

Top 10 Rules

which explain

ASB Funding, Finance, Law, Rules and Regulations

1. Public money, generated by the students or in the name of students, may be used only for **Cultural, Athletic, Recreational, or Social**, purposes, which are optional, and non-credit.
2. Money raised during the school day, and/or on school property, and/or using school personnel, and/or school materials is public money.
3. ASB funds are restricted and cannot be used for curricular purposes.
4. Co-curricular is not a legal term. Only curricular and extra- curricular are defined in the law.
5. Public money cannot be given away for private use.
6. Students and staff must collaborate on the generation and use of public money.
7. You must have a system to monitor and protect the use of public money.
8. You must follow the federal, state, school board, and your own rules about ASB.
9. In a corporate sense, the Principal is the CEO and CFO; the school board is the Board of Directors.
10. The State Auditor is only one of many regulatory agencies interested in ASB.



For additional resources,
contact Greg Barker at greg@awsp.org



Top 10 Rules

ASB Law, Rules and Regulations

- 1. Public money, generated by the students or in the name of students, may be used only for Cultural, Athletic, Recreational, or Social, purposes, which are optional, and non-credit**

WAC 392-138-105 Associated student body public moneys—Fees optional noncredit extracurricular events.
.....Such funds may 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 public activities and programs of associated student bodies.
- 2. Money raised during the school day, and/or on school property, and/or using school personnel, and/or school materials is public money.**

WAC 392-138-010 Definitions.
.....(2) "Associated student body program" means any activity which (a) is conducted in whole or part by or in behalf of an associated student body during or outside regular school hours and within or outside school grounds and facilities, and (b) is conducted with the approval, and at the direction or under the supervision, of the school district. (3). (4) "Associated student body public moneys" means fees collected from students and nonstudents as a condition to their attendance at any optional noncredit extracurricular event of the school district which is of a cultural, social, recreational or athletic nature, revenues derived from "associated student body programs" as defined in subsection (2) of this section, and any other moneys received by an associated student body, not specified in subsection (5) of this section and [WAC 392-138-100](#), for the support of an associated student body program.
- 3. ASB funds are restricted public funds and cannot be used for curricular purposes.**

WAC 392-138-105 Associated student body public moneys—Fees optional noncredit extracurricular events.
.....Fees collected pursuant to this section shall be designated as associated student body public moneys and shall be deposited in the associated student body program fund of the school district. Such funds may 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 public activities and programs of associated student bodies.
- 4. Co-curricular is not a legal term. Only curricular and extra- curricular are defined in the law.**
See [RCW 28A.325. ___](#) and [WAC 180- 138- ___](#)
- 5. Public money cannot be given away for private use.**

Washington State Constitution
ARTICLE VIII: STATE, COUNTY, AND MUNICIPAL INDEBTEDNESS
SECTION 7: CREDIT NOT TO BE LOANED. No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.
- 6. Students and staff must collaborate on the generation and use of public money.**

WAC 392-138-005 Purposes.
The purposes of this chapter are to: (1) Implement [RCW 28A.325.020](#), (2) designate the powers and responsibilities of the board of directors of each school district regarding the efficient administration, management, and control of moneys, records, and reports of associated student body funds, (3) encourage the supervised self-government of associated student bodies, and (4) permit fundraising activities by students in their private capacities for the purpose of generating nonassociated student body private moneys.

7. You must have a system to monitor and protect the use of public money.

WAC 392-138-014 Accounting procedures and records.

Associated student body public and nonassociated student body private moneys shall be accounted for as follows:
(1) Accounting methods and procedures shall comply with such rules and regulations and/or guidelines as are developed by the state auditor and the superintendent of public instruction and published in the Accounting Manual for Public Schools in the State of Washington and/or other publications;

8. You must follow the federal, state, school board, and your own rules about ASB.

WAC 392-138-003 Authority.

The authority for this chapter is [RCW 28A.325.020](#) which authorizes the superintendent of public instruction to adopt rules and regulations regarding the administration and control of associated student body moneys.

9. In a corporate sense, the Principal is the CEO and CFO; the school board is the Board of Directors.

WAC 392-138-013 Powers – Authority and policy of board of directors.

(1) The board of directors of each school district shall:

(a) Retain and exercise the general powers, authority, and duties expressed and implied in law with respect to the administration of a school district and regulation of actions and activities of the associated student bodies of the district including, but not limited to RCW 28A.320.010 (Corporate powers), RCW 28A.150.070 (General public school system administration), RCW 28A.320.030 (Gifts, conveyances, etc., for scholarship and student aid purposes, receipts and administration), RCW 28A.600.010 (Government of schools, pupils, and employees), RCW 28A.320.040 (Bylaws of board and school government), RCW 28A.400.030 (2) and (3) (Superintendent's duties), RCW 28A.600.040 (Pupils to comply with rules and regulations), RCW 43.09.200 (Local Government Accounting—Uniform system of accounting), RCW

36.22.090 (Warrants of political subdivisions), and chapter 28A.505 RCW (School district budgets);

..... (iv) The designation of the primary advisor to each associated student body and the authority of the primary advisor to designate advisors to the various student subgroup organizations affiliated with an associated student body;

10. The State Auditor is only one of many regulatory agencies interested in ASB.

Federal

Courts	Freedom of Speech, Assembly
Internal Revenue Service	Compensation for Advisors/coaches
Department of Agriculture	Pop machine, lunch competition
Department of Education	Equity issues

State

Department of Labor & Industries	Employment for coaches/advisors
Department of Revenue	Sales taxes
Department of Ecology	Environmental issues like car washes
Legislature	RCWs, Funding, Spending guidelines
Superintendent of Public Instruction	Gender Equity, ASB Budgeting, WACs
State Board of Education	Student Voice in Policies
WA Interscholastic Activities Association	Sports, Debate, Drama, Band, Spirit
State Gambling Commission	Raffles, Bingo, Carnivals
Secretary of State	Support Groups, Charitable Solicitations

Local Level

County Health Department	Concessions, food sales
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