

Incidental Fee Committee Meeting #4
Thursday, November 5, 2020 | 8:30 AM
Via Zoom (link in Calendar invite)
Juliana Cameron in Chair

Minutes

1. Call to Order
 - 8:33AM
2. Approval of the agenda
 - Amend to add reading of emails from Dr. Dukes and President Rex Fuller
 - Amend to remove determine subcommittees
3. Roll Call (name, pronouns, position. Which of Snow White's seven dwarfs describe you best (Bashful, Doc, Dopey, Grumpy, Happy, Sleepy or Sneezzy)?
 - IFC Members
 - i. Juliana Cameron
 - ii. Makana Waikiki
 - iii. Nick Denning
 - iv. Quentin Kanta
 - v. Logan Jackson
 - vi. Blanca Jimenez
 - vii. Elvis Solis Santos
 - viii. Kayley Arpaia (excused)
 - ix. Carlos Fonseca (joined meeting at 8:45AM)
 - Advisors
 - i. Gary Dukes
 - ii. Dave McDonald
 - iii. Darin Silbernagel (proxy for Ana Karaman)
 - Area Heads
 - i. Tammy Gardner
 - ii. David Janowiak
 - iii. NJ Johnson
 - iv. Malissa Larson
 - v. Rip Horsey
 - vi. Randi Lydum
 - vii. Patrick Moser
 - viii. Adry Clark

- Other Representatives
 - i. Camarie Moreno, Director of Budget and Planning
 - ii. Dioselin Alvarez, ASWOU Senator
 - iii. Steven Richmond, ASWOU Judicial Administrator
 - iv. Liz Marquez Gutierrez, ASWOU Senate President
 - v. Maria Barrera, ASWOU Vice President
 - vi. Yazmin Hernandez, ASWOU Senator
 - vii. Aaron (did not respond)
 - viii. Sydney Carpenter, News Editor Western Howl
 - ix. Zachary Hammerle, Assistant Director Campus Recreation

- IFC Secretary
 - i. Paula Taylor

Update

4. Elections for Chair

- Update from Chair
 - i. Juliana has decided to step down as chair.
- Nominations
 - i. Nick nominates Makana Waikiki
 - ii. No other nominations
 - iii. Makana accepts nomination
- Elections
 - i. Roll call vote
 - ii. Makana – aye, Nick – aye, Carlos – aye, Blanca – aye, Quentin – aye, Logan – aye, Elvis – aye, Juliana – aye. Passes 8-Aye, 0-Nay, 0- Abstain
 - a. Juliana passes chair to Makana at 8:49AM
 - b. Makana appoints Juliana as co vice chair with Nick

- c. Steven: IFC By-Laws Article 4 section 7 – The elected chair of IFC shall appoint a vice chair from the IFC voting membership and may appoint additional officers as they deem necessary.
- d. Makana: Will look into it and get back to committee.

Old Business

5. Reading of [Dr. Dukes' emails by Juliana](#)

- Quentin: amount of money allocated to campus rec. to maintain student position, why layoffs if you had the money?
 - i. Dr. Dukes: Student needs. No work, no student employees.
- Blanca: Bring back more workers for morning workouts.
 - i. Dr. Dukes: Student labor bring backs could be possible.
 - ii. Rip: Campus rec. did bring FTE increase.
- Makana: IFC gave funding for these areas for FTE, why are contracts being ended and terminated? Student and staff.
 - i. Dr. Dukes: Contracts were determined prior to IFC funding being given. In the process of looking in extending contracts. Working on it.
 - ii. Makana: I appreciate your answers. We want to be mindful with allocations so we don't see something completely different. Students see the need for staffing.
 - iii. Quentin: Students do see the need for services maintained. Could board unilaterally waive those needs?
 - a. Dr. Dukes: We are going to look at usage. Want or need could be a conflict.
 - iv. Quentin: Could approval by the students be overridden by you?
 - a. Dr. Dukes: I do not have that power. No need for staffing.
 - v. Makana: Campus rec.'s presentation had staffing needs and student needs. How are you determining the need?

