

# Operating Budget End-Run Policy Development

Approved by WACTC October 2023

## Guiding Principles Adopted by WACTC

1. The policy should be clear and easy to understand; if ambiguities arise, OBC commits to recommend revisions to the policy to assure common understanding.
2. The policy and any attendant processes should be consistent and impartial.
3. The process should balance the need for equity with the system need for equality.
4. In any case where an end-run is suspected, all parties will assume goodwill on the part of those involved and will work to resolve any questions fairly and openly.
5. There should be fair consideration of all viewpoints.
6. There will be regular/scheduled review of the policy and process.
7. The policy should not be construed in a way that will discourage colleges from participating in projects or partnerships that address the needs of their service districts.

## Overview and Definitions

The purpose of this policy is to use a system-wide approach to legislative budget requests in order to consider how to serve all students statewide. For the purposes of this policy, an end-run is defined as an attempt by one or more colleges to actively request operating budget funds from the state legislature outside of the system-approved budget process. It is not the intention of this policy to deny funding to individual colleges or groups of colleges; the purpose is to encourage communication and coordination among the colleges with regard to legislative requests.

## Policy

The Washington State Community and Technical College system tends to benefit from a consolidated approach to our Legislative agenda. Consequently, no college within the Washington community and technical college system should make a direct request to the legislature for operating budget funds without the prior knowledge and consent of the other colleges.

## Administration

1. A question or concern can be raised in several ways: through the chair of OBC, the chair of WACTC, through the WACTC Executive Committee, and/or through the SBCTC Executive Director.
2. The Operating Budget Committee (OBC) should handle end-run issues as they arise. A separate committee is unnecessary.
3. SBCTC staff's role is limited to distributing the routine summaries of budgets from the Governor and Legislature and supporting the work of WACTC committees.

## Process

4. If a president is aware of a Legislative project or initiative that could result in funding being directed to their college, they are welcome and encouraged to initiate a conversation with OBC. OBC will

schedule time for this discussion as a special meeting, if appropriate. As the guiding principles indicate, the discussion will assume the good faith of all involved.

5. If a concern or question arises through other channels (#1 above), whomever is contacted should relay it to the chair of OBC who will initiate a dialogue assuming the good faith of the college. OBC may schedule a special meeting for this discussion if timeliness is important.
6. After this discussion, OBC will decide whether the issue is resolved or if additional information or steps are needed.
7. At the next available opportunity, the OBC Chair will report out to the WACTC Executive Committee. WACTC Executive Committee may decide to brief all presidents at the next business meeting.
8. If concerns remain after the good-faith discussion, OBC will arrange to acquire any additional information it needs.
9. (from Capital policy) The SBCTC Executive Director and WACTC OBC will confer to determine appropriate strategies. Next steps will show regard for the guiding principles and may include, but are not limited to:
  - a) Discussion with legislative fiscal committee chairs, local legislators, or the affected college president;
  - b) Recommendation to support the project or initiative due to its strategic value to the system, or;
  - c) Notification of the affected college president that the project will be evaluated as an end-run by OBC.
10. The WACTC OBC Chair will notify the affected college president of the next steps to be taken.

#### **Potential Penalties or Sanctions for a College Engaged in an End-Run**

11. No penalty
12. Warning
13. All or part of the value of the funds received deducted from the college's model allocation for the duration of the appropriation.
14. Disqualification from discretionary or competitive funds, up to the value of the funds received.

#### **Appeal Process**

15. A college which believes it has been unfairly sanctioned may submit an appeal to the WACTC Executive Committee for consideration. The appeal is a written narrative cosigned by the affected college's president, or chancellor, and chair of the Board of Trustees identifying the reasons why the sanction is not appropriate.
16. The WACTC Executive Committee may request that the president, or chancellor, address the committee in person and answer questions relative to the appeal. The WACTC Executive Committee decision will be made within six weeks of receipt of the narrative or the face-to-face meeting, if applicable. The decision will be advanced to the State Board for action, if necessary.

#### **Review**

This policy and process will be reviewed by OBC at least every five years, or when a serious concern with the interpretation or application of the process is raised by one of the colleges.