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.
   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.

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.
   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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