- a. Dr. Dukes: Student voices, how many students are coming in, survey, expand services but not being utilized, no need to continue.
- vi. Nick: Why this conversation is so important: We would like to be sure that when we allocate money to area it goes to the places where it was intended. We cannot prescribe what they are spending money on. Students' voices give them what they want for the money. How are we determining what students want? Survey, data, open hearing?
- vii. Makana: It is going to be a difficult year. We see the needs, but it is not similar to what you see.
- viii. Quentin: If we allocate money to prioritize student employment will that be overridden again?
 - a. Dr. Dukes: Look at usage. Where we have staff currently, promote staffing levels minimum that we have. Usage and needs always our focal point. University as a whole, we have to make personnel decision. Declining student enrollment. Pandemic not same level of students to campus. Need and usage is how we make decisions.
- ix. Makana: I would like to remind our IFC members that student fee is our money. What we decide is totally not happening. We are protected by Oregon laws to determine student fee. This is our process.
- x. Quentin: My opinion: Student enrollment is not going up by laying off staff. Is Presidential Cabinet laying off more people in areas? Can we hear from them before we allocate money?
- xi. Makana: Will Presidential Cabinet approve what we allocate?
 - a. Dr. Dukes: Decisions are already made in that area.
- xii. Makana: We allocated so much money, so we want to make sure that what we agree on is what happens.

- a. Malissa: Conversations are difficult. IFC has the voice. Professional and ethical responsibility. We got to make difficult decisions. If needs are not there that does not mean we do not value our people? We need to be fiscally responsible. That means I need to make difficult decision.
 - b. Tammy in the chat read by Makana: Yes, Malissa is correct. This is tough university wide.
 - xiii. Quentin: Special IFC money was given to keep positions.
 - xiv. Makana: We get confused about being told this is the need and when we give money, we are told this is no longer the need.
 - xv. Aaron in chat: From a climbing wall longevity-we need professional staff to help train, coordinate, and plan route setting shifts to keep current climbers coming back to the wall. How would we compensate without the professional staff?
 - xvi. Blanca: Could Presidential Cabinet be more transparent with us. We allocate money and then they do something else.
 - xvii. Makana: In past President Fuller has come to our meetings, is it possible for him to come to our meeting and explain Cabinet point of view?
 - a. Dr. Dukes: Sure, you could ask him if he would like to attend. We are not trying to be not transparent. Timing of decisions.
 - b. Rip: Campus Rec has certified staff that helps with climbing wall. We will do our very best to keep doing what we have done. Held to risk management minimum and keep staff, or contract out.
 - c. Quentin: Employment on campus, not contracted out.
6. Reading of President Fuller's emails by Juliana.
- [Email Juliana to Rex Fuller 10-29-2020](#)

- [Email Juliana To Rex Fuller 10-30-2020](#)
- [Email Rex Fuller to ASWOU President 11-03-2020](#)
 - i. Quentin: Do I understand correctly that IFC is getting \$415,000 from online fee from University?
 - a. NJ: Promise that President Fuller made and now going back on up to \$1M. Student process has not had enough time. Yes, Quentin that is correct. IFC makes student fee decision and how much to take from its reserves.
 - ii. Quentin: Is it normal process to present to all these committees?
 - a. Makana: Pattern by President Fuller to not respond to IFC but go to ASWOU president. How do we get across to President Fuller he needs to direct response to IFC chair and not ASWOU president? Not given direct communication. If advisors could communicate to President Fuller to go through IFC chair and not ASWOU president.
 - 1. Dave: I could make this known to President.
 - iii. Nick: Juliana was reading an email that was not send to her, it was CC-ed to her from an email to area head. That is disrespectful. We have expressed this to President Fuller numerous times.
 - a. Makana: We really want to work together with Rex on this process.
 - b. NJ: This email from President Fuller was an offer from university, because IFC cannot charge IFC winter fee.
 - iv. Quentin: Why does the President not want us to institute an IFC fee?
 - a. Makana: Multiple members want the answer to this. Do advisors have idea why?

- b. Quentin: Dr. Dukes, do you have inside why no IFC fee?
1. Dr. Dukes: Difficult to implement a new fee midyear when students have already been informed about fees.
 2. Makana: New fee?
 3. Dr. Dukes: Students online do not pay IFC fee.
 4. Quentin: Why not charged in the first place?
 5. Dr. Dukes: Who it is charged to is the question.
 6. Liz: New fee? Online fee also new.
 7. Makana: Decision to go online made by university. Told not allowed to charge IFC fee. Adapt our process like University adapted hers.
 8. Nick: Thank you Liz, Quentin. Student confusion is not about IFC fee but about new online fee. Confusion about no transparency about where the money is going. Serious problems making our committee relying on online fee. No control over amount of money we receive, administration is doing that all on their own and they decide what to charge and where money goes. All of a sudden we are reliant on online tech fee. Cannot criticize it because it will go away. This is happening right now. Control where the money comes from

and control us. Our decision. Stop us from getting our funds. Three (3) huge problems.

