACF, there could be substantial fiscal relief from the S&A fee allocations necessary to fund the FXXLAF budget.

Monetary demand:

There has been \$20,550 requested from the AS Board this year: 1) to enhance student representation (AS Local Liaison and OSOCC participation) and 2) sustain AS VP for Governmental Affairs job description responsibilities (Viking Lobby Day and WSA Lobby Day) using funds that were listed and approved for in the FXXLAF operational budget.

- January 31, 2014: \$ 11,500 for AS Local Liaison
 - o Also seen on November 8, 2013 for increased hours and August 14, 2013 for creation)
- January 24, 2014: \$1,500 for WSA Lobby Day Bus
- December 11, 2013: \$5,000 for Viking Lobby Day
- October 11, 2013: \$1,250 for Oregon Students of Color Conference participation
- October 3, 2013: \$1,300 for Viking Lobby Day Publicity

It is clear that there is a monetary demand. This demand could not be accommodated from FXXLAF or FXLACF this year given current allocations and donation rates.

Personnel demand:

As AS VP for Governmental Affairs, I have consistently been working overtime to fulfill my job description responsibilities. For example, January 6th-20th in preparation and execution of the largest AS Viking Lobby Day, I worked over 150 hours (averaging 50 hours per week). This was in addition to receiving assistance and support from over 10 other AS staff/employees/intern that amounts to over 130 personnel hours. Planning and executing Viking Lobby is no small task and requires an abundance of personnel support and resources. Most recently, the week of February 10th, I worked over 60 hours. This workload is neither sustainable nor fair to this position holder. Additional LAF money could help in funding additional personnel support.

Rationale:

Running the LAF restructure as a referendum would provide students with the opportunity to vote on whether they would like to contribute to increasing and stabilizing revenue for the LAF. The sole purpose of the LAF is to increase student representation, which is a core value and objective of the AS. There are a variety of ways students could benefit from increasing predictable revenue, all for a \$2 quarterly investment. Specific ideas have been discussed such as increasing federal presence and influence, stronger lobby efforts, additional student employment opportunities, and implementing more educational events and programs, but this list is not exhaustive.

This is the budget that was prepared and approved by the Legislative Affairs Council at the beginning of the year.

<u>Approved 2013-14 Budget</u>			
Budget #	FX	ASB	For the Year
N1	FXLACF		2013-2014
Budget Name		Budget Authority	
Legislative Action Fund		AS VP Gov't Affairs	

DESCRIPTION
The purpose of the Legislative Action Fund is to more directly represent WWU students in legislative manners through the decisions of the ASWWU. The management of the Legislative Action Fund is facilitated through the Legislative Affairs Council (LAC), chaired by the VP for Governmental Affairs. This budget is funded through student donations. The fund is predominately used for Washington Student Association annual membership dues. All excess dollars can be expended at the discretion of the LAC to further student <u>representation.</u>

Allocated as of 2/10/14	Transaction Type	\$
	Projected Revenue	\$20,000
\$6,571	Projected Fees /Membership Dues	-\$13,500
	Other Required & Annual Expenses	\$0
	Projected Revenue in Excess of Required Expenses for '13-14.	\$6,500

JUSTIFICATION
Average total of donations from past 4 years
Projected WSA membership costs using actual Full Time Equivalencies (FTEs).
No other required expenses to be a part of WSA.
Residual Dollars: Excess or discretionary amount

	Current Balance as of Summer 2013	\$20,877
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Balance at the start of Summer 2013 (New Fiscal Year)

	TOTAL AVAILABLE FOR '13-14	\$27,377
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Residual amounts plus projected excess revenues for year.

	Target Remaining Balance for '14-15	\$7,000
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Target balance to leave for next fiscal year.

	Total Discretionary Amount Available for '13-14	\$20,377
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Amount available this year to spend to reach target balance.
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Already Expended in 2013-14		
	USSA Trip	\$8,000
	WSA Board Retreat	\$763

JUSTIFICATION
Expenses were used to cover the cost of registration fees, transportation, hotel, and food for six students to attend USSA Congress in New Jersey from July 19th-24th, 2013
Expenses were used to cover the cost of registration fees and gas for the WSA Board retreat in Cheney, Washington from August 9th-11th, 2013.

PROPOSED ALLOCATIONS FOR REMAINDER OF '13-14		
\$4,000	USSA Expenses	\$4,000
\$1,500	Additional Lobbying Efforts	\$1,500
\$1,500	Additional WSA Expenses	\$1,500
\$950	Available for Student Use	\$2,000
\$3,000.00	Discretionary Fund	\$3,000
	TOTAL	\$12,000

JUSTIFICATION
To cover the cost of registration fees, transportation, hotel, and food for students to attend USSA events including LegCon, Congress, and Board meetings.
To cover any additional costs for lobby efforts that are not covered by the AS Operational Budget FXXLAF. This can include transportation and food expenses for additional lobby trips.
To cover any costs associated with WSA including travel and hosting a Board of Directors meeting.
Funds can be requested by a student or student group to cover the cost of efforts aimed to increase student representation.
To be used at the discretion of the Legislative Affairs Council.

	Projected Remaining for '14-15	\$6,614
		Goal is \$7,000