

<b>WASBO ASB PROCEDURES MANUAL</b>	<b>REVISED CODE OF WASHINGTON (RCW's)</b>	<b>REVISED 11/06</b>
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RCW 28A.320.030                      Gifts, conveyances, etc., for scholarship and student aid purposes, receipt and administration.

RCW 28A.325.010                      Fees for optional noncredit extracurricular events–Disposition.

RCW 28A.325.020                      Associated student bodies–Powers and responsibilities affecting.

RCW 28A.325.030                      Associated student body program fund–Fund raising activities–Nonassociated student body program fund moneys.

**RCW 28A.320.030 Gifts, conveyances, etc., for scholarship and student aid purposes, receipt and administration.**

The board of directors of any school district may accept, receive and administer for scholarship and student aid purposes such gifts, grants, conveyances, devises and bequests of personal or real property, in trust or otherwise for the use or benefit of the school district or its students; and sell, lease, rent or exchange and invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof, if any, for the foregoing purposes; and enter into contracts and adopt regulations deemed necessary by the board to provide for the receipt and expenditure of the foregoing.

**RCW 28A.325.010 Fees for optional noncredit extracurricular events–Disposition.**

The board of directors of any common school district may establish and collect a fee from students and nonstudents as a condition to their attendance at any optional noncredit extracurricular event of the district which is of a cultural, social, recreational, or athletic nature: PROVIDED, That in so establishing such fee or fees, the district shall adopt regulations for waiving and reducing such fees in the cases of those students whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees and may likewise waive or reduce such fees for nonstudents of the age of sixty-five or over who, by reason of their low income, would have difficulty in paying the entire amount of such fees.

An optional comprehensive fee may be established and collected for any combination or all of such events or, in the alternative, a fee may be established and collected as a condition to attendance at any single event. Fees collected pursuant to this section shall be deposited in the **associated student body** program fund of the school district, and may

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be expended to defray the costs of optional noncredit extracurricular events of such a cultural, social, recreational, or athletic nature, or to otherwise support the activities and programs of **associated student bodies**.

**RCW 28A.325.020 Associated student bodies—Powers and responsibilities affecting.**

As used in this section, an "**associated student body**" means the formal organization of the students of a school formed with the approval of and regulation by the board of directors of the school district in conformity to the rules and regulations promulgated by the superintendent of public instruction: PROVIDED, That the board of directors of a school district may act or delegate the authority to an employee of the district to act as the **associated student body** for any school plant facility within the district containing no grade higher than the sixth grade.

The superintendent of public instruction, after consultation with appropriate school organizations and students, shall promulgate rules and regulations to designate the powers and responsibilities of the boards of directors of the school districts of the state of Washington in developing efficient administration, management, and control of moneys, records, and reports of the **associated student bodies** organized in the public schools of the state.

**RCW 28A.325.030 Associated student body program fund—Fund raising activities—Nonassociated student body program fund moneys.**

There is hereby created a fund on deposit with each county treasurer for each school district of the county having an **associated student body** as defined in RCW 28A.325.020. Such fund shall be known as the **associated student body** program fund. Rules adopted by the superintendent of public instruction under RCW 28A.325.020 shall require separate accounting for each **associated student body's** transactions in the school district's **associated student body** program fund.

All moneys generated through the programs and activities of any **associated student body** shall be deposited in the **associated student body** program fund. Such funds may be invested for the sole benefit of the **associated student body** program fund in items enumerated in RCW 28A.320.320 and the county treasurer may assess a fee as provided therein. Disbursements from such fund shall be under the control and supervision, and with the approval, of the board of directors of the school district, and shall be by warrant as provided in chapter 28A.350 RCW: PROVIDED, That in no case shall such warrants be issued in an amount greater than the funds on deposit with the county treasurer in the **associated student body** program fund.

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To facilitate the payment of obligations, an imprest bank account or accounts may be created and replenished from the **associated student body** program fund.

The **associated student body** program fund shall be budgeted by the **associated student body**, subject to approval by the board of directors of the school district. All disbursements from the **associated student body** program fund or any imprest bank account established thereunder shall have the prior approval of the appropriate governing body representing the **associated student body**.

Notwithstanding the provisions of RCW 43.09.210, it shall not be mandatory that expenditures from the district's general fund in support of **associated student body** programs and activities be reimbursed by payments from the **associated student body** program fund.

Subject to applicable school board policies, student groups may conduct fund raising activities, including but not limited to soliciting donations, in their private capacities for the purpose of generating nonassociated student body fund moneys. The school board policy shall include provisions to ensure appropriate accountability for these funds.

Nonassociated student body program fund moneys generated and received by students for private purposes to use for scholarship, student exchange and/or charitable purposes shall be held in trust in one or more separate accounts within an associated student body program fund and be disbursed for such purposes as the student group conducting the fund raising activity shall determine: **PROVIDED**, That the school district shall either withhold an amount from such moneys as will pay the district for its direct costs in providing the service or otherwise be compensated for its cost for such service.

Nonassociated student body program fund moneys shall not be deemed public moneys under section 7, Article VIII, of the state Constitution. Notice shall be given identifying the intended use of the proceeds. The notice shall also state that the proceeds are nonassociated student body funds to be held in trust by the school district exclusively for the intended purpose. "Charitable purpose" under this section does not include any activity related to assisting a campaign for election of a person to an office or for the promotion or opposition to a ballot proposition.