9. Dave: Clarification – online tech fee reviewed and recommended by fee approval committee. Separate from IFC. Dollar amount is different what we charged in past. Online and in person have same cost. Decision made independent of IFC fee.
10. Makana: I echo the concern. Why is online tech fee determining our process?
11. Dave: Adding the online fee and actual tuition is total price of course. Face to face is tuition and IFC fee and other fees. Stacks built in are slightly different.
12. Quentin: Clarify that IFC fee and online course fee are not the same. Students have no say in where online fee money goes. How much has been raised from online course fee?
13. Dave: Will get back to you.
14. Blanca in chat: But we didn't decide to take online courses in a way it was the only choice we had.
15. Nick: Are you saying all is even for the student? But in reality, part of where the money goes is decided by students. So fees are not the same. Now we have no control. Not fair to students.

16. Makana: This fee is different from all other fees. We want students to come to Western. IFC fee, we decide where it is going.

17. Liz: Reiterating this is student process, established by recognized student government, ASWOU, and protected by Oregon statutes. Administration threatens to pull funding, you have the ability to make a decision on how to charge fee.

18. Juliana: IFC not have the ability to define what a fee-paying student is. If we could charge IFC fee we would not have a difference.

19. Quentin: Remind everyone: OR state statutes do protect our ability to issue an IFC fee. OR statute 352.105

7. 2020 – 2021 Timeline discussion

- Makana shares and reads [IFC Fall Timeline](#)
 - i. Declare conflict of interest
 - a. Makana: Board for MSU and Abby's house, not paid by IFC.
 - b. Julianna: no conflict
 - c. Nick: No conflict
 - d. Blanca: MSU and
 - e. Carlos: no conflict
 - f. Quentin: WOLF ride
 - g. Elvis: no conflict
 - h. Logan: BSU executive board and a student athlete

- ii. Approval from Board of Trustees: Could veto our final decision for one of 4 reasons.
- iii. Questions?
 - a. Quentin: If we implement an IFC fee that is within the 5% could the board of trustees still reject it?
 - b. Makana: According to the statute “no” unless they can justify one of those 4 reasons.
 - c. Nick: They could say “the amount that we are charging is not beneficial to the student body”.
 - d. Approval process if we think it was wrongfully vetoed.
 - e. Liz: 1 – board determines fee is in violation of applicable local, state, and federal law. 2 – conflicts with a pre-existing contractual financial commitment. 3 – Total fee budget is an increase of more than 5% over level of previous year. 4 – Fee is not advantageous to cultural or physical development of students.
- iv. Nick: questions about raise the fee more than 5% over level of previous year. Because we only collected \$80,000 for fall term could admin deny fee collection?
- v. Juliana: term or previous fiscal year?
- vi. Makana: Look at last year. But this year will become our new base.
- vii. Makana: This entire process is how we get student feedback and determine student needs. Tabling and open hearings. Determine what a fee is today, have to finish all presentations, preliminary decision, publish it, open hearing. This is IFC process. If we want to make the boards’ timeline we will have to pass up on this process.
 - a. Juliana: I value student feedback. Open hearings super helpful. Had I chosen to bypass our process, my main concern is that we have not made a preliminary decision.

- b. Elvis: Add that we as student leaders, we interact with population on campus. We know what the student body want. Why not take our word for it.
- c. Quentin: I echo that we as student leaders have a grasp on what students need more than administrators. Does issue of fee need to be done by the board meeting date?
- d. Makana: Correct we need to pick what we want to do because of the board of trustee meeting. We do our process.
- e. Nick on chat read by Makana: RAs, peer mentors, Abby's house advocates, athletes, club members, senators, food pantry volunteers. These are all things we are.
- f. Nick: Deadline to propose fee, to get it on the docket based on regular routine. Board has bylaws that could call an emergency meeting. Why is our process being relegated to board of trustees' process? What is the purpose?
- g. Dr. Dukes: I have to refer you to Ryan Hageman. I do not have an answer for you.
- h. Makana: Deadline was never given to the chair or directly from board of trustees. We have a lot of rules, that if we were to do this we would be breaking.
- i. Quentin: Clarification: we have legal standing to complete our process, right? Board cannot reject because we do not fit in their timeline?
 - 1. Correct
- j. Blanca: Due to lack of communication, disrespect of board of trustees, I think we should do our process

