

**Chapter 28A.325 RCW
ASSOCIATED STUDENT BODIES**

Sections

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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, or participation in, any optional noncredit extracurricular event of the district which is of a cultural, social, recreational, or athletic nature: PROVIDED, That in establishing such fee or fees, the district shall adopt a policy and regulations for waiving fees for students who are eligible to participate in the federal free or reduced-price meals program and for reducing fees for students' family members and other 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 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. [2020 c 13 § 9; 1977 ex.s. c 170 § 1; 1975 1st ex.s. c 284 § 1. Formerly RCW 28A.58.113.]

Findings—Intent—2020 c 13: See note following RCW 28A.320.580.

Severability—1975 1st ex.s. c 284: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of its provisions to other persons or circumstances is not affected." [1975 1st ex.s. c 284 § 4.]

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. [1984 c 98 § 1; 1975 1st ex.s. c 284 § 3; 1973 c 52 § 1. Formerly RCW 28A.58.115.]

Severability—1975 1st ex.s. c 284: See note following RCW 28A.325.010.

RCW 28A.325.030 Associated student body program fund—

Fund-raising activities—Nonassociated student body program fund

moneys. (1) (a) 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.

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

(c) 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.

(2) 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. [2000 c 157 § 2; 1990 c 33 § 340; 1984 c 98 § 2; 1982 c 231 § 1; 1977 ex.s. c 160 § 1; 1975 1st ex.s. c 284 § 2. Formerly RCW 28A.58.120.]

***Reviser's note:** Chapter 28A.350 RCW was repealed in its entirety by 2009 c 337 § 15.

Findings—Intent—2000 c 157: "The legislature finds that current law permits associated student bodies to conduct fund-raising activities, including but not limited to soliciting donations, to raise money for school sports programs and school clubs. However, students also want to conduct fund-raising activities for charitable causes, such as to fund scholarships and student exchange programs, assist families whose homes have been destroyed, to fund community projects, and to rebuild the Statue of Liberty.

The legislature further finds that current law is not clear how student groups may raise funds for charitable purposes, whether proceeds from any fund-raising activities can be used for charitable purposes or only donations may be used for charitable purposes, and whether recipients must be "poor or infirm." This has resulted in considerable confusion on the part of students regarding what type of fund-raising is permissible when funds are raised for charitable purposes by student groups.

It is the intent of the legislature to allow students to broaden the types of fund-raisers that they may conduct for charitable purposes in their private nonassociated student body capacities, and ensure that these funds will be separate from student body funds to avoid constitutional issues pertaining to the gifting of public funds." [2000 c 157 § 1.]

Severability—1982 c 231: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 231 § 2.]

Severability—1975 1st ex.s. c 284: See note following RCW 28A.325.010.

School district funds: RCW 28A.320.330.

RCW 28A.325.040 Condensed compliance reports—Second-class districts. Any compliance reporting requirements as a result of laws in this chapter that apply to second-class districts may be submitted in accordance with RCW 28A.330.250. [2011 c 45 § 25.]

Conflict with federal requirements—2011 c 45: See note following RCW 28A.330.250.

RCW 28A.325.050 Associated student body program fund—

Publication of information on school district website. (1) Each school district that has an associated student body program fund must publish the following information about the fund on its website:

- (a) The fund balance at the beginning of the school year;
- (b) Summary data about expenditures and revenues occurring over the course of the school year; and
- (c) The fund balance at the end of the school year.

(2) Beginning in the 2020-21 school year, each school district that has an associated student body must publish the following information on its website:

(a) Data related to high school student possession of an associated student body card and high school student participation in school-based extracurricular activities collected under RCW 28A.320.540;

(b) The school district's extracurricular activity opportunity gap reduction plan if required under RCW 28A.320.580; and

(c) A list of optional noncredit extracurricular event attendance and participation fees and the school district policy for waiving and reducing these fees as described under RCW 28A.325.010.

(3) The information under this section must be published for each associated student body of the district and each account within the associated student body program fund.

(4) If the school district website contains separate websites for schools in the district, the information under this section must be published on the website of the applicable school of the associated student body.

(5) School districts must add updated annual information to their websites by each August 31st, except that school districts are only required to maintain the information on the website from the previous five years.

(6) For purposes of this section, the definitions in RCW 28A.320.530 apply. [2020 c 13 § 10; 2014 c 211 § 3.]

Findings—Intent—2020 c 13: See note following RCW 28A.320.580.

Intent—2014 c 211: See note following RCW 28A.320.055.