

FINAL BILL REPORT

SHB 2332

C 157 L 00

Synopsis as Enacted

Brief Description: Authorizing student groups to conduct charitable fund-raising.

Sponsors: Representatives Schual-Berke, Edmonds, Dickerson, Keiser, Carlson, Hurst, Lantz and Stensen.

House Committee on Education

Senate Committee on Education

Background:

An "associated student body" is a formal organization of students regulated by the school district. Associated student bodies, among other things, provide optional non-credit extracurricular activities of a cultural, social, recreational, or athletic nature. Associated student body activities generally are funded by fees or student fundraisers.

Donations may be used by the associated student body for scholarship, student exchange, and charitable and other purposes. Donations typically mean gifts made without receiving any compensation. However, many student fundraisers, such as car washes and bake sales, provide a service or product to the person making the "donation."

Students may raise private funds, called nonassociated student body program funds, for private purposes that can be held in trust in an associated student body program fund. The school district must be compensated for the cost of administering the separate private account or accounts.

The Washington Constitution's lending of credit provisions prohibit local public agencies, such as school districts, from making gifts of public funds except to aid the poor or infirm.

Summary of Bill:

Specific authorization for the associated student body program fund to use donations for scholarship, student exchange, charitable, and other purposes is removed.

Subject to school board policy, student groups are authorized to conduct fund-raising activities as a private group to generate nonassociated student body funds. These nonassociated student body funds may be used for scholarship, student exchange, and

charitable purposes; they cannot be used for political purposes. Nonassociated student body program funds are not public funds for purposes of the state Constitution's lending of credit provisions. The student group raising the funds determines how the funds are used. These nonassociated student body funds must be held in trust in an associated student body program fund in separate accounts, and the school district must be reimbursed for the direct expenses of maintaining these separate accounts.

Votes on Final Passage:

House 95 0

Senate 45 0 (Senate amended)

House 96 0 (House concurred)

Effective: June 8, 2000