- the normal way. Waiving our process does not respect the voice of the student.
- k. NJ: Clarify: if you wanted an emergency meeting for board of trustees start emailing board chair Betty Komp. With docket deadline on November 11th, is it possible that IFC could request fee proposal be on docket, or must specific fee be put on the docket?
 - l. Dave: OR public record rules, placeholder would violate the spirit of the rule.
 - m. Makana: IFC also has those public hearing laws. In regards to open hearing. Need to have 2 weeks. We are not able to complete our process and decision by the 18th of November. If we follow our bylaws.
 - n. Juliana: 2 open hearing, with 2 weeks' notice, 2 weeks from today is November 19th. According to our bylaws.
 - o. Quentin: It is not our vault that this is taking so long. IFC should be able to complete process as we see fit.
- viii. Makana: Overall consensus from IFC members on what course of action you would like to take? Board of trustee deadline or follow IFC process?
- a. Nick: Motion move for the following to be our plan of action going forward. Chair and I will send out an email to chair Betty Komp talking about the necessity of emergency meetings specifically in order to keep with the bylaws of the IFC, and while we wait for a response on that we will continue to work through our process the way that is most beneficial to students which means going through public forums, tabling in a way that is COVID friendly and so on.
 - b. Blanca: I second that Motion.

c. Discussion on the motion?

1. NJ: Just so that all information is out there: If you go through this process, there is a chance that board can reject this. Potentially hinder any assistance from the University that the incidental fund would be getting from University for winter term.
2. Makana: To clarify, you are referring to the money that the IFC would receive from the online tech fee?
3. NJ: Correct, there is a potential that this get's revoked if the IFC chooses to engage in this process for winter term.
4. Quentin: If our proposal gets rejected on those grounds, we have legal argument to appeal to HECC.
5. Dr. Dukes: What is reason for collecting fee for winter term?
6. Nick: If our influx of money is coming solely from online fee, we no longer have control over amount of money we are receiving, and how much we are giving to area heads. We are at the whim of how much administration decides to charge for their online course fee. 2. Administration also chooses how much money to give us from online course fee and as it is right now administration can leverage us into making certain decisions by threatening

to revoke the amount of money, they gave us. 3. We can no longer be critical of online tech fee if it becomes president that that fee funds students. How are students going to criticize the only influx of money that they have? This stuff is guaranteed us by law for very specific reasons. We pay so much money to attend this University some of that money should be at the whim of student who are paying it.

7. Dr. Dukes: You got budgets from area heads, do you think those are not accurate? Is there a larger need out there that is not met?
8. Quentin: You asked: what is the purpose of collecting the fee?
9. Dr. Dukes: Specifically for winter term.
10. Quentin: No for 2 terms in a row now, you have said we are not doing it now, and you are trying to set a legal president. As a committee we are saying we are not going to allow the administration and the board to do that. This is our process. The other reason is you continue to lay off people across campus and we can't protect the 46 faculty members that you are about to lay off but we can protect student jobs and pro staff jobs that are funded by the IFC fee. We want to issue a fee so that

students have a reason to go here, you seem surprised at declining enrollment but you are doing everything possible to prevent money from going into these programs. We as a committee want to protect jobs and the services that students want.

11. NJ: To address the why have incidental fee: IFC is subcommittee of ASWOU Senate, and is per ASWOU constitution, which represent students at WOU, constituent members of the ASWOU, meaning students that the ASWOU government represents, are defined as students that are enrolled at WOU and pay the incidental fee. So when IFC during winter term is going through their process of making these decisions on FY22 it is important from a constitutional prospective that our constituency and who IFC is technically allowed to represent, is actually representative of WOU student body and is more than 90 students who take in person course and paying incidental fees.

12. Steven: If spring comes around and we do not have an IFC fee that means that only students taking in person classes can vote for ASWOU election. Many reasons why there is a fee. We depend on this fee.

13. Makana: In our bylaws: to be an elected member of the IFC you have to be a fee-paying student. No longer should we have to grip on to it and making every case that we can, to have the voice that we are protected by law to have.
14. Malissa: Counselors are not paid by IFC.
15. Nick: Abby's House advocates are.
16. Malissa: Correct
17. Quentin: Want to make it clear that we need to be looking at the large picture. Two terms in a row that administrators have told us that we can't charge the fee. We are saying, we are legally protected, and University is not doing a good job right now. As student advocate we want to protect the student jobs.
18. Darin: Really unprecedented times. Following normal check list, we could make February board meeting. You could recommend fee structure for Spring term. Still have to deal with next year. Not sure what we will look like next year. Come up with a path to finish out this year the best we can and have a more normal process next year. Always have been under the deadline of the board timeline. Get the fee-paying student process changed for Spring.

19. Makana: We do have a process. IFC bylaws. This is not the beginning of when administration decided to start infringing on incidental fee. Lack of clarity and transparency coming from administration. We completely understand that there is a financial strain on university. But we also understand that we have the ability to find the money for the areas that we need to fund.

- d. Motion to move for the following to be our plan of action going forward. Chair and I will send out an email to chair Betty Komp talking about the necessity of emergency meetings specifically in order to keep with the bylaws of the IFC, and while we wait for a response on that we will continue to work through our process the way that is most beneficial to students which means going through public forums, tabling in a way that is COVID friendly and so on.
 1. Discussion? None
 2. Vote: Juliana – Aye, Nick – Aye, Quentin – Aye, Logan – Aye, Carlos – Aye, Elvis – Aye, Blanca – Aye, Makana – Aye.
 3. Motion passes 8 Aye-0 Nay-0 Abstain
- e. Dr. Dukes: Follow up with Quentin, it is far from my interest or desire to take students out of the fee process. My question revolved around winter term and going to the board in the spring.
- f. Nick: In response to Dr. Dukes and Darin – When it comes to the idea that these discussions and issues can be postponed to a later date when things are a little more normal, administration and student

perspective is different, hard for IFC members to trust the promises that administration have made to us when a lot have been broken in past few month and days. List promises that have been broken:

1. Rex Fuller: Fund IFC up to \$1M from online tech fee and not our reserves.
 2. NJ and Rex Fuller made a contractual agreement that they would present to the board of trustees this term, in order to ensure that we had the ability to define a fee-paying student for winter and spring term.
 3. Lawyer representing WOU lied to us. We were told that we could not talk about option with our own lawyers.
 4. We were lied too about whether or not the board of trustee has the ability to create an emergency meeting.
 5. Promise was broken where the money that was send to area head would go. It did not go towards keeping people at 1.0 FTE.
 6. How do you expect us to trust that when you say you are going to give the IFC the power that we are legally obliged too? That you mean that.
- g. Makana: Show our advisors and area heads that we care a lot and it is frustrating that when we are trying to make a decision that would benefit you, jobs and your students that we are not being given the information to help us succeed. None of the decision

made post special committee were shared with the IFC. Now students do not trust us anymore

- h. Liz: Speak as a student. Hearing frustration, advisor questions the IFC process and the student government process. I appreciate advise not questioning. Given relevant information in timely manner.
- i. Quentin: Speaking for myself, we feel talked down too by advisors. Don't understand where online fees go, and we are upset, and it seems advisors seem indifferent.
 - 1. Darin: Trying to move us forward and try to provide numbers. And will get them to you as quickly as I can.
 - 2. Makana: Darin was prompt with sending us the memo from the budgeting office. Thank you for that.
 - 3. Quentin: Next week I would like to see how much was raised from the online course fee and where it goes.
- ix. Makana: How would we like to proceed in coming weeks. Dr. Dukes: Do you think Rex Fuller will join us? Do I have your support in requesting that communication is directed at IFC?
 - a. Dr. Dukes: I can make that request but advise you to make the same request.
 - b. Student Government is responsible to collecting the incidental fee.
 - c. Makana: We can't allocate anything without the information. How are we to know timeline if President

- Fuller is not communicating with us. How to go about getting this resolved?
- d. Dr. Dukes: Communication, coming to the meeting, respond to us.
 - e. Makana: All of those
 - f. Dr. Dukes: Reach out to him. He is open to coming into meetings.
 - g. Liz: Clarify for advisors. Communications and president, and board of trustee and IFC, would send it to ASWOU senate and then to board of trustees.
 - h. Dr. Dukes: It is a bylaw driven process.
 - i. NJ: I believe on several occasions, I have received communication from Rex Fuller. He would un-cc them. He would email me questions that Juliana and Makana asked.
 - j. Makana: NJ do you support, as ASWOU president, direct communication with IFC chair?
 - k. NJ: 1000% in agreement with that. Student government delegates these responsibilities to IFC.
 - l. Steven: Student government delegates this duty to IFC. They need all information that is presented to NJ.
 - m. Makana: During summer would not recognize me as IFSC chair.
 - n. Rip: As former president of staff senate, WOU recognized 3 entities, ASWOU President, Staff Senate President, and Faculty Senate President. Understand there is a flow process. None of our chairs spoke directly to president.
 - x. Juliana: Motion to move to table this discussion. I amend my motion to table this discussion and the rest of the agenda to next meeting.

- a. Nick second that motion.
- b. Makana: Amended motion on the floor to table discussion and the rest of agenda.
- c. Discussion? None
 1. Vote: Juliana – Aye, Blanca – Aye, Nick – Aye, Quentin – Aye, Elvis – Aye, Carlos – Aye, Makana – Aye.
 2. Motion passes 7 Aye-0 Nay-0 Abstain

8. Adjournment

- Anybody opposed to adjourn?
 - i. None
 - ii. Meeting adjourned at 11:01AM